

SENATE—Thursday, March 3, 1994

(Legislative day of Tuesday, February 22, 1994)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. As we make our supplications and give praises to Almighty God, who created man in His own image and breathed into His nostrils the breath of life, the Senate will be led by its Chaplain, the Reverend Dr. Richard C. Halverson.

Dr. Halverson.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer: Let us pray.

* * * *thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets.*—Matthew 22:37–40.

Gracious God of truth and love and mercy, these words are precise and unambiguous, but we do not seem to take them seriously. Paul, the apostle, declared that "love is the fulfilling of the law." The apostle John wrote, "He that does not love does not know God; for God is love." Hearing these explicit words, we remember with shame the history of religious wars, and the consummate tragedy that today religion is fracturing nations.

God of perfection, awaken us to the realization that failure to love makes a travesty of religion and exposes our ignorance of God. Help us understand that love is more than a sentimental feeling, love is volitional, requiring a decision to obey God and love, not only our neighbor, but our enemy.

In His name who is love incarnate. Amen.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the Senator from Pennsylvania [Mr. WOFFORD] to be recognized to speak for up to 30 minutes; the Senator from Wyoming [Mr. WALLOP] will be permitted to speak for not to exceed 10 minutes; and then the Sen-

ator from Utah [Mr. HATCH] will control 10 minutes.

Mr. DASCHLE addressed the Chair.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. DASCHLE] is recognized for not to exceed 10 minutes.

Mr. DASCHLE. Thank you, Mr. President.

CONFUSING THE HEALTH CARE ISSUE

Mr. DASCHLE. Mr. President, I have been asked in recent days about polls published in a number of newspapers showing some slippage in the support for the health plan proposed by this administration.

My answer to the queries that I have had is, I am not really surprised. After an orchestrated campaign, the cost of which has been more than \$10 million, by many opponents of health reform, especially those outside of Washington—the insurance industry, lobbyists, and others—I am not surprised.

The American people are confused with the tremendous amount of misinformation that has characterized so much of the debate so far. There has been an orchestrated effort to mislead the people and I think, to a certain extent, as it pertains to the Clinton health plan, they have succeeded.

But I am also convinced that these poll numbers are temporary. What is permanent is a desire on the part of the American people to solve the health care crisis.

Because, in spite of the ups and downs of polls relating directly to this plan, 86 percent of the American people, in virtually every poll from the very beginning, want guaranteed private health insurance for all Americans. In spite of the ups and downs on the Clinton health plan, 67 percent of all the American people want the responsibility for paying for it to be shared between employer and employees alike. And in spite of the ups and downs, Mr. President, over 60 percent of the American people say again and again that they want a specified list of comprehensive benefits so they know what they are getting.

Those numbers do not appear to change at all. Regardless of all the talk of alliances and specific proposals, the core feeling of the American people is as strong today as it was at the very beginning. That does not change.

I hope there is something else that does not change. I hope that there is a sincere desire on the part of our Repub-

lican colleagues not to politicize this issue. I believe that there are many on the other side who want health reform as badly as those on this side of the aisle. I am encouraged by their determination in much of what I see in the Finance Committee on a daily basis—good questions, good statements, persistence on the part of so many who have been with this issue for so long.

But I must say this morning, Mr. President, I am encouraged, as well as concerned, about this Republican retreat that will begin tonight. I am encouraged because there are a large number of Republican Senators who certainly want to devote the attention necessary to an issue of this magnitude and have demonstrated it. Our colleague from Rhode Island [Mr. CHAFEE] is the one who called for this retreat. So I know in his mind there is a lot that can be done in another opportunity to look very closely at an issue of this magnitude.

But I am concerned that some in the Republican caucus want to do to health what they did to deficit reduction. They want to politicize it.

I have concluded, having been around here for almost 7 years now, that each and every time this body politicizes an issue, we lose. It is that simple. To politicize health would mean that Republicans lose. To politicize health would mean Democrats lose. But, most importantly, to politicize this issue means the American people lose.

Instead of coming out swinging, my sincere hope this morning, the morning of the retreat tonight, is that our Republican colleagues will come out extending—extending their arms in a real effort at bipartisanship to resolve these problems that we all know exist.

That has been the approach this administration has used from the very beginning. In scores of meetings here and down there one-on-one with the President himself, with the First Lady, with every Member of the Cabinet, in small groups and in big groups, I do not think I have ever seen a more inclusive effort ever undertaken by any administration. Inclusion has been the approach that this administration has used. I hope that it is reciprocated as Republicans and Democrats attempt, in as sincere a way as possible, to deal with this issue effectively.

I hope, Mr. President, that my concerns are unwarranted. I hope the announcement tomorrow afternoon will be that the Republican caucus is even more determined than ever to come up with a plan to work together. I hope

that all Senators can come to the same conclusion which many of us have—that the less we do, the more costly the effect. That is counterintuitive, but it is true—the less we do, the more costly the effect.

Every single serious analytical effort that has been presented to us thus far has demonstrated that. And of all the alternatives, they tell us, one by one, as recently as this week, the status quo is the most expensive. Every analysis done so far has indicated that we have to do something to stem this incredible flow of cost into health. We all have been told, time and time again virtually every time we get into a budget debate about the implications of health on our budget, and the President pro tempore knows that better than any one of us in this Chamber—in fact the Congressional Budget Office said that—unless we deal with health care we cannot contain our budget problems.

As they reported to Congress just a couple of weeks ago, it is the Clinton plan that reduces costs to health, and to the budget, by \$237 billion over a 10-year period of time. They reported to us just a couple of weeks ago that the Clinton plan saves business \$90 billion a year, when it is fully implemented. And just this week the Department of Health and Human Services released their analysis of the effect that the Clinton plan would have, not only on our budget but on all the budgets, State by State. Their report was very encouraging.

They indicated that States could save \$39 billion in Medicaid costs alone

between the years 1996 and 2000; that they would save \$6.3 billion a year at the end of the decade just as an employer. That is per year, by the end of the decade.

Health and Human Services say business, too, are big winners, saving more than \$59 billion a year, that comes out to \$605 a worker. And working families would save \$29 billion a year, \$293 per worker.

That is the kind of analytical information many of us asserted all along ought to drive this debate. We can truly provide the universal coverage, this guaranteed access to private insurance that we want for all Americans, at the same time we reduce costs.

It is such a remarkable study I would like to share it with my colleagues. I ask unanimous consent to have it printed in the RECORD at this time.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the U.S. Department of Health and Human Services, Feb. 28, 1994]

IMPACT OF THE HEALTH SECURITY ACT ON STATES

I. SUMMARY, IMPACT OF THE HEALTH SECURITY ACT ON STATES

The Health Security Act will reduce the cost of insurance in states through universal coverage, cost containment, and the elimination of cost shifting.

Employers who currently offer insurance will save on average of \$605 per worker (1.6% of payroll or \$59.5 billion on total) on premiums in the year 2000.

Workers who are in firms that currently offer health insurance will save an average of \$293 per worker (\$29.9 billion in total) on premiums in the year 2000.

As a purchaser of health care coverage for their employees, states will save approximately \$5.6 billion in premium payments for active employees in the year 2000 due to slower growth in overall health care costs. Additionally, states will save an estimated \$704 million through federal support of health care for early state retirees in the year 2000.

State expenditures for Medicaid and community-based long-term care are projected to decrease in the aggregate under the Health Security Act.

Between 1996 and the year 2000, states will save an estimated \$43.6 billion in state Medicaid expenditures under the Health Security Act; an estimated \$31.9 billion represents coverage of Medicaid recipients through regional alliances, and approximately \$11.7 billion will be saved through the new community-based long-term care program. In the year 2000, state Medicaid programs will save approximately \$22.3 billion—\$3.3 billion results from the new home and community-based long-term care program.

When taking new state spending for the new community-based long-term care program into account, states will save, on net, nearly \$7.6 billion on community-based long-term care expenditures between 1996 and 2000 under the Health Security Act. In the year 2000 alone, states will save \$1.1 billion on community-based long-term care.

States will save \$39.5 billion between 1996 and 2000 under the Health Security Act, \$7.6 billion from the community-based long-term care program, and \$31.9 billion from the remaining changes in the Medicaid program. In the year 2000, this represents \$20.1 billion, \$19.0 billion in Medicaid savings excluding home and community-based care and \$1.1 billion in savings from the home and community-based care program.

IMPACT OF THE HEALTH SECURITY ACT ON STATES: YEAR 2000

Expenditure categories	Without reform	Reform	Savings
PURCHASING HEALTH COVERAGE UNDER THE HEALTH SECURITY ACT			
Employers' share of the premiums:			
Total employer premium payments—all firms	\$303.5 billion	\$275.5 billion	\$28.0 billion
Total employer premium payments—employers currently offering insurance	\$303.5 billion	\$243.9 billion	\$59.5 billion
Premium payments as a percent of payroll—employers currently offering insurance	8.2%	6.6%	1.6%
Premium payments per worker—employers currently offering insurance	\$3,086 per worker (\$257/month)	\$2,481 per worker (\$207/month)	\$605 per worker (\$50/month)
Families' and individuals' share of the premiums:			
Total worker premium payments—all firms	\$73.6 billion	\$53.7 billion	\$19.9 billion
Total worker premium payments—workers in firms currently offering insurance	\$73.6 billion	\$44.7 billion	\$28.9 billion
Worker premiums—workers in firms currently offering insurance	\$748 per worker (\$62/month)	\$455 per worker (\$38/month)	\$293 per worker (\$24/month)
New Federal funds for discounts ¹		\$81.0 billion	
State expenditures on active State employees	\$15.8 billion	\$10.2 billion	\$5.6 billion
State expenditures on early State retirees	\$1.3 billion	\$0.6 billion	\$0.7 billion
MEDICAID			
State Medicaid expenditures, including savings from community-based long-term care	\$123.3 billion	\$101.0 billion	\$22.3 billion
State Medicaid expenditures, not including savings from community-based long-term care	\$123.3 billion	\$104.3 billion	\$19.0 billion
NEW LONG-TERM CARE PROGRAM			
State community-based long-term care expenditures	\$9.9 billion	\$8.9 billion	\$1.1 billion

¹ Total discounts minus states' maintenance of effort

NOTE: For display purposes only, the Medicaid savings due to the new community-based long-term care program are shown under both the Medicaid and the New Long-Term Program sections. "State Community-Based Long-Term Care Expenditures" also reflects changes in state-only spending for the severely disabled and state funds directed toward the new long-term care program. Numbers may not sum to totals due to rounding.

II. HEALTH SECURITY ACT: MAJOR POLICY CHANGES AFFECTING STATES

The following is a brief description of some of the major policy changes under the Health Security Act that affect state expenditures.*

Footnotes at end of article.

Universal coverage and cost containment under the Health Security Act

The Health Security Act guarantees all American citizens and legal residents private insurance coverage for a comprehensive package of benefits. Coverage continues with no lifetime limits regardless of a change of

employer, employment status, marital status or medical condition.

The Health Security Act relies on the requirement of shared responsibility for the purchase of health coverage. It strengthens the private, employment-based system and augments it with a commitment to make the

purchase of coverage affordable through discounts to small business and families.

The Health Security Act carries out the commitment to control the rising costs of health care by:

(1) Consolidating the purchasing power of consumers so that private payers in a competitive market can slow the growth of health insurance premiums. This process is backed up by a cap on the growth of insurance premiums.

(2) Reducing the rate of growth of the Medicare and Medicaid programs without reducing benefits or quality of care.

Premiums under the Health Security Act

Under the Health Security Act, health coverage is purchased in two shares: the individual or family share and the employer share. Each individual or family purchases a health plan designed to cover one of four categories by family type:

- (1) A single adult policy;
- (2) A policy covering two adults;
- (3) A policy covering a single parent with children; or
- (4) A policy covering two parents with children.

Employers' share of the premiums

Generally, employers pay 80 percent of the weighted average premium calculated on a per worker basis within a regional alliance for the appropriate family type policy.** Additionally, an employer may choose to pay part or all of the family share of the premium.

Employers' premium payments within regional alliances are capped. At full implementation, employers purchasing coverage through regional alliances will pay no more than 7.9 percent of payroll for health coverage for their workers. Businesses with fewer than 75 workers receive discounts that cap their payments to a sliding scale (3.5% to 7.9% of payroll) based on size and average wage.

Families' and individuals' share of the premiums

The family or individual pays the difference between the employer share and the actual premium of the health plan in which they choose to enroll. Those who choose to enroll in a lower-cost plan will pay lower premiums than those who choose higher-cost plans.

For families and individuals, as well as employers, premium payments are capped. Families with an annual income of \$40,000 or less pay no more than 3.9 percent of their income toward their share of the premium. Those with incomes below 150 percent of poverty receive discounts toward their share of the premium.

Medicaid under the Health Security Act

Under the Health Security Act, Medicaid recipients under the age of 65 enter the alliance system to obtain the guaranteed comprehensive benefit package.

People not on cash assistance who now receive Medicaid choose their health plan and may qualify for discounts based on income, like other eligible individuals and families. States contribute toward discounts for their residents by maintaining current Medicaid spending efforts for this population.

Individuals who qualify for cash assistance (Aid to Families with Dependent Children or Supplemental Security Income) also choose their own health plans through regional alliances. The federal and state governments make premium payments for these individuals based on current state and federal Medicaid expenditures.

For low-income children under the age of 19, a new program is created to provide services currently offered under Medicaid but not included in the comprehensive benefits package, such as hearing aids and non-emergency transportation. States maintain current spending for children receiving cash assistance.

State expenditures on Medicaid will decrease under the Health Security Act for several reasons:

Coverage of current cash eligible Medicaid recipients through regional alliances: Acute care spending for cash eligible Medicaid recipients decreases because of their inclusion in regional alliances, where costs will not grow as rapidly as under the current system. States pay a premium for these services that is based on 95 percent of current expenditures for this population. In addition to this reduction in expenditures, states no longer make disproportionate share payments for their cash-eligible populations.

Coverage of current non-cash eligible Medicaid recipients through regional alliances and the new program for children's supplemental services: Expenditures for non-cash eligible Medicaid recipients, like those for cash eligibles, are reduced due to their inclusion in regional alliances. Although the states make maintenance of effort (MOE) payments based on current expenditures for acute care services and disproportionate share for this population, these payments will not grow as rapidly as under the current system. Additionally, the federal government assumes the costs of supplemental services for Medicaid eligible children. Because the MOE payments for cash eligible children's supplemental services will grow at a slower rate than do current expenditures for these services, states achieve savings.

New long-term care program under the Health Security Act

The Health Security Act creates a new home and community-based long-term care program for individuals with severe disabilities regardless of income or age. The program is financed by:

Federal Government: New federal funds are allotted to states based on a formula that includes the number of persons with severe disabilities among other factors. Additionally, current federal Medicaid expenditures for these services for the severely disabled will be used to fund the new program to the extent that current Medicaid eligibles are served in the program. The federal share of public costs ranges from 78 to 95 percent when fully phased in.

States: State spending for the new program will be matched by the federal government at a rate substantially higher than that of the current Medicaid program. Part of the state funds will come from the transfer of Medicaid expenditures for community-based long-term care for the severely disabled. At the most, states will pay between 5 and 22 percent of the public program costs.

Individuals: Participants whose income is greater than 150 percent of the federal poverty level will contribute based on their income.

States have the flexibility to organize services to meet their populations' diverse needs; at a minimum, states must provide personal assistance to eligible individuals needing assistance with activities of daily living. States have the option to continue to provide community-based long-term care services under the state Medicaid program.

Public health initiatives under the Health Security Act

The Public Health Initiatives under the Health Security Act will provide states and

communities with new funds to create partnerships among government, alliances, health care providers, and communities that will:

Enhance the capability of communities to protect the health of their populations and to address high-priority local health problems;

Increase the number of minorities in health professions, support graduate nurse training initiatives, and expand training projects for primary care physicians and physician assistants;

Assure access to essential health services for all Americans, particularly low-income, isolated, hard-to-reach populations; and

Provide the knowledge and information systems necessary to prevent disease and provide medical care more appropriately and efficiently.

Due to universal coverage under the Health Security Act, most personal health services now provided the Public Health Service will be paid for by insurance.

III. BACKGROUND: STATES AND HEALTH REFORM

Over the past decade, state governments, residents, and employers have faced rapid increases in the already high health care costs.

Between 1980 and 1991, spending in states for hospital care, physician services, and prescription drug purchases in retail outlets rose at an average annual rate of 10.5 percent.¹

In 1993, states spent more on health care than on tax-financed higher education.²

Between 1988 and 1990, the average annual growth in Medicaid expenditures was 15.7 percent,³ and it is expected that state Medicaid spending will nearly triple between 1990 and 1995.⁴

United States—Health care environment	Statistics
Percentage of population covered by Medicaid (1991) ⁵	10.6%
Medicaid payments per recipient (1992) ⁶	\$2,937
Average annual growth in Medicaid expenditures (1988-1990) ³	15.7%
Infant mortality rate per 1000 live births (1991) ⁷	8.9

Footnotes at end of article.

States have taken several steps to control the rise in health care costs and to increase access to health care for its residents.^{8, 9}

Almost all states have initiated or enacted measures to improve access and contain costs.⁸

Fourteen states have enacted or proposed legislation designed to provide universal coverage for all state residents.⁸

Twelve states have enacted or proposed legislation designed to contain costs through managed competition or purchasing pools.⁸

Forty-seven states have enacted or proposed small group insurance reform; eighteen states have enacted or proposed insurance reform for individuals.⁸

Examples of state health reform initiatives include:

Expanding access to health care for targeted population groups, such as pregnant women or children, through public sector, private sector, or a mixture of both, interventions. This often includes expanding Medicaid eligibility for coverage and services beyond Medicaid's traditional income restrictions.⁸

Small group and individual market reforms including guaranteed issue and renewal, limits on pre-existing condition exclusions, rating restrictions and benefit mandates.⁸

Containing costs through the use of managed competition or purchasing pools, provider rate setting, insurer premium caps, and global budgets.⁸

Acting alone, states are hampered in their efforts to control the growth of health care

costs. The Health Security Act will enable states to control the growth of health care expenditures and assure access to care for its residents.

Universal coverage, achieved through a federal/state partnership, will reduce the burden on state and municipal programs and providers that today help finance and deliver services to the uninsured and under-insured.

Federal grants will help states provide special assistance to underserved rural and urban areas. States will be able to strengthen and improve essential public health efforts.

The Health Security Act will control the increase in health care costs by introducing greater competition into the health care delivery system.

IV. IMPACT ON THE PRIVATE SECTOR¹⁰

A. Premium payments under the Health Security Act

Total Annual Premium Payments: Year 2000

Without reform, employers who currently offer insurance would pay an estimated total of \$303.5 billion in premiums in the year 2000. Under the Health Security Act, all firms, including those that do not currently offer insurance, will pay \$275.5 billion in premium payments for their employees. Firms that currently offer insurance to their employees will pay an estimated total of \$243.9 billion in premium payments—\$59.5 billion less than they would pay without comprehensive reform.

Workers who currently work in firms that offer insurance would pay an estimated total of \$73.6 billion in premium payments in the year 2000 without comprehensive reform. Under the Health Security Act, workers, including those who are not currently covered through firms offering insurance, will pay a total of \$53.7 billion in premiums in the year 2000. Employees in firms that currently offer insurance will pay an estimated total of \$44.7

billion in premiums in the year 2000, almost \$29 billion less than they would without comprehensive reform.

Employer Premium Payments as a Percent of Payroll: Year 2000

The Health Security Act will reduce the percent of payroll that employers who currently offer health insurance will spend on premiums from 8.2 percent to 6.6 percent, a reduction of approximately 20 percent due to reforms in the Act.

In the year 2000, all employers will spend an average of 6.4 percent of their payroll on premiums under the Health Security Act.

Average Annual Premium Payments per Worker: Year 2000

For all employers, the average premium payment per worker will be an estimated \$2,245 in the year 2000 under the Health Security Act. Employers that currently offer health insurance will pay an estimated \$2,481 in premium payments for workers—\$605 less than they would pay if there were no comprehensive reform.

Under the Health Security Act, workers will pay an average premium share of approximately \$437 in the year 2000. Employees in firms that currently offer insurance will pay on average \$455. This is an estimated \$293 less than they would pay in premiums if there were no comprehensive reform. Savings will be even greater for those workers who currently purchase health insurance directly from insurance companies.

B. Discounts under the Health Security Act—Year 2000

Qualified small and low-wage employers, low-income families, and early retirees will receive an estimated total of \$104 billion in the year 2000 for premium and out-of-pocket payment discounts under the Health Security Act.

States' residents and businesses will receive an estimated \$81 billion in federal funds for discounts in the year 2000.

The approximately \$23 billion remaining will come from state funds, a substitute for the \$27.8 billion that states would have paid for services for non-cash Medicaid recipients without reform.

V. IMPACT ON THE PUBLIC SECTOR

A. States as employers under the Health Security Act—Year 2000

As purchasers of health care coverage for their employees, states will benefit from slower growth in overall health care costs.

Federal support of health care for early retirees will produce large savings for state employee health benefits programs. Under the Health Security Act, the federal government will cover the 80 percent employer share of the early state retirees' premiums. The state will assume the 20 percent family share.

States will spend an estimated \$10.2 billion on their active employee health benefits in the year 2000 under the Health Security Act. This represents an estimated savings of \$5.6 billion when compared to the estimated spending without reform of \$15.8 billion in the year 2000.

States as employers will save an estimated \$704 million on its premium spending for retirees between the ages of 55 and 64 years in the year 2000.

B. State Medicaid spending under the Health Security Act

Medicaid Growth: 1996–2000¹¹

Under the Health Security Act, states save approximately \$43.6 billion between the years 1996 and 2000. These savings will result primarily from the inclusion of Medicaid recipients in regional alliances, where health care costs will not grow as rapidly as in the current system.

MEDICAID EXPENDITURES: 1996–2000¹

(In billions of dollars)

	Fiscal year 1996	Fiscal year 1997	Fiscal year 1998	Fiscal year 1999	Fiscal year 2000	Total
Medicaid spending without reform	77.6	87.3	98.0	109.9	123.3	496.0
Health Security Act spending	76.8	85.1	94.1	95.4	101.0	452.3
Acute care Medicaid	47.9	49.3	44.0	38.1	39.3	218.6
Long-term care Medicaid	27.0	29.3	32.0	34.9	38.2	161.3
Maintenance of effort	2.0	6.5	18.1	22.4	23.4	72.4
Change in State Medicaid spending	(0.8)	(2.2)	(3.9)	(14.5)	(22.3)	(43.6)
Change in State Medicaid spending less community-based long-term care savings	0.5	(0.2)	(1.5)	(11.6)	(19.0)	(31.9)

¹ Estimates of the impact of the Health Security Act on all States assumes that States implement reform in January of 1996, 1997, or 1998, as specified in the act.

Overall, states will save an estimated \$43.6 billion on Medicaid expenditures between 1996 and 2000 under the Health Security Act. An estimated \$31.9 billion in savings results from coverage of Medicaid recipients through the regional alliances and other policy changes under the Health Security Act. The remaining \$11.7 billion in Medicaid savings results from the new community-based long-term care program.¹²

Medicaid spending on acute care, which includes premium payments for cash assistance recipients and wrap-around services for adults, will be an estimated \$39.3 billion in the year 2000. This will be lower than the acute care spending under the current system because of slower growth of health care costs under the Health Security Act.

Medicaid spending on long-term care under the Health Security Act will be approximately \$38.2 billion in the year 2000. This in-

cludes coverage of institutional long-term care and continuing Medicaid community-based long-term care.

States will contribute an estimated \$23.4 billion in the year 2000 in maintenance of effort payments that will be used for discounts for their low-income residents and small businesses.

C. New Long-Term Care Program Under the Health Security Act

STATE EXPENDITURES FOR COMMUNITY-BASED LONG-TERM CARE: 1996–2000

(In millions of dollars)

	Fiscal year 1996	Fiscal year 1997	Fiscal year 1998	Fiscal year 1999	Fiscal year 2000	Total
Spending without reform	5,199	7,694	8,314	9,208	9,949	40,363
State Medicaid spending ¹	3,893	5,856	6,359	7,154	7,819	31,081
State-only spending on severely disabled ²	1,306	1,838	1,955	2,054	2,130	9,283
Health Security Act spending	3,764	5,786	6,601	7,756	8,870	32,776

STATE EXPENDITURES FOR COMMUNITY-BASED LONG-TERM CARE: 1996-2000—Continued

[In millions of dollars]

	Fiscal year 1996	Fiscal year 1997	Fiscal year 1998	Fiscal year 1999	Fiscal year 2000	Total
New program spending:³						
State spending to match new Federal funds	869	1,504	2,106	2,804	3,551	10,835
State spending to match Medicaid transfer	276	446	540	645	737	2,644
State spending on continuing Medicaid	2,618	3,836	3,954	4,306	4,581	19,297
Change in State spending on community-based long-term care	(1,436)	(1,907)	(1,713)	(1,452)	(1,079)	(7,588)

¹ Projected Medicaid spending for home health, home and community-based waivers, personal care, frail elderly, and community-supported living arrangements (CSLA).
² Includes estimated spending for persons who are likely to meet the eligibility criteria for the new program.
³ Assumes full state participation in the new program. The new program is not fully implemented until FY 2003. These net savings include some of the Medicaid program savings presented in Section B (State Medicaid Spending). The Medicaid offset estimate reflects more recent data than were available at the time that the FY 1995 Budget was prepared. Numbers may not sum to totals due to rounding.
 Source: ASPE.

States will save an estimated \$7.6 billion on community-based long-term care spending under the Health Security Act between 1996 and 2000, \$1.1 billion in the year 2000 alone.

Without comprehensive reform, states would spend an estimated \$9.9 billion in Medicaid and non-Medicaid (state-only) funds on home health, personal health care services, and home and community-based waivers in the year 2000.

Under the Health Security Act, federal expenditures for community-based long-term care have two sources: new federal funds and Medicaid offset amounts. States will spend an estimated \$3.6 billion in the year 2000 to match new federal funds appropriated for the new program. Additionally, states will spend approximately \$737 million to match Medicaid offset amounts.

States will spend an estimated \$4.6 billion in the year 2000 for community-based serv-

ices that continue to be offered through Medicaid.

Total savings for states from Medicaid policy changes (\$31.9 billion) and the new community-based long-term care program (\$7.6 billion) will be an estimated \$39.5 billion between 1996 and 2000.¹³

FEDERAL EXPENDITURES FOR COMMUNITY-BASED LONG-TERM CARE FOR STATES: 1996-2000

[In millions of dollars]

	Fiscal year 1996	Fiscal year 1997	Fiscal year 1998	Fiscal year 1999	Fiscal year 2000	Total
Spending without reform¹	4,787	7,200	7,818	8,796	9,613	38,214
Health Security Act spending	9,021	14,647	18,509	23,207	28,061	93,445
New program spending:						
New Federal funds for program	4,500	7,800	11,000	14,700	18,700	56,700
Estimated Medicaid transfer ²	1,429	2,311	2,819	3,380	3,882	13,822
Federal spending on continuing Medicaid community-based long-term care ³	3,092	4,535	4,690	5,127	5,478	22,923
Change in Federal spending on community-based long-term care	4,234	7,447	10,691	14,412	18,447	55,231

¹ Projected Medicaid spending for home health, home and community-based waivers, personal care, frail elderly, and community-supported living arrangements (CSLA).
² Federal Medicaid spending on persons with severe disabilities who are expected to be transferred to the new program. Assumes that no more than 75 percent of the new program's expenditures will be used for the Medicaid severely disabled during the phase-in.
³ Medicaid with federal matching funds for home and community-based long-term care continues for the non-severely disabled and the severely disabled not served through the new program. Program is not fully implemented until FY 2003.
 The Medicaid offset estimate reflects more recent data than were available at the time that the FY 1995 Budget was prepared. Numbers may not sum to totals due to rounding.
 Note.—Please refer to the Key Assumptions listed in the Methods Paper for this report.
 Source: ASPE.

In the absence of comprehensive reform, the federal government would spend an estimated \$9.6 billion in Medicaid funds on home health, personal health care services, and home and community-based waivers in states in the year 2000.

Under the Health Security Act, states will receive an estimated \$18.7 billion in new federal funds in the year 2000 for the new program for persons with severe disabilities. Additionally, states will receive an estimated \$3.9 billion in federal Medicaid offset amounts to reflect Medicaid savings from the new long-term care program.

States will receive an estimated \$5.5 billion in the year 2000 in federal Medicaid funds for community-based services that continue to be offered through Medicaid.

Between 1996 and 2000, federal spending for home and community-based long-term care will increase by an estimated \$55.2 billion under the Health Security Act.

D. Public Health Initiatives Under the Health Security Act

PUBLIC HEALTH SERVICE FUNDING FOR STATES: 1997-2000

[In millions of dollars]

	1997	1998	1999	2000	Total
New PHS funds	3,630	4,005	3,955	3,555	15,145
Health services and workforce funding ¹	2,630	2,905	2,855	2,455	10,845

PUBLIC HEALTH SERVICE FUNDING FOR STATES: 1997-2000—Continued

[In millions of dollars]

	1997	1998	1999	2000	Total
Health research funding ²	1,000	1,100	1,100	1,100	4,300
Offsets ³	1,582	2,510	2,729	2,729	9,550
Total funds	2,048	1,495	1,226	826	5,595

¹ Federal funds for health-related services and workforce are allocated to States based on the State's percentage of its population beneath the poverty level in 1992.
² Federal funds for health research are allocated to states using proportional distribution based on total fiscal year 1993 AHCPR and NIH funds to each State.
³ Offsets are allocated to States based on fiscal year 1993 distribution of funds from HRSA, SAMHSA, CDC, IHS, and NIH. Numbers may not sum to totals due to rounding.
 Note.—It is assumed that all States will implement reform in 1997.
 Source: OASH, PHS.

Between 1997 and 2000, Public Health Initiatives of the Health Security Act will provide the states and its localities with an estimated \$5.6 billion in new funds for its community health centers, training of primary care physicians, core public health functions such as immunizations and disease prevention, and health research, among other programs.

With universal coverage, payments from health plans will replace (offset) the current Public Health funds for the personal health services, totalling approximately \$9.6 billion between 1997 and 2000.

FOOTNOTES

* Note: This analysis includes the major ways that states will be affected by the Health Security Act; other sectors that will be affected such as hospital and local governments, are not described in this report.

** The weighted average premium is the average of the accepted bids for all health plans in the alliance, weighted to reflect enrollment of eligible individuals among the plans.

¹ Health Care Financing Administration, as published in Levit, et al., "Health Affairs," Fall 1993.

² National Association of State Legislatures, 1993.

³ Health Care Financing Administration, Office of the Actuary. Per capita from 1992. As cited in Office of Management and Budget Health Reform Briefing Book, October, 1993.

⁴ National Association of Budget Officers, 1993.

⁵ Congressional Research Service, Medical Source Book, 1993 Update. Prepared for the Committee on Energy and Commerce, U.S. House of Representatives, January 1993, P. 48.

⁶ Health Care Financing Administration, as compiled by The Urban Institute, 1993. As cited in Office of Management and Budget Health Reform Briefing Book, October, 1993.

⁷ Centers for Disease Control and Prevention. "Monthly Vital Statistics Report," 42(2s), August 31, 1993.

⁸ Blue Cross and Blue Shield Association. State Legislative Health Care and insurance issues, 1993 Survey of Plans.

⁹ Office of Management and Budget Health Policy. Health Reform Briefing Book: States, October 1993.

¹⁰ The Congressional Budget Office (CBO) has produced a higher premium estimate than the Administration's. The CBO also estimates larger employer discounts. On balance, both the CBO and the Administration predict the Health Security Act will re-

duce business spending compared with current policy by similar amounts. (CBO, "An Analysis of the Administration's Health Proposal," February 8, 1994, p. 54.)

Source: ASPE and the Urban Institute's TRIM2 Model, benchmarked to HCFA's National Health Accounts.

¹¹ Estimates of the impact of the Health Security Act on all states assume that states implement reform in January of 1996, 1997, or 1998, as specified in the Act. Please refer to the Key Assumptions listed in the Methods Paper for this report.

Assume that: States will continue their spending on non-cash adult wrap-around services; sources of revenue for Medicaid disproportionate share remain and funds were used for uncompensated care.

Estimated savings will change slightly due to normal baseline revisions which accompany new economic data.

Numbers may not sum to totals due to rounding. Source: HCFA OACT, OLP and ASPE.

¹² Medicaid savings for community-based care reported here differ from community-based term care savings reported in section C because Medicaid savings do not include non-Medicaid (state-only) spending or the new program spending. Please refer to the Key Assumptions listed in the Methods Paper for this report.

Assume: States will continue their current spending level for non-cash adult wrap-around services, current state sources of revenue for Medicaid disproportionate share remain and funds are used for uncompensated care.

Long-term care includes both institutional and community-based long-term care. These estimates include offsets due to the new community-based long-term care program (see next section).

Maintenance of effort payments include expenditures for alliance-covered services and disproportionate share for the non-cash population and wrap-around services for cash-eligible children.

Numbers may not sum to totals due to rounding.

¹³ This assumes universal coverage in 1997. Medicaid savings will be larger if states adopt universal coverage during 1996. Please refer to the Key Assumptions listed in the Methods Paper for this report.

Mr. DASCHLE. I hope we will have a serious discussion about cost savings and I hope we can agree on one thing as it relates to cost. I hope we can all agree we will not support any plan which fails to produce at least the savings that have been laid out in the Clinton plan. Let us use that as the base, the threshold. Let us assume we cannot provide any credibility to any other plan that does not at least achieve the savings in the Clinton plan.

The Health and Human Services report breaks down the costs between employers and employees. It raises the issue, as well, of an employer mandate; the "M" word—mandate. There are those who would have us believe we could avoid the "M" word, this mandate. But those who do ignore the mandate we have in our current system. We have a mandate in our current system that is often overlooked. It is there every day, and we are blind to it so often, but it is there in the most inequitable way.

I ask unanimous consent for 3 additional minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears no objection.

The Senator is recognized for 3 additional minutes.

Mr. DASCHLE. The mandate I am referring to, of course, is the status quo mandate, the mandate that says those who pay will pay for those who do not pay.

If we had ever designed a new system and somebody had come to this Chamber and proposed that method of financing, I think we would probably have laughed them out of the Chamber. That Senator would not get one vote for the mandate that exists in the system today: Those who pay, pay for those who do not pay.

How inequitable could it be? Yet there are those who suggest we keep that current mandate, that we keep the current system, that we allow what they would call a volunteer system to prevail. Yet that volunteer system is no more than an euphemism for the status quo mandate that exists right now.

There are those who suggest it is inequitable, but that the alternative ought not involve the employers; that it is too burdensome, somehow, for the small employer. My question to those advocates of a shift in the responsibility onto the family is, if it is too expensive and too burdensome for a small business, how is it not so burdensome for small families, for young families just trying to get started? How is it that a family mandate is more politically acceptable than a small-business-shared responsibility?

What we are suggesting is that businesses and families share this responsibility, as we have for generations. Yet there are some who argue that there ought not be any shared responsibility, that the entire brunt of the costs of health be put on the shoulders of every working family. So they would propose we shift from a status quo mandate to a family mandate. I do not think that is any more acceptable. I hope we have the chance to talk about that a lot more in the future.

So, let us be clear about what the polls really say. They say the American people want us to solve this problem. They say the American people question we have what it takes to do it. That is what they say. They say they want us to solve this problem. So let us look at the opportunity that is now before us in the coming weeks and months as just that, as an opportunity to provide private health insurance to every American family; to demonstrate our ability to govern; to tell the American people that there are times when we can put politics aside as Democrats and as Republicans, and do it right.

I yield the floor.

Mr. WOFFORD addressed the Chair.

The PRESIDENT pro tempore. Under the order, the Senator from Pennsylvania [Mr. WOFFORD] is recognized for not to exceed 30 minutes.

HEALTH CARE

Mr. WOFFORD. Mr. President, quite often on these Thursday mornings, or on other days, I have come to the Senate floor, and often with the Senator from South Dakota, who is giving such

good leadership in this fight for guaranteed health insurance, private health insurance for all Americans—we have come to the floor to speak about what is happening to people in our States under our current health care system.

Many of our colleagues have done this in a series we have called Faces of the Health Care Crisis, the human faces that go with the figures, the statistics, and the problems that have been presented to us.

Little did we expect that talking about a crisis would become controversial here in Washington. The crisis concept is not so difficult for Pennsylvanians that I have spoken with over the past 2 years: People who have come to hearings and roundtables all over Pennsylvania; people whose stories I have tried to tell from this spot; people who are feeling in their lives the crisis we are talking about; people who have seen their coverage cut off when they lose a job, when they change a job, when they retire from a job, and—most absurdly—welfare recipients who lose their coverage when they get a job; small business owners who have seen their premiums skyrocket 20 or even 30 percent a year when they or one of their employees, or their children, get a serious illness; older citizens who had to spend down—what a word that is—spend down their life savings in order to pay for nursing home care and have gotten no support for home care which is the most cost-effective and humane way, so often, to give care for long-term problems and for older citizens.

Because of stories like that, Pennsylvanians gave a verdict a few years ago when they sent me here on whether to reform our health care system. They did not know exactly what the plan should be that would reach the goal they knew, but they knew they wanted to have health care reform reach that goal.

So now we have the great opportunity within our reach, we have the opportunity to go forward. We have a President and a Congress, we have Democrats and a goodly number of Republicans working on the question of how to do it. But as we have that opportunity before us, the historic proponents of reform are trying to change the clock back, the same special interests who fought against Medicare, who beat Harry Truman and even Richard Nixon with scare tactics about socialized medicine.

But there is another way to keep us from moving forward. Now some people in Washington want to keep talking about health care reform as if it is another political horse race. This week, they are talking about polls and where the President's health care plan stands in the polls. It should come as no surprise to anyone who has run for office that the Health Insurance Association of America got its money's worth out of their spokesmodels, Harry and Louise.

People in this city are experts in moving poll numbers. That is how they get here in the first place. So let us not act surprised that the Health Insurance Associations' millions of dollars in deceptive TV ads, financed by premium dollars paid by their own customers, have served their purpose: To turn skepticism into cynicism, confusion into fear.

This afternoon, our Republican colleagues are going to Annapolis for a health care retreat, an attempt to reach consensus on health care reform. I am glad they are going to do this, and I wish them well. It is an important development that they are spending a weekend on what to do about health care. A few years ago, many Republicans dismissed the importance of health care reform, and I doubt that they would have done this. I also would not have imagined 3 years ago so many Republican colleagues would be supporting proposals that do go a significant, remarkable distance further toward Harry Truman's goal of guaranteeing private health insurance for all Americans. They do not go far enough yet, but they have gone a good distance.

The progress we have made is real. The common ground is important. Many Republicans are very serious about this issue and want to be constructive, and I am counting on them to help us to succeed together.

So it is good for them to leave Washington for a couple of days because whenever we go beyond the beltway and listen to our fellow Americans, wherever we are—back home or in Annapolis—we see that they do not share Washington's view of health care reform as a spectator sport. People want information, that is for sure, a lot more information than they can get in the 30-second ad, but they are not interested in which party wins, which loses. And the latest punditry in poll numbers—who is up and down—may have been interesting in Lillehammer, but the Winter Olympics are now over and it is time for spring planting and it is time for a crop this summer that will give the American people their long-sought goal of universal health insurance.

I find that what citizens really want to know is whether their health insurance cannot be taken away, whether they can choose their own health plan, whether their premiums are going to continue to go up and up.

Americans are justifiably confused about how any particular health plan will work. But they know what they want. To put it simply, they want what we have, what Senators and Members of Congress and 9 million other Federal employees have—a menu of affordable health plans in which both the employer and the employees contribute.

So I hope our Republican colleagues will use this opportunity to back away

from the confusion and the complexity of the insider's game and go back to the basics, to the simple questions which truly define the health care debate, questions which point to the key elements of any solution to the problem.

To make their work easier, I offer these five key questions that they and all of us must answer: How do you guarantee private health insurance to every American? It is easy to share the goal of universal health care. Let us all very firmly agree that health insurance for every American is our goal. I think a strong majority of us in this body agree with that, but how are we and how do you, my Republican colleagues, propose to proceed, and are you ready to take the steps needed to reach that goal?

The President and 31 cosponsors of the Health Security Act have spelled out how to make that guarantee of private health insurance a reality. How would my Republican colleagues do it? We would build on the present American system of employer-employee mutual contribution, which is a fact of life for a great majority of Americans with health insurance today. We would build on it and extend it to all working Americans. How do my Republican colleagues propose to do it?

Then how do we plan and how do you, my Republican colleagues, plan to control the costs of health care? Many Republicans supported the balanced budget amendment but oppose real cost control in health care. I cannot reconcile those positions. We cannot end the Federal deficit without controlling the skyrocketing costs of Medicaid and Medicare. But you cannot simply cap those entitlements because all that will do is to shift costs on to the private sector and make the burden on business and families and individuals even heavier. Paying customers will pay more and more to cover the uninsured and the underinsured. That is not fair and it is not smart.

The President's Health Security Act proposes very specific ways in which we will bring down the inflation in health care costs. It proposes a structure of competition of the private health care plans for purchasing pools that will be our purchasing pools. It proposes a structure of consumer cooperatives that put the consumers in the driver's seat and no longer leave the choice of health plans just to employers and to insurance companies.

We propose standby backup premium caps. Insurance companies in other fields—automobile insurance, worker's compensation—are used to limits on the amount they can increase each year. We would propose some standby limits on how much premiums can increase each year, how much they can increase beyond the cost-of-living increase.

But what do our Republican colleagues propose? What is their alter-

native? How will they bring down the cost of health insurance that is breaking our national budget, but, even more importantly, is affecting the burden and the budget of every family, every business, every State and local government in this country?

Then how do we make sure that Americans have the ability to choose their own doctors? Many of our colleagues love to talk about the importance of choice of doctors. I agree with them. But like our friends, Harry and Louise—our friends on the other side of the aisle have talked about that—they do not seem to realize that more and more people are losing or do not have that choice of doctor today. More and more companies are turning to the lowest cost HMO with a limited list of doctors and saying, take it or leave it.

A recent study by KPMG Peat Marwick revealed that, as recently as 1988, 73 percent of all employer plans allowed individuals to choose their own doctor. But by 1993, only 49 percent of employer-paid health plans still give that choice, and the trend is only going stronger. It is going down to less and less choice of your own doctor unless we do something.

Our proposed Health Security Act does something. It provides that every American in health insurance purchasing cooperatives, called alliances, will have a menu of choice that always must include a plan to choose your own doctor and which provides competition so that you are likely to be able to find your own doctor in a number of plans.

This proposal will increase the choice of plans and the choice of your own doctor for Americans, and I wish to see the alternatives that will help stop the trend that is taking that fundamental choice more and more from the American people.

So I ask our Republican colleagues to help us reverse that trend and tell us how they would do so, if they do not want to go the route that we have proposed.

Then are you, my Republican colleagues, prepared to enact real health insurance reform? Under the current system, insurance companies have the power to jack up rates, especially on older citizens—charge them four times what younger citizens are charged—to cut off coverage for people with pre-existing conditions, and establish limits on the amount of benefits people can receive. Are you ready to enact real insurance reform that not only prohibits these insurance company practices but establishes a system that finally puts consumers in the driver's seat instead of the insurance companies.

Finally, for today, of the five questions I am contributing to our Republican colleagues' retreat, what will you do to protect older citizens? Whatever its shortcomings, Medicare is one of the most successful programs ever cre-

ated. Every serious health reform plan calls for savings for Medicare.

What will you, my Republican colleagues, do to protect the seniors who depend on Medicare? Will you include a prescription drug benefit as the Health Security Act does? What will you do about long-term care? Will you take some steps to make that more available? And, particularly, will you take steps to provide assistance for home care, family home care?

I think that most of us want bipartisan action on health care reform, but real health care reform requires answers to these questions. I put proposals from Democrats like Representative COOPER to this same test, asking how will they advance toward the goal of guaranteed, affordable, private health insurance for every American.

After all, that is really the point of a strategic retreat like the one our colleagues are about to have, that is going to begin in Annapolis. It is to figure out how to advance.

I hope we will advance, and we will advance together. The logic of the facts demand it; the American people demand it, because for all the efforts to confuse this issue and to highlight how complicated it all is, the bottom line is really very simple. Complexity is often the last excuse of those who want to do nothing.

So help us answer these questions, my colleagues. They will not be easy to answer. It is complicated, but we can do it if we move together and we do it with determination, and if we tap the better angels of our nature. To cite the great Republican who showed us how to bind up the wounds of the Nation and, "with malice toward none," move forward to achieve the goals of this Union.

The other day the head of the Congressional Budget Office, Dr. Reischauer, at the end of his testimony, said he hoped the facts that he was contributing, and the facts that we need to get together and look at hard, would not torpedo this opportunity for fundamental health care reform but instead would be used to build a reform that achieves what our economy and our country need.

He said he hoped that someday those of us who have something to do with this legislation in these next months will be able to do what a congressional committee did when it visited the Lyndon Johnson Library and looked at the exhibit on the Medicare bill and the signing of the Medicare bill, and were able to turn to their grandchildren and say, "That is something that I contributed to, to the well-being of this country, to the common good of America." He said he hoped someday those of us who have this opportunity today to craft this legislation, with our grandchildren in tow will be able to say, "Here is the bill that in 1994 we put together which made our health care sys-

tem more equitable, more efficient, and less costly."

We can do it, Mr. President. Let us do it.

I yield the floor.

The PRESIDENT pro tempore. Under the order previously entered, the Senator from Utah [Mr. HATCH] has control of not to exceed 10 minutes.

Mr. HATCH. I thank the Chair.

RETENTION OF TOUGH PROVISIONS OF THE CRIME BILL

Mr. HATCH. Mr. President, despite President Clinton's rhetorical support for congressional passage of a strong anticrime bill, the prevailing view inside the beltway is that weakening changes will be made to the Senate-passed bill to soften liberal opposition. This \$22.8 billion measure still awaits action in the House of Representatives and, following House action, the measure will be sent to a conference committee. What remains to be seen is how many of the tough provisions in the Senate bill will survive the conference with the other body.

Representatives from more than 20 organizations, including civil rights and criminal defense organizations, have reportedly begun weekly meetings to develop strategies for winning major changes in the Senate crime bill. These groups took heart in the fact that President Clinton did not explicitly endorse the Senate crime bill or most of its measures. According to the Washington director of the American Civil Liberties Union, "There's enough wiggle room to give everybody the political capital they need." Congressional Quarterly, January 29, 1994. This is the sort of political wiggling and compromising law abiding Americans can ill afford.

The ACLU has declared the Senate's 95 to 4 passage of the crime bill "a shocking demonstration of excess in a politically charged atmosphere." The ACLU has examined the bill and, in a recent memorandum, has targeted more than 25 significant proposals for elimination or significant revision citing "major civil liberties concerns."

These measures include the organization's longstanding target—the death penalty. As well, several other popularly supported criminal justice reforms, such as enhanced mandatory minimum sentences for violent offenders and increased victims rights proposals have been targeted.

The proposals which the ACLU disapproves of are as follows:

First, a comprehensive Federal death penalty for heinous crimes including terrorism, espionage, and large scale drug trafficking;

Second, prosecution of violent teenagers as adults;

Third, federalizing serious gang offenses;

Fourth, the Republican version of the three-time-loser bill. Ironically, follow-

ing the ACLU's issuance of its memo, the administration has proposed its own version of a three-time-loser law which is substantially narrower than the versions passed by the Senate;

Fifth, increased mandatory minimum sentencing for violent offenders;

Sixth, enhanced maximum penalties for numerous offenses including drug dealing in prison and drug dealing near schools;

Seventh, a funding mechanism to insure that the \$22.8 billion promised in the bill is actually delivered. They would do away with that as well.

Eighth, a proposal for the expedited removal of alien terrorists;

Ninth, expedited deportation of criminal aliens;

Tenth, requiring State and local government to cooperate with INS officials in immigration cases;

Eleventh, a prohibition on payment of non-health-related Federal benefits to illegal aliens;

Twelfth, criminalizing the direct support of terrorist activities;

Thirteenth, grants to States for pre-trial drug testing;

Fourteenth, postconviction drug testing of Federal offenders;

Fifteenth, grants to States for boot-camps;

Sixteenth, a requirement that court clerks report cash bail postings in excess of \$10,000;

Seventeenth, a voluntary motor vehicle theft prevention program;

Eighteenth, changes to the rules of evidence to make evidence of similar crimes admissible in sex offense cases;

Nineteenth, judicial restrictions on the scope and availability of prison caps;

Twentieth, violence against women proposals including mandatory restitution to victims of sexual assault and HIV testing of defendants in sex offense cases.

I cannot for the life of me understand why they are against all of these things. But that is the Biden-Hatch bill, and we think it is long overdue.

Twenty-first, a prohibition against the improper disclosure of information obtained through a wiretap;

Twenty-second, a measure which insures that victims of crime will have the right to address the court prior to sentencing;

Twenty-third, prohibitions against the obstruction or interference with a lawful hunt on Federal land;

Twenty-fourth, a study requiring the Attorney General to study the ways in which antiloitering laws can be used to fight crime without violating one's constitutional rights and to prepare a model antiloitering statute; and

Twenty-fifth, a prohibition against prisoners receiving low-income, higher education grants.

As Congress moves closer to final passage of the crime bill, members must resolve whether they will come

down on the side of strong law enforcement and victims or on the side of the ACLU. It will be interesting to see what transpires.

We need President Clinton to speak out specifically in favor of the tough provisions in the Senate's crime bill.

I can see maybe differences over one or two of them, but not 25.

Without his leadership, I fear these provisions will come under attack in the other body and in Congress.

THE NEED TO RETAIN THE ANTI-GANG PROVISION OF THE CRIME BILL

Mr. HATCH. Mr. President, today's Washington Post contains an editorial critical of the Senate passed Dole-Hatch antigang amendment writing that it:

Would cause a major restructuring of criminal law enforcement that is unnecessary and for which the federal system is not prepared.

Mr. President, I believe our gang amendment is necessary and if Federal law enforcement is not prepared, as the Post opines, the responsibility for this current erosion of Federal law enforcement rests with the Clinton administration.

Our antigang amendment responds to the epidemic of gang violence which is gripping our Nation's urban and rural areas. Our Nation's heartland is witnessing an unprecedented growth in gang violence—a scourge known all too well to cities like Los Angeles and New York City.

The antigang amendment makes it a Federal offense to engage in gang-related crime and subjects gang members to tough mandatory minimum penalties. I can think of no area where there is a greater Federal interest than in assisting the States in the prosecution and incarceration of violent offenders. This is especially true given that much of the drugs and firearms used by gangs in States like Utah cross State lines.

The administration recognizes the need for a Federal role in this area. Only 2 days ago, the administration announced that it would be mounting a major Federal antigang initiative which would target our Nation's most violent gangs. According to a Justice Department memo, reported in the March 1, 1994 edition of the Post, "Now when a gang member is caught, law enforcement officials will decide whether he should be prosecuted in Federal court."

The first responsibility of Government is to ensure the safety of the public. I submit that the Federal Government's role in ensuring our safety must be measured by more than just grant dollars. The Federal Government, as a result of the Controlled Substance Act, has jurisdiction over virtually all drug trafficking, manufacturing, and dis-

tribution offenses. Yet, most drug cases are still prosecuted at the State and local level. This is because the Federal law enforcement agencies have worked in a coordinated manner with local officials so that the U.S. resources can be used most effectively. This is precisely what we intend to see happen with our amendment.

The Post also argues that there is not enough Federal prison space and that the FBI doesn't have the manpower to take up these cases. It is true that the administration's policies and budget priorities diminishes our Federal law enforcement presence. But Congress cannot let the administration's inadequate commitment to Federal law enforcement dictate the scope and strength of its anticrime proposals.

It should be noted that President Clinton's proposed fiscal year 1995 budget cuts the Bureau of Prisons construction and operation budget by over \$78 million, a cut of nearly 30 percent. The President's budget also cuts 1,523 Department of Justice law enforcement agency positions. The FBI will lose 847 positions, the Drug Enforcement Agency will lose 355, the Department's Criminal Division will lose 28, the Organized Crime Drug Enforcement Task Forces will lose 150, and Federal prosecutors will lose 143 positions. Absent these cuts, there are already 431 fewer FBI agents and 301 fewer DEA agents today than there were in 1992. Not a single new agent has been hired by either the FBI or the DEA since 1992; none, according to the President's budget, will be hired until at least 1996.

If the President truly wants to provide the States the assistance they need in fighting gang violence, both financial support and jurisdictional support, then he should voice his support the Dole-Hatch-Brown antigang amendment to the crime bill. So too should he reassess these dangerous cuts to law enforcement.

THE DIETARY SUPPLEMENT INDUSTRY

Mr. HATCH. Mr. President, before I close, let me take this opportunity to express my views on an issue which I know is also of deep concern to this body: The Food and Drug Administration's continued efforts to persecute the dietary supplement industry. The FDA's persistent hyper-regulatory zeal in removing products from the market and limiting consumer access to legitimate scientific information never fails to amaze me.

The urgent need prompting my legislation—S. 784—to create a rational regulatory environment for dietary supplements is being underscored this morning.

Eleven of America's foremost scientists, acting at the behest of the Alliance for Aging Research, issued a recommended daily level for antioxidant

vitamins, vitamins which can prevent heart disease, cancer, cataracts, and other conditions associated with aging.

What is significant about this event is that these scientists and the Alliance for Aging Research are being forced to have a press conference to publicize antioxidants, because the FDA has refused to tell the public about their benefits. In fact, this is not an error of omission, but rather one of commission. The FDA has specifically turned down requests to approve a health claim for antioxidants.

Some of my colleagues may have seen a segment about this on the Today show this morning. Dr. Jeff Blumberg from Tufts University, representing the 11 scientists, made an excellent presentation which really drove home two important points: First, the FDA has set up barriers so that consumers simply cannot receive information about the benefits of dietary supplements; and second, good nutrition is important, but diet alone cannot supply the recommended level of antioxidants. Supplements are also needed.

I want to commend the Alliance, which is the first public health organization to issue recommended daily antioxidant levels through a combination of diet and supplementation. Their bold step to protect the public health is an action the FDA should emulate.

Mr. KERREY addressed the Chair.

The PRESIDENT pro tempore. The Senator from Nebraska [Mr. KERREY] is recognized for not to exceed 10 minutes.

THE CRIME BILL

Mr. KERREY. Mr. President, if I might just respond to the good statement of the distinguished Senator from Utah that he just made on crime, I share, as I suspect everybody in the Midwest does, his concern for rising crime, particularly rising adolescent crime.

I also point out that much of the dilemma that we are going to face in law enforcement, as the distinguished Senator just pointed out, is with reference to the FBI, which has not hired, it is my understanding, since March 1992, an additional agent. Much of that is caused by the budget caps that have been imposed.

I am prepared to work with the Senator from Utah and others who are concerned about how we provide resources that are consistent with their own caps. We all talk about crime. We all talk about wanting to provide additional resources. We just had the Bureau of Alcohol, Tobacco, and Firearms before the Appropriations Committee yesterday. We are asking for more money for the Achilles Task Force and we are asking for continued support for our program called the Gang Resistance Education and Training Program, both of which are the very sorts of col-

laborative efforts that the distinguished Senator is trying to develop.

The dilemma is we have caps that are going to force us really to engage in a debate about what our priorities are. It seems to me that particularly, for example, in Omaha, NE, since 1985, 1986, and 1987, in that range, our city was invaded by crack cocaine. We all know from our own hearings and discussions with law enforcement officers how crack cocaine has changed the nature of law enforcement. It just seems to me as well that we have not really been terribly realistic about the need to provide the resources commensurate with our own urgency, at least as expressed by our speeches.

Unless we do, Mr. President, it seems to me that we are going to have to disclose to the American people that there is a lot of hypocrisy in our words, and that we do not really mean what we say. We will talk about crime, and then not follow through.

Mr. HATCH. Mr. President, will the Senator yield on that point?

Mr. KERREY. Certainly. I am happy to yield.

Mr. HATCH. We actually have the money in this bill because of the genius of the distinguished Senator from West Virginia in providing for that \$22.3 billion.

I agree with the distinguished Senator from Nebraska. We have to put our money where our mouths are in this matter because we can no longer allow rampant crime.

I want to thank my dear colleague for his kind remarks.

Mr. KERREY. I appreciate that.

HEALTH CARE LEGISLATION

Mr. KERREY. Mr. President, I come today to discuss briefly the health care debate.

The Republican Members of this body are having a retreat. I think those of us on the other side of the aisle need to listen very carefully when they come back from their retreat as to what they are willing to do. The one thing that I believe strongly about health care today is that the American people cannot afford in 1994 for us to do nothing; that we have to have the wisdom and the perseverance necessary to put together a piece of legislation that has both Republicans and Democrats on it.

We ought to give some on this side of the aisle, and they ought to give some on their side of the aisle in an effort to enact legislation.

Mr. President, since the President introduced his legislation which he presented to the American people last fall, I have made an effort to learn what is in that bill. I view the President's bill as the vehicle for action. He, after all, is the President. He has spent a great deal of take time looking at that issue.

He has presented a very thoughtful piece of legislation, frankly not as con-

fusing as described. There are 11 sections in it. Yes, the legislation is long. It is 1,300 or 1,400 pages. But it seems to me on an issue this important, we should not expect to get three or four pages of law. It is long; it is thoughtful; it is detailed; and it specifies how the bills are to be paid. And it provides for universal coverage.

I have found, in my own presentations to audiences, that when they are presented with the facts of what is in the bill, No. 1, they say, "Gosh, this is not as confusing as I thought." And, second, they say, "I am sort of comforted by the language. It is not as obscure as I thought."

I heard the distinguished President pro tempore, the occupant of the chair, talk at length about the need for us to understand the law. And thus I think it is very important in this debate for Americans really to become familiar with this proposal.

I myself want to amend the bill, want to make changes in this legislation. But it is rather difficult for me to make changes unless I know what is in it.

It is interesting as you watch the critics. I see in one week the Business Roundtable says, "We won't support the President's bill because it does too much." The next week, the American Association of Retired People says, "We will not support the bill because it does too little."

That, it seems to me, sort of frames the argument. We are going to have people opposed to the legislation because it does not do enough, or we will have people opposing it because it does too much. We have to figure out how to change this piece of legislation so we can pass it. We cannot allow the status quo to continue. We know that, Mr. President.

The mandated spending on health care, Medicare, and Medicaid will increase another \$30 billion from last year to this. The principal reason we are struggling to find money for crime and transportation and economic development and education is that these health care programs are squeezing out these other spending items. The domestic accounts will all go down in total this year; whereas, the mandated programs are all going to go up. We have no change. We know that.

People are still out there with pre-existing conditions. Individuals are rationing their care. Americans at age 55 are praying that nothing happens to them for the 10 years before they become eligible for Medicare. People are confused about the current system. There are businesses that are unable to purchase a product, and there are all kinds of freezes beyond our own budget for us to take action.

We do not have to wait for a problem to affect a majority of us; it need not affect 60 percent or 51 percent of the American people. This affects every

one of us, in my judgment, through the increased cost of taxation. But it affects a sufficient number of Americans in a very terrifying and real form who wonder whether or not they are going to get care for us to act as well.

Mr. President, there are four areas where I am going to focus my attention. The first is in the area of insurance reform. The insurance industry has changed dramatically from 3 years ago. They are saying: We will accept the need for community rating and accept the need for comprehensive uniformity in benefits at the national level. We need to lock that reform in. I believe we can get agreement between the Republicans and Democrats on that issue and find common ground so the American people can begin to get a little less confused about what it is that we support.

Second, the welfare system is broken. The Medicaid system traps people, makes it difficult for people to get back into the work force and encourages the wrong kind of behavior. We need to reform that system, Mr. President, and disclose to the American people that all of us pay for health care through our tax system; and disclose to the American people that if you have household income of, say, \$30,000 a year, it is apt that you are already paying \$3,000 or \$4,000 through your tax system. We need to disclose that so that we can design a means to allow individuals who are receiving State and Federal payments for health care in low-income categories to move back into the work force. It is relatively easy to envision a way to do that with merely a sliding scale, using the tax system to adjust the subsidy as an individual goes back to work.

I do not like the idea, Mr. President, of having somebody sit out there and say that you have to meet this arbitrary guideline of 100 percent or 200 percent. Use our tax system. It is relatively easy for me to imagine a compromise between Republicans and Democrats on Medicaid reform. There is an urgent need to do it. Because it has long-term care in it, we can address that rather difficult problem simultaneously, I hope.

The third area is that I think there is generalized agreement that rather than having the Government regulate price and do cost control, we need to move in a direction where individuals are taking more risk, where individuals are getting information about price and quality and making decisions based on that information. That is what the President has talked about over and over again. His critics say he wants to have the Government do it. That is not true. There is an agreement between the Republicans and Democrats that we need to move away from Government regulation of health care and in the direction of having individuals make more decisions about price and

quality. A relatively small number of adjustments in our Tax Code would provide those incentives. And, again, I see consensus emerging between Democrats and Republicans to do it.

The last area is the area of accountability. The system is not very accountable, whether the issue is an individual that has been injured and wants damages through a tort system that is difficult, or whether a provider is trying to defend against some very unreasonable and silly lawsuits, or whether, Mr. President, you are talking about the accountability provided by us as politicians by telling the American people how we are paying the bill, there is an urgent need to provide a simplified way for individuals to come and appeal a decision that is negative, either by an insurance company or by Federal payer benefits. We cannot have Americans flying to Baltimore, MD, or to some insurance company headquarters, to appeal. We know accountability is something we can lock in with Republican and Democratic support.

In conclusion, Mr. President, I really think there is consensus in this body, and I will listen with a great deal of interest when the Republicans come back off of their retreat. I know a majority of Republicans want to enact legislation this year. Our job is to write law, Mr. President. This Senate sometimes does not do that. We have an opportunity, I think, to lead now—to lead by doing the hard work of looking at the law, ignoring the rhetoric, and looking at the detail of this legislation and coming together to try to provide the American people in fact exactly what they want, which is comprehensive coverage for every single American, and a system they can understand.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mrs. MURRAY). Under the order, Mr. WALLOP is to be recognized for up to 10 minutes.

Mr. REID. Parliamentary inquiry, Madam President.

Mr. WALLOP. I am happy to yield for that purpose.

Mr. REID. Madam President, I have had a number of people come to me. The Senator from Colorado has a couple minutes he would like to speak, and Senator DASCHLE wants to speak. We will raise that after the Senator completes his.

A TRIBUTE TO TED NUGENT

Mr. WALLOP. Madam President, once in a while on this floor, we have the privilege to leave politics behind and recognize outstanding achievements of Americans. So today I would like to pay tribute to a great friend and a great American, Mr. Ted Nugent. A few Senators, and most of their children, will know him as one of the world's great rock stars, a man who

has sold over 20 million albums in his impressive 27-year career, and who continues to sell out arenas and stadiums across the globe. His musical abilities are truly legendary.

Madam President, I know a different Ted Nugent. Ted Nugent is a hunter who happens to be a rock star, not a rock star who happens to be a hunter.

I teamed up with Ted last fall to launch a program called Hunters for the Hungry in Wyoming. The program is classically simple. It is all volunteer. Hunters and their families team up with meat processors across the State to distribute game meat that they harvest to the tables of the hungry. The success was absolutely phenomenal. Although the final numbers are not yet in, Becky Massengill, president of the Wyoming Food Bank, tells me that in this first year of the Hunters for the Hungry Program, Wyoming hunters donated thousands of pounds of game meat to hungry families in our State.

I know it seems strange to some Members of Congress that we did not build a single Federal bureaucracy in order to achieve these amazing results. There was no big Government and no redtape. Let me emphasize again that it was all volunteer. And it is a testament for what reinventing government should be all about. Get government out of the way, and people can do incredible things.

Ted Nugent flew out to our great cowboy State, and we began with a rally at the University of Wyoming, where Ted mesmerized an audience of college students and their friends with his music and his presence. He emphasized the importance of hunting in America and how it builds strength in family members. It is a family value, especially in a State such as ours.

Ted and I then embarked on an antelope hunt as guests of Deborah Bradbury at the Bradbury Ranch in Glenrock, WY. Our hunt—our amusing and exciting hunt—was captured by the Nashville Network's "Celebrity Outdoors" program which aired last month.

After a successful hunt, we donated our game to the Wyoming Food Bank.

What most impressed me about Ted Nugent is his commitment to the real America. His message is clear. He cares about our country. He cares about our family, his family, and others of America, and he leads by example.

In an industry that is filled with self-importance and has been the topic of some conversation within the Senate and within Congress, he has avoided all the self-importance, all the greed, all the moral corruption, and stands out above it. He is a cheerleader for the real hard-working folks, the law-abiding folks of America.

He is so committed to America's children that he is a national spokesman for the Drug Abuse Resistance Program called DARE. Many Senators

know about it. He donates his time to remind our children of the dangers of drug and alcohol abuse.

Madam President, I said that Ted leads by example. DARE could not have a better example. Ted Nugent never had a drink of alcohol, never smoked, and never used drugs in his life—this is in an industry known to be completely surrounded by all of these events.

Ted is also a founder of a something called KAMP for kids. It is a place where youngsters in America learn the importance of the out of doors and woodsmanship and conservation. His antidrug message is a cornerstone of that organization.

I encourage any family in America with children to look into this truly wonderful program. Once again, it is free from the twisting, strangling arms of Government. It is the brain-child of a great American entertainer.

Ted's message is being heard through a variety of media. He is not only an accomplished author but is the editor and publisher of his own outdoors magazine. He is heard on hundreds of radio stations throughout the country as the official rock and roll hunting conservation representative for Rush Limbaugh's program.

So I would just say, Madam President, to Ted Nugent, thank you for your message, thank you most of all for your unselfish actions, thank you very much for being a tremendous example to youngsters in America who love rock music and see that it can be done without filth, without drugs, without alcohol, with a great example, with the enthusiasm and fun which is what music should always be.

Let me say once again Ted Nugent is a hunter who just happens to a rock star, a rock star who is an example for all of us, hunters or not.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

HEALTH CARE FOR ALL

Mr. MITCHELL. Madam President, today and tomorrow, the Senate Republicans will attend a meeting on health care. Senator DOLE asked me to adjust the Senate schedule to accommodate their meeting. I was happy to do so. Democrats have had many such meetings on this issue and will have many more. I commend Senator DOLE and other Republican leaders for their attention to this critical matter. There is no issue more urgent, no concern more pressing to American families than the need to reform our Nation's health care system.

While there are many points on which we disagree, Democrats and many Republicans share a commitment to assure that every American has private health insurance that cannot be taken away.

Nearly 40 million Americans have no health insurance, millions of others—in fact, nearly all Americans—fear losing coverage if they become seriously ill or lose their job.

Many Americans have the most basic decisions of their life dominated by concerns about the cost of health care. Whether to marry. Whether to have children. Where to work. Where to live.

These fundamental decisions of life should not be dictated by concerns about health insurance. But in the current system, for many Americans they are.

In 1960, the United States spent \$27 billion on health care. This year health care spending is expected to rise to \$950 billion.

Those numbers are so staggering that they bear repeating. From \$27 billion a year in 1960 to \$950 billion a year this year.

These costs are unsustainable for Federal and State governments, for businesses, and for American families.

President Clinton has proposed to reform the system. Every Member of Congress knows that reform must come. And the American people are demanding reform—reform which will assure them the security of health care insurance that is permanent, guaranteed, can never be taken away.

There has been much debate about the merits and the shortcomings of specific provisions of the President's health care plan. There has been less but similar debate about other health plans which have been introduced by Senators CHAFEE and DOLE and by Congressman COOPER and Senator BREAU, among others.

It is time we put aside our differences and look to our common goals, rather than concentrating our effort on only those provisions on which we disagree. It is time that we refocus on the fundamental need for legislative action this year. The problems have not gone away, rather they have gotten worse. No plan is perfect, but we cannot allow the perfect to be the enemy of the good.

Nearly every industrialized nation in the world provides health care to its citizens. Each nation's plan is different, based on the economic needs and the social customs of its people. None of these systems is without problems. Each of these nations struggles to control its health care costs. And many continue to revise their health care systems in an effort to meet the changing health and economic needs of its people.

The lesson for the United States must be a commitment to develop a way to assure to every American the security of having private health insurance that can never be taken away. We must develop a plan that is fundamentally an American plan, one that will work for us. We cannot allow ourselves to be deterred from this critical objec-

tive because it is too difficult, because there is no perfect plan, because some will have to change their business practices or because the way health care is delivered will have to be changed. Maintaining the status quo ought not to be an option. Tinkering around the edges ought not to be an option. Neither will address the fundamental problems of full coverage for all Americans and controlling costs.

I believe that we can—I believe that we must—work together to achieve our common objectives during this Congress.

We can reform our health care system. It will be done so long as all of those involved remain focused on our common goal to provide affordable health care to all of our citizens and not be distracted by those things on which we disagree.

So I wish the Republicans well during their health care meeting and I hope they will return from that meeting with a commitment to work with Democrats to enact comprehensive health care reform legislation this year—legislation which includes the one essential element for all Americans, health insurance for every American that is permanent, that is guaranteed, and that can never be taken away.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

HEALTH CARE CRISIS

Mr. REID. Madam President, I, too, wish the Republicans well on their retreat to discuss health care, and I do hope that they come back from that health care conference energized, willing to work to improve health care in America.

Madam President, there are some who are saying there is no health care crisis. I want to talk about two people who indicate to me that they are representative of many, many hundreds of thousands if not millions of people who are sick and certainly cry out that there is a health care crisis.

Madam President, I want to put a face on this principle we talk about, health care.

The first face that I want to establish is a 27-year-old woman from Reno, NV. Her name is Erin Dowell. I first met Erin about a month ago here in Washington. She was here testifying about the high cost of medical care.

When I first met her in Washington, she was a vibrant, energetic, extremely attractive red-headed woman, who was so full of life. She had at that time leukemia, a specific kind of leukemia. She told me how she had gone through the medical process, costing upward of \$300,000.

When I visited with her, she was broke. She was one of those Americans caught in the system. She had an in-

dustrial injury and, as a result of that, she lost her health insurance. The week that she was ready to go back to work, she found that she had leukemia.

Well, Madam President, I wish I could report to the people of Nevada, this Senate, and the people of America that Erin, who I saw back here so energetic, so vibrant, was still that way. But she is not.

Two weeks after I met her here in Washington, I went to Reno and I went to her home to visit her. She at that time was bedridden. She at that time had come out of remission and was extremely ill. She was laying on a sofa, covered with an electric blanket. The vibrancy I saw in her here was gone, and in Reno it looked as if she were a different person.

We visited and she was afraid. We held hands and talked. Her family was around her.

You see, the reason this story is so tragic is that she could have had a bone marrow transplant. She had a perfect donor. But that can only take place when she is in remission. Through the bureaucratic mess that she found herself in, created by the Government and insurance companies, she was unable to have her bone marrow transplant when she was in remission.

I wish I could report to everyone that she is still at home, but she is not. She is in the hospital.

I talked to her sister Kelly last night. She had an extremely bad week. She is in intensive care. She has had problems with her heart. I hope Erin lives. I do not know if Erin will live. I do not know if she will ever come out of the exacerbated condition she is in. I do not know that. No one knows that. If she does not, she will die. She knows that. We have talked about it.

But it is an example, Madam President, of how our system is not working. It is really too bad that this woman has had to go through what she has gone through. I hope that other people next year will not have to go through what she has been through.

I wish that she were the only case like this in the entire of America, but she is not. There are lots of Erin Dowells in America today.

I am going to work and I am going to hope that Erin will come out of the serious condition she is in, will be removed from intensive care and get back into an acute care bed and finally be able to go home, and, hopefully, the leukemia will go into remission and that she will be able to have this bone marrow transplant. There is a perfect match waiting to give this life-saving substance to Erin. I hope it works out.

I hope others do not have to go through what she has gone through. But unless we change the system, there will be many other Erin Dowells.

The same week I was in Reno, Madam President, I did a radio inter-

view that lasted half an hour. The man that did the interview—I had known him for a long time—asked me if I could wait after the interview. He had something personal he wanted to talk to me about. I am not going to embarrass him by announcing his name, but let me give you the facts.

He said, "Harry, I make \$13,000 a year here at this radio station. I have been offered raises. I cannot take them because, if I took a raise, we would be over the limit and my wife, who has 18 months to live, would be cut off medically."

Madam President, the two situations I have just related are only two. All of our senatorial offices, every congressional office, has stories just like this, stories that tear at your heartstrings.

So it is very troubling to me to find people who say: "There is no health care crisis. What's wrong with the system? Why fix something that is not broke?"

Well, I am here to say, from my perspective, the system is broke and we need to do something to fix it. We cannot go on like we are going on.

You know, it is fine for us. We have health insurance, like other Federal employees. And millions of people in America are satisfied with their health insurance benefits. But millions and millions have no health insurance. Millions and millions are going to lose the health insurance they have. We need to fix the system. It is something that cannot be fixed by tinkering at the edges.

So, Madam President, when some say there is no health care crisis, have them call me and I will talk to them about Erin, I will talk to them about my friend at the radio station.

For Erin's sake and the sake of others in America like her, we must act and we must act this year. We must, Madam President, have health care reform.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. DASCHLE. Madam President, let me commend the senior Senator from Nevada for his powerful statement. There is no more compelling argument to be made than to talk about the faces of real Americans who are experiencing the crisis that we talk about daily on the floor so routinely.

There is nothing routine about the crisis that those Nevada patients are experiencing. There is nothing routine about the agony and uncertainty and the extraordinary difficulty that they feel each and every day, not only that they feel but their families feel and that all of us who are touched by the lives of these people must feel.

The Senator has raised, again, a very compelling reason why health reform is so critical this year.

THE PROPOSED RENEWABLE OXYGENATE REQUIREMENT

Mr. DASCHLE. Madam President, I want to state publicly how disappointed I am with a letter recently sent by my friend and colleague, Senator BILL BRADLEY, and a number of others to the Environmental Protection Agency attacking their proposed renewable oxygenate requirement. In attacking the requirement, the letter makes very erroneous assertions about the economic and environmental impacts of promoting renewable energy.

As many of my colleagues know, the EPA proposal, issued last December, would require that 30 percent of the oxygenated fuel used to produce reformulated gasoline—which is used to reduce ozone pollution—shall be made from renewable resources. That is, 70 percent of the oxygenates could be non-renewable.

The commitment made by EPA came after a tremendous amount of consideration and discussion of the environmental and economic objectives that could be achieved through our energy policy, as we move forward to create a cleaner environment.

As I reviewed the letter, I concluded that there must be a great deal of confusion surrounding the use of renewable fuels in reformulated gasoline. I am concerned that there will be those who are misled by the letter. There should be no mistake: This is just another in a long series of confrontations between domestically produced renewable fuel and our age-old dependence upon imported fossil fuels. There are differences of opinion, but there should be no difference on the facts.

The letter sent to Administrator Browner states that "EPA's attempt to choose the RFG 'winner' is troubling * * *."

Madam President, this is not troubling at all. In fact it is long overdue. Allowing the market to decide winners and losers in this Nation's energy use has left us with the debilitating dependence upon imported fossil fuels.

None of my colleagues who support the existing tax breaks for the oil and gas industry seem to find the market a particularly satisfactory judge of energy policy. I find it particularly ironic that at a time when imported oil prices are at historically low levels and many of my colleagues are actively discussing the need for additional tax incentives to boost the domestic oil and gas industry, the EPA renewable oxygen proposal, which will undoubtedly reduce oil imports, is under attack.

EPA stated in its proposal that the renewable oxygen requirement will reduce foreign oil imports, create investment and jobs in America, reduce fossil energy use, and lower emissions of harmful greenhouse gases. These are assertions made by the EPA, based on a thorough analysis of the facts. They are not claims made by biased ethanol

or renewable fuel advocates. EPA is the agency that is given the responsibility to make decisions on environmental issues of this kind for all of us, taking into account all the data and all the information.

The consequences of the renewable oxygenate proposal noted by EPA strike me as objectives that the market has thus far failed to achieve, and which merit considerably more attention in formulating this Nation's energy policy.

The Natural Resources Defense Council [NRDC], a leading environmental organization, stated in its comments to EPA on the renewable oxygenate proposal:

Petroleum consumption in the U.S. transportation sector is, and will likely continue to be, at the root of compelling environmental and economic concerns for the nation as a whole. For these reasons, there is wide consensus that the development of competitive, environmentally benign, domestic renewable resources is desirable (some would say urgent) and would yield significant societal benefits. It is also widely recognized that policies specifically aimed at promoting renewable technologies may be appropriate and necessary, given that significant market barriers stand in the way of a transition from our current, fossil fuel dominated energy economy.

That was the NRDC.

The Senate letter to Administrator Browner argues against the proposal on two grounds: environmental impacts and the effect on the taxpayers. The concerns raised in the letter cannot stand up to close scrutiny.

The very premise used by EPA to justify issuing this proposed regulation is the determination by EPA that the proposed rule will improve air quality and create domestic economic benefits.

The State and local air pollution association cited in the Senate letter sent its own letter to Administrator Browner in January stating:

The intent of the association's [January 14] testimony was to raise several potential air pollution issues that we believe warrant consideration, not to imply opposition to the proposal * * * STAPPA is in no way opposed to the use of ethanol or the extent of its role in the RFG program.

So, let there be no mistake about it. The association clearly has argued in as unequivocal way as possible, that it does not oppose the use of ethanol or the extent of its role in the reformulated gasoline program.

Contrary to the assertions made in the letter regarding the potential impact on taxpayers, the proposed rule will likely save American taxpayers hundreds of millions of dollars by reducing the need for farm support payments. The Department of Agriculture has estimated those net savings to the taxpayer at over \$500 million annually.

I do not think anyone should be misled, Madam President. By reducing the costs of the farm program there will be a direct and positive effect on the budget—the same budget that we have

debated in this Chamber for the last week. There is a big difference from the \$340 million in costs asserted in the letter and the \$500 billion annually committed to deficit reduction that the General Accounting Office and the Department of Agriculture agree will result from this program.

So, again, no one should be misled. When we look at the environmental consequences that will result from this renewable oxygenate requirement, and those associations who are reported to oppose this particular plan, when we look at the costs associated with implementing that plan, this year and every year hereafter—it becomes clear that the facts are on our side.

I encourage my colleagues who signed this letter to reflect on the facts of this debate and reconsider their position with respect to the EPA proposal. The proposal means a great deal to the economic health, not only of the Midwest, but of the national as a whole. It represents a small, but significant step toward bringing domestic renewable fuels into the mainstream of American energy policy—a step which I welcome and will continue to support. I hope that a review of the record will lead my colleagues in this body to join me in working to achieve that objective.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

RENEWABLE FUELS

Mr. HARKIN. Madam President, I want to associate myself with the remarks of my friend and colleague from South Dakota. I know the Senator from Montana has been seeking the floor. I will be as brief as possible.

Madam President, we have had a long-time debate on this issue of cleaning up the environment, cutting oil imports and encouraging domestic production of clean, renewable fuels. It has been an ongoing debate here in the Congress for a number of years.

I thought we had resolved this issue in the Clean Air Act of 1990, when we put a provision into the bill that required that oxygenated fuels would be used to help clean up the air in this country.

The Senator from South Dakota was the sponsor of that amendment, which I cosponsored. It was supported here, overwhelmingly—69 Senators voted in favor of adding oxygenated fuels in reformulated gasoline. It was supported in the House. It is now part of the law.

That provision had two effects: First to help clean up the air, and to help promote a domestic renewable fuel industry. At that time Congress anticipated that ethanol would play a role.

Since that time the oil companies just have not let up. They have been trying to subvert this intent of Con-

gress ever since. But we also had some efforts by the Bush administration with regard to reformulated gasoline that were not quite clear.

Last fall the Clinton administration, I thought, finally put this issue to bed when they issued a proposed rule in December that would mandate that at least 30 percent of oxygenated fuels must be from renewables. That comment period closed on February 14 of this year. We thought it was over and done with, that EPA would then issue that rule that would provide that at least 30 percent of those oxygenated fuels would be from renewables.

Then we get hit with this letter yesterday, sent by my colleague from New Jersey, Senator BRADLEY, to the Administrator of EPA, Ms. Browner, asking that they not implement the rule.

First of all, the comment period closed on February 14. I submit if Senator BRADLEY and others did not like the proposed rule, they should have put their comments in before the end of the comment period. Everyone knew what the comment period was. So I see this as an effort to torpedo what has already been agreed upon in all sectors.

But beyond that, the letter of Senator BRADLEY contains egregious errors of fact, as the Senator from South Dakota pointed out. I would like to address those factual errors.

First of all, studies have shown—and no one disagrees with this—that ethanol cuts carbon monoxide by at least 20 to 25 percent. Everyone agrees with that. That is not even in contention. And yet the Bradley letter says that this mandate of EPA would increase carbon monoxide. I am sorry, Senator BRADLEY, but that is just the opposite of what the facts are. No one would dispute the fact that ethanol decreases carbon monoxide. Yet, in his letter, the Senator says ethanol increases carbon monoxide.

Second, Senator BRADLEY says ethanol increases greenhouse gas emissions; that is, CO₂. That is not true. According to the latest Department of Agriculture estimates, ethanol decreases carbon monoxide, the main greenhouse gas, by 27.5 percent. Again, indisputable. These are facts. Again, Senator BRADLEY states just the opposite in his letter.

Finally, Senator BRADLEY says ethanol increases "volatile organic"—I assume he means volatile organic compounds. Again, that may have been true under the previous Bush administration proposal but not under the Clinton administration proposal. The Clinton administration's proposed rule says we will use ETBE, which is an ether of ethanol, during the summer months. What that means is that we will cut down on volatile organic compounds because the ethanol ether, ETBE, has a Reid vapor pressure of 4 psi. Gasoline has an RVP of about 12 psi. MTB has a Reid vapor pressure of

8 psi. You can see, using ETBE in the summer, we cut down on the emissions of volatile organic compounds.

So, on the facts, the letter sent by my colleague, Senator BRADLEY, is just absolutely, totally wrong, and yet states that ethanol increases pollutants and greenhouse gases as though these were facts. That is not so at all.

Senator DASCHLE has responded on the claim that the EPA rule would be a drain on the Treasury. Senator BRADLEY says in his letter:

Under the EPA mandate, this industry—I assume meaning the ethanol industry—will drain the U.S. Treasury and Highway Trust Funds of an additional \$340 million annually.

Not so, absolutely not so. The fact is that under the proposed EPA rule, the actual tax subsidy would cost \$180 million a year, not \$340 million. That is just the actual subsidy. As Senator DASCHLE pointed out, corn deficiency payments by the Government would be reduced by \$580 million a year in 1998 and by \$740 million a year by the year 2000. The net savings to U.S. taxpayers: \$500 million a year. Of course, Senator BRADLEY does not point that out in his letter.

Lastly, I think Senator BRADLEY in his letter tries to imply that the use of ethanol and its ethers are not supported in the fuel industry.

Madam President, here is a copy of a magazine called Fuel Formulation, the January-February 1994 issue. Right here on the inside cover it states: "ETBE, the Right Road to Reformulated Gasoline."

This is an ad put out by ARCO Chemical, a gasoline refiner, saying ETBE has higher octane, and it has lower Reid vapor pressure so they can use it in the summer months.

So progressive-minded oil companies are looking at ethanol and its ethers as a formulation to use in the renewable fuels gasoline program.

I thank the Senator from Montana for allowing me to follow on the heels of the remarks made by Senator DASCHLE. This letter by Senator BRADLEY simply is an effort to torpedo the fine work that has been done by the Clinton administration, by the EPA, and by others to do two things: Clean up our environment and, secondly, provide for a domestic renewable fuels industry. The EPA proposed rule will do that, and it will do it in the best interest of the environment; it will cut down on the cost to taxpayers of farm subsidies; and it will put us on the path of increasing a domestic renewable fuels industry in this country.

Madam President, I yield the floor. Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I thank the Chair. (The remarks of Mr. BAUCUS, pertaining to the introduction of S. 1887 are

located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BAUCUS. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

UNITED STATES-JAPAN CELLULAR TELEPHONE TRADE

Mr. BROWN. Madam President, I rise to commend the President of the United States on his firm action on cellular telephone trade with Japan. This Nation and Japan are good friends. We are not only friends but allies. That relationship is based on great respect for the Japanese people and admiration for their hard work and their commitment to excellence. That mutual respect has seen us grow together as countries for the last four decades. Our two countries see much of the world in eye-to-eye fashion and have worked together for world peace and economic progress globally. Nonetheless, we also have differences.

One of those differences relates to a United States trade deficit with Japan of \$59 billion. Part of that, let us acknowledge, is the result of the excellent efficiency and high quality products produced by Japanese workers. But it also is a reflection of unfair and unbalanced trade rules. The simple fact, Madam President, is that currently Japan has closed their market in many ways and erected many non-tariff and tariff barriers that do not exist against Japanese products entering the United States.

The reality is quite clear. They have chosen to sell into our market which has very few restrictions, if any, and have chosen also to leave very tough restrictions against American products in a number of areas.

In 1989, this country and Japan reached an agreement on cellular phones. It was one that was meant to address a small piece of that imbalance by expanding United States opportunities to sell cellular phones in Japan.

That agreement has been violated in the opinion of the administration. Resolution of that difference has been the focus of our recent negotiations with Japan. It is unfortunate for both sides that they were unable to reach an agreement.

I wish to commend the President of the United States for not agreeing to a faulty solution. His willingness to stand up, to insist that the Japanese must live by their agreement should be applauded by all Americans, whether Democrat or Republican.

The simple fact is this country's leadership has not been willing to insist on equal access to the Japanese market. The President's steps, although small and dealing only with a portion of the total market are to be applauded and deserve very strong bipartisan support.

It is reported also, Madam President, that this morning the President of the United States is considering reinstating by Executive order a provision of our law called Super 301. The 301 provisions dealt with specific sectors in which trade is unbalanced. The Super 301 provisions gave us additional powers to deal with countries that erected a wide range of major barriers to our products.

Madam President, I support the President's efforts to reinstate Super 301. It is the minimum that we ought to be doing to address the problems. I wish to assure the President of the United States when he acts to reassert Super 301 that he will have strong Republican support for an effort to make sure our friends around the world trade fairly with the United States.

Ultimately, a good arrangement and a good friendship with Japan must be based on mutual respect and mutual access. The idea that the United States should remain a pushover forever is simply illogical. A sound relationship with Japan can only be based on mutual trade and mutual market access. For the United States, acting like a rug while other nations walk all over us is simply foolish. In the long range, such a policy will not develop better, stronger relations with our friends. If we stand up for American industry and American workers by insisting on fair and equal access to world markets, we will gain respect, not lose it.

Is it going to be easy? No. But we must convince the Japanese and our other trading partners that the United States insists on fairness, insists on equal access, and that the days of the United States as a pushover in world trade negotiations are over.

There are stories on the wire which suggest that Japan and South Korea and perhaps another country will object to our reinstating Super 301. They may well make appeals to GATT or to the World Trade Organization, if we do institute Super 301. That is a little like a mugger complaining to the police when a victim objects to being beaten up. Other countries will make a mistake if they think the American people will not stand behind the President of the United States on these actions.

For too long, we have been willing to live with unfair rules and unfair access. I for one want to assure this body and the President that if he acts today, he will have very strong bipartisan support that runs deep through the Senate, the House and through the entire Nation.

Madam President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Thank you, Madam President.

EPA'S RENEWABLES PROPOSAL

Mr. WELLSTONE. Madam President, the effort by some in the Senate to derail the Environmental Protection Agency's [EPA] proposed rule for a renewable oxygenate requirement is a mistake. Unfortunately their letter to EPA Administrator Carol Browner calling for withdrawal of the renewable requirement proposal will not help lead us to better environmental policy.

The EPA's renewables proposal is the direction we need to go as a country. The rule is completely in tune with the intentions of the Clean Air Act, and it would represent an historic marriage between clean air policy and renewable energy progress.

The EPA worked very hard and carefully to craft a rule that will improve the quality of our air while also promoting energy security goals and benefiting our domestic rural economy. The comments the EPA has received during its rulemaking process—and the oil industry has had every opportunity to participate fully—may lead to minor modifications to improve the rule. But it is basically sound, and it should be finalized in close to its current form.

Last month Dick Wilson, who is Director of EPA's Office of Mobile Sources and is the EPA official most responsible for this rule, visited Marshall, MN. He was accompanied by John McClelland, an energy economist from USDA. We held a public forum there, and over 500 farmers and rural residents turned out; 500 farmers gave the EPA a standing ovation at that meeting, and I believe that may have been as historic as this new rule; 500 farmers who gave a standing ovation to "bureaucrats" from Washington, DC.

The feeling in Marshall was due to the fact that this administration is acknowledging, through this rule, that ethanol represents what rural America needs to do; that is, utilize our own domestic, renewable resources in a way that supports farm income, creates rural jobs, and yes, protects the environment. In Marshall we have a very successful farmer-cooperative ethanol processing facility, one of several already operating in our State. The day after our Marshall event, I attended a groundbreaking for yet another farmer-cooperative ethanol plant in Winthrop, MN.

I am telling you something, Madam President. I have not been at a farm gathering for half a decade where I have seen as much hope for people that there can be a market for this clean fuel; that would be good for agriculture, good for rural communities, and good for jobs. This is not just an economic issue for people in rural America. They are looking for a signal from Government that they are not out of sight and out of mind, and that they are going to get a fair shake.

This is the effect this rule is already having in the rural Midwest. It is giv-

ing hope to farmers in rural communities, and they are investing their own savings, their own savings, in this hope, in the hope of sustainable economic development which ethanol represents.

This rule is about more than what portion of reformulated gasoline might be made of ethanol when the RFG program goes into effect next year. This rule has become a symbol for whether or not the Government will be attentive to the rural people in our country, to the concerns and circumstances of the lives of rural people in America. Rural America is helping itself, and it is only asking that the Federal Government take rational steps to coordinate environmental—we have worked hard with environmentalists—and energy progress with sustainable economic development.

Key statements in the Wallop-Bradley letter are mistaken.

The letter claims that a renewable requirement would add unnecessarily to clean-fuel and taxpayer costs. But new USDA analysis concludes there would be "no additional cost" associated with blending ethanol into reformulated gasoline. Several Government studies have shown ultimate savings to taxpayers from incentives for ethanol production. This is due to the farm price and job creating consequences of producing our energy domestically.

Worse is the letter's claim of the absence of environmental benefits from using ethanol—I say this as a strong environmentalist—and a vague warning of possible adverse environmental effects. No evidence is presented for such claims. Again, new USDA analysis conducted specifically for that Department's comment on this proposed rule demonstrates striking energy-efficiency advantages for ethanol, especially when compared to gasoline refined from petroleum and methanol from natural gas. Combined with its known clean-burning properties, this makes ethanol our premier clean fuel.

I note that most signatories to the Wallop-Bradley letter represent big oil-producing, big-oil refining, and big oil-import-harbor States. A quick look at the League of Conservation Voters scorecard shows that they had an average environmental voting record of about 48 out of 100 last year—with a letter that professes all these environmental concerns. Because of the letter's errors, I do not believe contributes to good clean-air policy.

Madam President, I yield the floor.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

SENATOR MURRAY FROM WASHINGTON

Mr. ROCKEFELLER. Madam President, I am happy and proud to be able

to speak in the Chamber being presided over by the distinguished Senator from Washington, and I wish her a good day and continued remarkable service to her people.

THE HEALTH CARE SYSTEM

Mr. ROCKEFELLER. Madam President, just over a month ago, President Clinton came here to Capitol Hill not just to tell America what the state of the Nation is but to deliver a message to us from America in no uncertain terms.

Basically, our health care system is in absolute crisis, and we here in Washington are expected to fix it. The American people want us to fix it, expect us to.

Amazingly, there is still debate about whether we can get the job done. I am astounded by that. I am offended by that. I sit and observe in sadness as people nit-pick health care while not putting out comprehensive plans of their own, as the President and Mrs. Clinton have done.

Madam President, there should not be any doubt about the fact of the crisis. Eighty-one million Americans are paying more or cannot get insurance, or are locked into second-rate jobs because they have what the insurance industry brands as a "preexisting condition." Fifty-eight million Americans lose coverage for some part of each year. Today, 700,000 Americans who have health insurance will lose their health insurance. Another 70,000 tomorrow, 70,000 did yesterday, all hardworking, tax-paying citizens. But they will lose their health insurance. It is not their fault, but their tragedy.

One million Americans are forced to stay on welfare. We hear a lot of talk in this country which is antiwelfare. Well, to those who say that, I would say a million of those folks on welfare would not be on welfare, and do not want to be on welfare, but have to be on welfare because we have not passed universal health insurance coverage, and if they go to take the jobs which they have been offered and would want to take, they would have no health insurance in those jobs. Therefore, having children, they have made a moral decision that having health insurance coverage for their children under Medicaid is their parental responsibility. If everybody had health insurance, if all employers provided health insurance for their employees, then 1 million people who are on the welfare rolls would immediately disappear from the welfare rolls. To me, that is an amazingly wonderful prospect. But we cannot do that unless we pass comprehensive health care reform.

Americans are being run ragged by health care costs. Our spending on health care is out of control. I have said 5,000 times in the last 5 years that we are spending \$1 trillion—it was less

before—this year; and in less than 6 years, we will be spending \$2 trillion on health care. That is not sustainable; everybody knows that. We have chief executive officers of corporations coming before our Finance Committee saying, "We have excellent managed care programs in our company, we think; yet, we find our health costs are doubling every 6 years."

(Mr. CAMPBELL assumed the Chair.)
Mr. ROCKEFELLER. If any one of us tried to sell this health care formula we have, which is to spend more and more money for less and less dependable care, we would be laughed right out of every shareholders meeting and business office in our country.

It is mind boggling to hear anybody argue with a straight face that our health care system is not in crisis. Doctors do not argue that. Consumers do not argue that. Certain people who do not want health care to pass argue that. There is a lot going on for us in the health care system; no doubt about that. We have great doctors, wondrous technology, and miraculous advances—but all for fewer and fewer Americans. And too many who turn to our health care system come out physically better but financially and emotionally devastated. That is what is taking place in the towns, counties, and States that we are here to represent—the State of Colorado for the Presiding Officer, and this Senator in the State of West Virginia.

Take the experience of Keith Stevens, who is a young West Virginian, a 21-year-old car salesman. He makes a reasonable income. Yet, he had to use his Christmas bonus to pay for his daughter's medical care because he cannot afford insurance and the company for which he works does not provide insurance. Yet, he earns too much for his children to qualify for Medicaid. So Keith would be described, I guess, as lucky because he did have a Christmas bonus that helped him—if you call spending Christmas money on doctor bills lucky.

But that is not the point. What is important is that a hardworking young father, married and with children, cannot afford health insurance for his family when he is doing everything right, as he understands it, under the American system. You play by the rules, work hard, pay taxes, do your best with your family and your children, and our system in America rewards you. That is true—but not in health care. More than all the frightening statistics and all of the frightening stories that we and the Presiding Officer could lavish upon this Chamber, that is what is out and out wrong with our system today—that good people like Keith Stevens, willing to pay their fair share and play by the rules, are forced to worry all the time about how to get health care for their family.

If you ask the American people and really want to listen to their answers

and what they are saying, they will tell you loud and clear: Fix the health care system.

Over 80 percent of Americans want the Federal Government to fix the health care system. Fix it because it is too costly, too undependable, and too laden with unfair rules in favor of big insurance companies; fix it because it tilts heavily against most American families; fix it because it is driving families and businesses to bankruptcy, and it is keeping parents and seniors awake at night worrying that they cannot afford to meet basic medical needs—and they worry with good cause—fix it because the country can and should do better when it comes to something so absolutely critical and personal and universal as health care.

Doing better must mean the ability to feel secure about health care. We, as a nation, are the standard by which the world measures its prosperity and its achievement. As various countries around the world strive to improve themselves, we are the standard; we always have been as long as I have been alive, and we still are. We have universities that are the envy of the world. We have opportunity which is the envy of the world. People have come to our shores not for incidental reasons, but because they feel that in America they can find success and make themselves better.

Our industries, Mr. President, drive the global economic engine. Yet, alone among modern countries, superior though we are in all economic manner, we cannot somehow find a way to give our citizens secure health care. We should not tolerate those who have made the political calculation that this Congress cannot stand up to special interests and stand up for hard-working American families in need of a strong hand to help them get and keep health insurance.

Americans know the President is fighting hard to give them peace of mind. They do know that. They do not really know what is in the Cooper bill. They do not really know that there is a Cooper bill or a Chafee bill. The polls show that. They do know there is a Clinton bill, and they know that the President cares about it and that the President wants to make health care better. But they do not know exactly what is in the bill. They do not know that the changes they are demanding are in that bill. I happen to know that they are.

Our people are frustrated that the information they need about the President's plan is being drowned out by two things, the least important of which is that there is a multi-million-dollar television commercial blitz, paid for by the insurance industry. And they are doing what they ought to be doing to protect their hides, but, in the process, they are creating enormous doubts about everything in health care. So

that no matter what comes out from what person or political party, the American people are now predisposed to be doubtful about it actually helping their personal situation.

Second, I think people are being confused and discouraged, because nobody has found a way to talk through the filter of the media, which treats health care and each day's events in Washington in health care like a horse race. They want to know who has won and who has lost. When I am approached by reporters, they are not asking: What is it about alliances that the American people need to understand? They are saying: So and so said yesterday that a certain percentage of American people have said this about American alliances and, therefore, the prospects of health care passing are less than they were yesterday. What do you have to say about that, Senator ROCKEFELLER?

In other words, it is an attempt to try to get some little scoop. It is a media filter. Most of the media does not understand health care itself. Some of it does. I have been astounded, as the founder of something called the Alliance For Health Reform—which is nonpartisan and backs no single health plan, but does back health care reform—by some of the trips I have made with my Republican colleagues to parts of this country, where health care reporters come before us and we give them a presentation, and they ask questions which basically show that they have no idea about what is going on in health care.

It is sad, but it is true. That is the reason that our alliance is putting out enormous volumes of manuals, books, and loose-leaf binders which help explain to reporters what health care is about.

Mr. President, I am going to do something in one paragraph which you will not think possible. I am going to explain to you, in one paragraph, how the President's health care plan works.

The Clinton plan will give every American guaranteed private insurance that can never, ever, ever be taken away. The Clinton plan guarantees that it is people who will choose their health care coverage and their doctors, not insurance companies. The Clinton plan preserves Medicare, alone among other plans, and improves benefits with prescription drug coverage and a start on long-term care, which seniors and others who need long-term care—the 40 percent who are younger than 65—long for. The Clinton plan saves money for families and businesses by limiting how fast premiums can rise. And, since both businesses and individuals benefit from the reforms and from health coverage, both employers and employees share the responsibility and cost of coverage.

End of paragraph.

We cannot go through committee meetings, hearings, and debates here

on Capitol Hill with an excuse-a-day to put off health care reform or to put off another trillion dollars. It should be all too clear that business as usual is what has brought us to this crossroads in the first place. Given that, we must reform the American health care system and we must do it, Mr. President, this year. We cannot do it incrementally. We must do it all whole cloth.

We must and we do have the political knowledge and the political courage to do that. Democrats on this side of the aisle, Republicans on that side of the aisle, underestimate—all of us—our political courage. We do that constantly.

I just came from a Finance Committee hearing on benefits in which Senators were basically saying we cannot say "no" to anybody. Mr. President, you and I have been in public life for a while. We spend a whole lot of our time saying "no" to all kinds of people.

Of course, there are 1,100 health care trade associations—read lobbyists—registered in Washington to give tender loving care to the President's health care bill. There is no doubt in my mind that I have the courage to say "no" to any one of them, to any scores of them, any hundreds of them, if they are trying to push on us something which is unrealistic, unaffordable, and which does not make a health care plan work properly for our people.

Enough of this weighing health care reform as a political calculation. Enough of this knowing in your heart that we need health care reform, that the American people want it. They deserve it. We all have family members and friends who have aching conditions of health care insufficiency which, in our hearts, we know we want to reform, but then somehow conclude that we do not have the will to stand up to the special interests to create the reform to bring that about. Again, alone among all modern countries in the world, America, Mr. President, with 70,000 people who have health insurance, losing it every single day.

In conclusion, Mr. President, enough of even thinking about squandering this chance to pass health care because special interests and partisanship magnify the critical nature of one's vote. Oh, yes, this is a vote which will be critically analyzed, and it ought to be. It is a broad vote to critically analyze because it is one of the most important votes any of us will ever make in our public lives. Health care reform is exactly the place to surprise all cynics, to surprise the obstructionists and simply do our job.

I thank the Presiding Officer and yield the floor.

Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROBERT C. LOUTHIAN

Mr. WARNER. Mr. President, it is my privilege today to recognize and commend the many contributions made by one of the Senate's most talented and distinguished staff advisers, a native of my own Commonwealth of Virginia, Robert C. Louthian.

Having served longer than any other individual in the Office of Legislative Counsel of the Senate, Bob is preparing to embark on a well-deserved retirement. Two years ago, I had the pleasure of congratulating Bob right here in this Chamber as he celebrated 40 years of service; today I am pleased to reiterate my appreciation for his dedication and accomplishment as we—the U.S. Senate—bid him farewell for a well-earned retirement.

While we are fortunate in the Senate to have the assistance and counsel of many outstanding support staff, few careers are as exceptional as Bob Louthian's. His experience, knowledge, wisdom, and judgment are evident in the major legislation he has drafted over these many years. He has crafted the language of legislative efforts as diverse as Indian affairs and shipping, communication, and energy. Our paths have crossed frequently as he advised the committees on natural resources. Indeed, all Senators have had Bob's invaluable experience and guidance through his service as senior legal adviser to Senate offices.

Born in Roanoke, VA, Bob Louthian attended that city's public schools. He and I share a common military experience: We both joined the Navy at an early age in World War II. Bob, however, saw active duty in the Pacific theater while I simply went to school. And, following his discharge, he returned to Virginia to enroll in Roanoke College. He earned a B.S. in economics in 1949, then pursued his legal studies at my own alma mater, Washington and Lee University, Lexington, VA. At Washington and Lee, he began to demonstrate the exceptional abilities that would characterize his professional career: He served on the staff of the Law Review and was elected to the prestigious Order of the Coif in recognition of his academic and leadership achievements.

The Senate is truly fortunate that Bob Louthian chose to join the ranks of those who make our mandate workable immediately after law school. He accepted the position of law assistant in the Office of Legislative Counsel on July 14, 1952. Two years later, Bob was promoted to assistant counsel and, in 1973, he achieved the rank of senior counsel.

Throughout his tenure, Bob Louthian has served not just the Senate or the Congress as a whole—he has served the

best interests of the United States of America. Moreover, he has done so in so many ways, large and small. His career has been marked by professionalism, insight, and a keen understanding of the legislative process. His efforts have been of invaluable help to every Member of the U.S. Senate for many, many years.

Bob Louthian stands as an example for all to emulate in the realm of public service. I know that my colleagues join with me in applauding his excellence, commending his commitment, and wishing him well as he departs. His record of achievement will long be remembered in U.S. Senate, and I know that he will continue to serve his community and country in his future endeavors.

WTOP RADIO

Mr. WARNER. Mr. President, I am pleased to join others today all across the greater Washington metropolitan area in saluting Washington's own radio station, WTOP, as it celebrates 25 years of all-news broadcasting. Today WTOP will be honored with a gala celebration, hosted by the CBS radio network, featuring such illustrious news figures as Walter Cronkite, Sam Donaldson, and Connie Chung.

WTOP, which first signed on as WTRC broadcasting from Brooklyn, NY in 1929, gained its current call letters 1943, when it became affiliated with CBS. The station is now owned by the Dallas-based Evergreen Media Group. WTOP has been honored with the prestigious Edward R. Murrow Award for excellence in news broadcasting.

In particular, I would like to recognize and commend the outstanding contributions made by a newsman from whom I and many of my colleagues have the highest regard: WTOP's one and only Dave McConnell. Dave is the Capitol Hill correspondent for the station and the host of "Today on the Hill," an excellent program which opens up and clarifies congressional action—Senate and House, floor and committee—to the people in our greater metropolitan area of the Nation's Capitol. Dave's program has aired since 1981, making lively and interesting stories out of congressional actions which often seem baffling and ponderous to others. The success and longevity of this popular program are due to Dave's knowledge, insight, and articulate presentation. He truly is a student, if not a professor, in some ways.

Dave McConnell's success reflects his lifelong fascination with Capitol Hill. From his boyhood days, he always enjoyed visiting the galleries and dreaming of someday covering our actions as a reporter. Those of us who serve are indeed fortunate that Dave's dream came true.

Recognizing that not everyone who listens to his program understands the

somewhat arcane complexities of the legislative process, Dave always takes care to turn dry facts and somewhat confusing language into enjoyable and informative, accurate—and I underline "accurate"—unbiased, fair, and objective listening. Best of all, he tempers his well-told stories with his own brand of keen wit and humor.

As we all know, many people come and go on the Hill, especially in the media. Dave McConnell has hung in with all of us for many, many years. He belongs to a small and admired cadre of dedicated broadcasters who devoted most of his career to broadcasting.

To WTOP and to Dave McConnell, I am pleased to offer my congratulations for a job well done and every best wish for many years to continued service.

I thank the Chair and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHITE HOUSE ETHICS

Mr. DOLE. Mr. President, according to Webster's Dictionary, the word "independent" means, "not subject to control by others; not looking to others for one's opinions or for guidance in conduct."

I cite this definition because the last time I checked, the Resolution Trust Corporation is supposed to be an independent agency—underscore the word "independent."

But, in light of recent press accounts, it appears I may have to do some more research, or Webster's may have to revise its definition.

Last week, we learned that Robert Altman, the Acting CEO and No. 2 political appointee at the Treasury Department, met with White House political officials, allegedly to give them a "head's up" on the RTC's civil investigation into Madison Guaranty.

This morning, I think in a bit of damage control, there was a story in the Washington Post, front page story, "Treasury Officials Told White House Status of S&L Probe," told about other meetings. I think they did not want this to come out in some committee investigation so they somehow got it to the Washington Post.

Realizing his blunder, Mr. Altman subsequently and very belatedly, as pointed out in another column by William Safire called, "The Whitewater Coverup"—these are all today's clip-pings—recused himself.

Is that not great? We do not know how many contacts he has really had, we do not know who he has talked to

outside the administration—lawyers, maybe representing the White House, the President, whether he has talked to the U.S. attorney in Little Rock who recused herself after a late, late hour. So he recused himself from the RTC matter after almost 11 months. He finally understands it was bad judgment.

Today, we read that top officials of the Treasury Department, after the supposedly independent RTC asked the Justice Department last year to investigate possible criminal activity involving Madison, met twice with members of the White House Whitewater brain-trust—Bernard Nussbaum, big key player in the Watergate investigation years ago; Bruce Lindsey; and Mark Gearan; and who knows who else. According to news accounts, the Treasury officials gave the White House staffers a report on the status of the RTC's investigation and informed them that the President and Mrs. Clinton were named in the RTC referral, though not accused of any wrongdoing.

Needless to say, the average American citizen who was either named in a RTC criminal referral or subject of a RTC civil investigation would never have received such high-level cooperation from the very people charged with conducting the investigations.

You cannot tell me somebody from Colorado or Kansas could get that treatment if they had a RTC matter pending. They would bring all these people down and give us a "heads up." No, it would not have happened.

So, a dangerous pattern seems to be emerging.

During last year's Travelgate fiasco, overly eager White House staffers raised eyebrows by pressuring a top FBI official to attend a White House "political strategy" session, allegedly to coordinate a press response to the burgeoning number of media inquiries. Unfortunately, the supposedly independent FBI went along with this charade—and I always thought the FBI was independent—in changing an FBI press release. They changed the FBI press release to suit the White House political needs.

I have never heard of that before as long as I have been here.

Today, White House staffers are adopting a similar ploy, saying there was nothing wrong with Treasury-White House meetings: We were told that they were simply sessions to coordinate responses to press inquiries, and now belatedly again "Mack" McLarty, the Chief of Staff, has issued a memo: You cannot do this anymore. All this time, after all the news: You cannot do this anymore because they have caught us. Do not do it anymore.

That brings me to another word. We have defined the word "independent." Let us take the word "judgment."

In light of recent news reports, it is becoming increasingly clear that good judgment is in short supply among

White House and top administration officials. No doubt about it, you are asking for big, big trouble and showing some stunningly bad judgment when you start mixing politics with law enforcement. It is only fair to excuse a misstep or two. We all make mistakes. But when bad judgment becomes the rule rather than the exception, and when those involved will not admit their own mistakes, it may be time for a little White House housecleaning.

Finally, a third word comes to mind—"coverup." If the White House has nothing to hide about Whitewater—and that is what they have been saying for months; that is what they said in the campaign: Nothing to it, just a little transaction—then why all the meetings? Why all the panic? Why all the behind-the-scenes machinations? Why negotiate a subpoena to shield Whitewater documents from public scrutiny?

The public cannot get access to the Whitewater documents because they negotiated this subpoena several months ago now. So the public is shut out. And why put yourself in the dangerous position of being charged with compromising what are supposed to be independent civil and criminal investigations?

Coverup is a tough word, but the consequences of a coverup can be even tougher. Many of us learned this in the Nixon administration, in Watergate. One of the prosecutors there was Mr. Nussbaum. You would think he would have learned that lesson and would be out saying: We cannot do this. And look what happened to the Nixon administration. He apparently is teaching a course on how to do it, if you can get away with it.

Mr. President, I do not know what to make of the recently disclosed White House RTC-Treasury shenanigans, but I do know Congress has an obligation to ensure that supposedly independent law enforcement agencies are just that—independent. And for Congress to punt on its oversight responsibilities is a disservice to the American people and exposes Congress to the charge that we are willing accomplices—we do not care; we do not want to have any hearings; we do not want to hear what was referred to as a "nonindependent counsel" this morning by William Safire in the New York Times.

We have had the chairman of the Banking Committee say: Well, after the independent counsel finishes his work, whenever that may be, then if we are not satisfied—"if," that means if the Democrats are not satisfied—then we might look into it with a congressional investigation.

So we are at a loss. We are the minority party. We know if Republicans had the White House, there would be 15 hearings going on right now—maybe not 15, maybe a half a dozen. They would be every day, every day, every

day—drip, drip, drip. And we have already asked the Congressional Research Service to take a look at the last 12 years. We found about 20 hearings conducted when Republicans had the White House and Democrats controlled the Congress. They could not wait to have congressional hearings. But now we are told, with a solemn look: Oh, we cannot do this. We do not want to interfere with the investigation.

We have oversight responsibilities. We do not know how else to proceed, in the minority. We only have one thing we can do and that is to block nominations, to try, to hope the Democratic leadership will do what they should do and have a full-blown hearing without compromising anything that any independent or nonindependent counsel might do.

So we have, 43 of us out of 44, written to the distinguished majority leader yesterday to say we are going to object to proceeding to the nomination of Ricki Tigert, President Clinton's nominee to chair the supposedly independent FDIC, unless the Senate Banking Committee has an opportunity to thoroughly examine the RTC's handling of its civil investigation into Madison. I think today's shocking revelations only serve to underscore the need for such an examination, and more broadly, for hearings on the entire Madison/Whitewater affair.

I did not pick out too many clippings today, but I have already referred to two—the New York Times, "Whitewater Coverup"; Washington Post, "Treasury Officials Told White House Status of S&L Probe." The New York Times, they did not do much, "Justice Official Is Questioned About Billings at Rose Firm."

Washington Post, "Hillary Clinton's Role in Lawsuit Appears Larger."

Washington Times, "Prosecutor to Re-examine Foster Suicide Ruling."

Washington Post, "Hubbell Confirms Questioning, Asserts Innocence."

Washington Times, "Hubbell 'Denies' Rose Firm Probe." "Altman Gets Close to the Heat. White House Surprised by Billing Questions."

These are just a few of the clippings in papers we get in our office. It seems to me the media is also belatedly beginning to focus on what I consider to be a very important matter.

But when will Congress act? When will the majority—it has been reported in the Safire column that the House has been told by the Speaker: No hearings under any circumstances, any time.

It seems to me that may—that is borderline.

So I think there is no way we can have a rehearing on the nomination of Mr. Hubbell, or Mr. Altman. There is no way we can do that to check that.

But, I ask unanimous consent the letter be reprinted in the RECORD immediately after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOLE. And I ask unanimous consent that stories and commentaries from today's Washington Post, New York Times, and Washington Times, be printed in the RECORD as well—not the entire stories, but the headlines.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DOLE. I suggest we have been very quiet on this issue, at least this Senator has, since last year.

It seems to me, though, that sooner or later Congress is going to have to examine this if we are going to have any credibility ourselves as an institution. We have responsibilities. We cannot pass them all off to the independent counsel. We have not done it in the past. We can come out and give some fine legal argument. The American people do not understand that.

We have oversight responsibility. We exercise that responsibility time after time after time, and it seems to me that sooner or later, this is going to become an issue and it should not become an issue. We are not asking for anybody's head, we are just asking for hearings. We are asking for hearings. We are going to be asking our colleagues, why should we not have hearings? The Democrats chair all the committees. They are not going to get out of hand. They control the staff. The Democrats control every agency in town, every Cabinet office, the White House. I do not think it is too much to let the minority in this case, the Republicans, to explain to the American people, or bring out the facts so the American people can make a judgment. Nobody has made a judgment. We are not about to make a judgment. It is not my purpose to make a judgment. But it is our responsibility to try to obtain the facts. And if the majority says you cannot have the facts, we are not going to have any hearings, we do not care what happens, OK, they are the majority, they have the votes; they have 56, we have 44 and we will have to resort to whatever we can.

I do not have any problem with Ricki Tigert. So I apologize to her. If she can give me some other way we can go or if we can have hearings, that nomination would not be held up 1 minute.

EXHIBIT 1

U.S. SENATE, WASHINGTON, DC. MARCH 2, 1994.

Hon. GEORGE J. MITCHELL,
U.S. Senate,
Washington, DC

DEAR MR. LEADER: We are writing to inform you that we will object to any agreement seeking consent to proceed to the nomination of Ricki R. Tigert, President Clinton's nominee to chair the Federal Deposit Insurance Corporation, until the Senate Banking Committee has an opportunity to thoroughly examine the Resolution Trust Corporation's handling of its civil investiga-

tion into Madison Guaranty Savings and Loan.

As you know, the Acting Chief Executive Officer of the RTC, Roger Altman, recently disclosed that he sought a meeting with White House officials to give them a "heads-up" on the RTC's investigation. Needless to say, such a meeting is highly improper and raises very real questions about Mr. Altman's impartiality and the alleged independence of the investigation. Specifically, why were Harold Ickes and Margaret Williams present, in addition to White House Counsel Bernard Nussbaum? According to the *Washington Post*, Mr. Ickes the Deputy Chief of Staff, is responsible for Whitewater "damage control" Ms. Williams, Chief of Staff for Mrs. Clinton, had previously participated with Mr. Nussbaum in searching Vincent Foster's office and sending all or some of the materials to David Kendall of Williams and Connolly who is representing the President and Mrs. Clinton.

We believe public hearings are required to explore these and other questions involving the attendance of political operatives at the White House in briefings by the head of a supposedly independent agency on matters that have nothing to do with the Executive Office of the President.

We regret having to delay the Senate's consideration of Ms. Tigert's nomination. Nevertheless, the American people deserve to have confidence that the RTC conducts its important business in an independent and impartial fashion. A Congressional hearing is an appropriate forum in which to examine the important ethical and regulatory issues raised by the Altman-White House meeting.

Sincerely,

Alfonse D'Amato, Paul Coverdell, Bob Dole, Malcolm Wallop, Phil Gramm, Judd Gregg, Larry E. Craig, Trent Lott, Dan Coats, Connie Mack, Conrad Burns, John McCain, Robert F. Bennett, Kit Bond, Ted Stevens, Lauch Faircloth, Bob Packwood, Arlen Specter, John H. Chafee, Jim Jeffords, Al Simpson, Jesse Helms, Don Nickles, Mitch McConnell, Orrin Hatch, Strom Thurmond, Thad Cochran, Pete V. Domenici, Hank Brown, Mark Hatfield, Larry Pressler, Bill Roth, John C. Danforth, Chuck Grassley, Bill Cohen, Dave Durenberger, Slade Gorton, Richard G. Lugar, Bob Smith, Nancy Landon Kassebaum, John Warner, Dirk Kempthorne, Kay Bailey Hutchison.

EXHIBIT 2

[From the Washington Times, Mar. 3, 1994]

"HUBBELL 'DENIES' ROSE FIRM PROBE"

"ALTMAN GETS CLOSE TO THE HEAT"

[From the Washington Post, Mar. 3, 1994]

"HUBBELL CONFIRMS QUESTIONING, ASSERTS INNOCENCE"

"TREASURY OFFICIALS TOLD WHITE HOUSE STATUS OF S&L PROBE"

"HILLARY CLINTON'S ROLE IN LAWSUIT APPEARS LARGER"

[From the New York Times, Mar. 3, 1994]

"JUSTICE OFFICIAL IS QUESTIONED ABOUT BILLINGS AT ROSE FIRM"

"WHITEWATER COVER-UP"

HEALTH CARE REFORM

Mr. DOLE. Mr. President, I listened to the President last night talking about the reason the health care plan is losing supporters is because all these

"special interest groups are spending millions and millions and millions of dollars." How much has the White House spent? How much has the administration spent? They have been at this a year. How much have they raised? How much has the Democratic National Committee raised from big corporations?

They had a list in last week's paper, a big list, of big business giving money on health care. Before the President says anything about all these little Harry and Louise ads, I think we ought to add up the total.

The last time I looked, the first amendment said you had a right to express your views in America. Just as President Clinton does, just as Senator DOLE does, just as anybody in this Chamber does. People opposed to this plan have a right to express their views. It would be nice if they did not have any money and they could say there is not anything wrong with this plan. There are a lot of things wrong with this plan. The plan is in the terminal stage right now, at least in intensive care.

So I hope the President will give the American people more specifics about the plan. You cannot do everything for everybody, add new entitlement programs for early retirees, long-term care, prescription drugs and tell everybody in America you are going to get more and say it does not cost anything, you are going to save money. That is the judgment we have.

We are going to go off this afternoon, 33 Republicans, and we are going to have a conference this afternoon and tomorrow. We do not have any intention of coming out with a plan but we are going to see how close we can come. It is still my hope—as I said yesterday, I worked on a lot of bipartisan measures on health care over the years—it is my hope we will end up with a bipartisan measure and we will stop arguing about whether it is a crisis, a serious problem, this or that, some little nit-picking thing.

We will talk about how do we make it work, how do we take care of people who do not have the coverage now, how do we pay for it, who wins, who loses and how can we do it on a bipartisan basis? Maybe we cannot. Maybe the time will come in September, October, November when we just have to have 2 votes, but I do not think every Democrat supports the President's plan, not every Republican supports every Republican plan. We have plans, the Democrats have two or three plans. I think the American people would like to see us come together. We hope we can make some contribution today and tomorrow in our Republican conference. The primary purpose would be to go out, do our best, write down everything we agree on and disagree on and then start working in the areas of disagreement. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

WHITEWATER AND MADISON GUARANTY INVESTIGATION

Mr. BOND. Mr. President, I rise today to take a few minutes of the Senate's time to outline for my colleagues where we are in terms of the ongoing disclosures with the White House, the Resolution Trust Corporation and the Treasury's activities regarding Madison Guaranty and related issues.

As my colleagues know, Madison Guaranty was a Little Rock savings and loan which was owned by James McDougal, the business partner of the Clintons in the Whitewater real estate deal. Madison Guaranty was a classic S&L story of insider dealing, reckless loan policies and ultimate failure with the U.S. taxpayers picking up the tab. But in this case, there is a small twist. Many of its benefactors were in politics and Government.

The tangled web of Madison and Jim McDougal has led to two criminal referrals by the RTC, an ongoing civil action investigation by the RTC, a conflict of interest case for the Rose law firm and a trial, which is about to start, concerning David Hale. It has also led to the appointment by the Attorney General of Special Prosecutor Robert Fiske, who is looking at all these issues to see what happened, who was involved, who benefited and was there a coverup.

In the middle of all this action, as has been noted by our distinguished Republican leader, Republicans in the House and Senate have been attempting to get the facts, not to interfere, to impede or to delay the investigation, but in order to fulfill our obligation of oversight of those who are now running the Government. This means asking questions of the RTC, the FDIC, the OCC and others about whether they are receiving outside pressure; is this White House staff attempting to get information that these so-called independent agencies would never give to anyone else? Is this information being provided? If so, by whom and to whom?

As my colleagues know, it was in the course of asking these questions, questions some of my colleagues do not believe should ever have been asked, that we first discovered from the acting head of the RTC, Mr. Roger Altman, that he had briefed the White House staff on the status of the RTC investigation. For those of you who are saying stay out of the way, the special counsel is on the case, perhaps you would be interested to know that this meeting took place 2 weeks after Mr. Fiske was named.

Mr. President, let me tell the Senate about this episode which should go a long way toward explaining why the Republicans signed and sent a letter to the majority leader that Senator DOLE has just outlined.

When Mr. Altman was before the Banking Committee on February 24, I asked him a series of questions about how he and the RTC had been handling the case. Given the sensitivity of the case, with the President and the First Lady having been named in a criminal referral by the RTC regional office, I asked Mr. Altman:

Are there special measures taken in the resolution of a failed thrift when you find it to be affiliated with a high-profile individual, someone in Government, for example?

Mr. Altman replied:

The procedures, Senator, which the RTC follows are intended to be identical in each case; and they certainly have been identical in the case discussed this morning.

He went on to say:

When the possibility of criminal referral was brought to me, I took one step. That was to instruct all the relevant RTC personnel to handle criminal judgments in the same exact fashion that they would handle any other PLS matter with no deviation whatsoever.

I should note for the record that Mr. Altman answered these questions before he had divulged the meeting at the White House in February. I should also point out that in the course of this discussion with me when he was assuring me and the Senate that the RTC was treating the Madison case in an identical manner and that the staff should treat the criminal referral in the exact same fashion with no deviation whatsoever, that Mr. Altman did not at that point see fit to tell us about how they had not followed the exact same or identical procedures. But it only gets worse.

Later in the hearing, I asked Mr. Altman:

When did you become aware of the RTC recommendation that further criminal prosecution be taken against Madison?

Mr. Altman replied:

Last fall, I was advised that a question of referral to the Justice Department was under consideration at the RTC and, as other members of the RTC will attest, I said that normal procedures with no deviations whatsoever should be pursued, including chain of command in terms of reaching that conclusion.

I then asked him:

Were you aware that the regional office had asked the national office to make a determination as to whether the Clinton's names should be in the new expanded referral?

Mr. Altman replied:

No, I was simply informed that this issue was on the table, and my reaction was, and I only had one conversation about it, the normal procedure should be followed. That is the way we are going to handle it from beginning to end.

I then asked:

How was the White House notified in the referral?

Mr. Altman replied:

They were not notified by the RTC, to the best of my knowledge.

I then followed up:

Nobody in your agency, to your knowledge, advised the White House staff that this was

going to be a major—this could be a major source of concern?

Mr. Altman replied:

Not to my knowledge.

Now, Mr. President, what we have just heard is the repeated assurances that the RTC did nothing different in the Madison case from any other case, that the head of the RTC had instructed his people from the moment he was aware of Madison's new criminal referral to treat the case no differently than all others.

But we now know that this story is simply not true. Not only did the head of the RTC brief the White House staff—and I believe it bears repeating—but by briefing Mr. Bernie Nussbaum and Ms. Maggie Williams, Mr. Altman was briefing the very people who stand accused of taking Whitewater-Madison files out of the late Mr. Foster's office and then attempting to conceal that they existed. These files are certainly ones that the RTC's own investigators would want to review.

But now we find out that at least two additional meetings were held, both late last year, as the RTC was putting together their second criminal referral.

According to the Washington Post article—and this was confirmed to me by Mr. Altman by telephone last night—Jean Hanson, the general counsel of the Treasury—and I assume acting counsel of the RTC at the time—briefed Mr. Nussbaum in late September and told him that the Clintons would be named in the criminal referral.

The second meeting occurred in October and again included Jean Hanson plus two other Treasury political appointees and was held in Mr. Nussbaum's office. Also in attendance, according to the Post, were White House Communications Director Mark Gearan and the designated White House spokesman, Bruce Lindsey.

Before the meeting, Hanson was briefed by RTC senior Vice President Bill Roelle.

Mr. President, something is very wrong. Either Mr. Altman deliberately misled the committee, which I do not believe he did, or the political appointees beneath him deliberately failed to inform him or to correct the misimpression left by him in his testimony when the Secretary of the Treasury came before the Banking Committee the next day or prior to last night.

Mr. Altman has recused himself. It is better late than never. And the President's Chief of Staff, Mack McLarty, has now laid down the law. No more meetings. Again, better late than never.

But this is something that should not have to be stated explicitly. Has Ms. Hanson recused herself? After all, she has had three meetings. She is the general counsel and chief lawyer of the Department of the Treasury.

Did she suggest to Mr. Altman that a February briefing was in order? Did she

set up other meetings that have not yet come to light? Why was she involved in the first place? Is it true that she has been acting as the general counsel of the RTC as there is no one currently in that position?

As I stated in the committee, we now have five examples of what it takes for Presidential appointees in this administration to see conflicts of interest and bow out. They have to be caught in the act.

Mr. President, for those of us in Congress who work with the administration on a daily basis, trust is a very important commodity. Unfortunately, it is easy to lose and hard to regain, and the administration's handling of Whitewater-Madison has seriously eroded the trust of many of us in the body of the administration.

I believe the Senate owes it to the public to get to the bottom of this, and that is why I support our minority leader in asking for further hearings.

Mr. GRASSLEY addressed the Chair. The PRESIDING OFFICER. The Senator from Iowa [Mr. GRASSLEY] is recognized.

GRASSLEY AMENDMENT TO GOALS 2000: EDUCATE AMERICA ACT

Mr. GRASSLEY. During debate, Mr. President, on Goals 2000: Educate America Act, I introduced an amendment, which the Senate adopted, to address an issue of concern to many of my constituents. The amendment was a culmination of over 2 years of research on the invasion of student and family privacy that might be taking place and is taking place in schools around America.

I have dealt with people in 25 States who feel that their family's privacy has been invaded by intrusive surveys, analyses, and other evaluations. These surveys ask very personal questions of children without their parents' knowledge or consent.

During debate on the Goals 2000 bill, I came to this floor with such examples from 14 different States, some of which I discussed and the rest of which, Mr. President, I just placed in the RECORD for easy referral by people who are interested in pursuing this.

Because the weight of evidence is so overwhelming, the Department of Education suggested a possible compromise to the amendment that I originally introduced. I pursued negotiations with the Department. We reached an agreement that, quite frankly, met many of my concerns. And since it met so many of my concerns and since the Department of Education and their representatives were so forthcoming and up front and honest in their negotiations. We put that compromise together, and that amendment was adopted 93 to zero before we passed Goals 2000.

Subsequent to this Senate's action on that amendment, the House Education and Labor Committee voted on identical language as an amendment to the Elementary and Secondary Education Act, which was taking place in the Education and Labor Committee. That debate was held the same afternoon my amendment was adopted.

In introducing the amendment during the markup on the House side, Representative ARMEY of Texas stated that the Senate-passed language would be a positive change in the elementary and secondary education bill. He said it would also send a very clear signal to the conferees on the Goals 2000 bill regarding the House committee's reaction to my amendment and the compromise that was worked out between me and the Department of Education.

So I was pleased when the House committee supported the amendment by a vote of 38 to 4. That vote was an affirmation of the good balance that I struck with the Department of Education in our negotiations on this side.

Despite that balance struck and the overwhelming support in Congress—38 to 4 in committee on the House side, 93 to zero on the Senate side—I regret to report now that there may be—and I wish to say "may be"—ongoing efforts to undermine our agreement with the Department of Education.

In my hand, Mr. President, is an internal memorandum from the Department of Education. It represents a proposed revision of the Armeley amendment by the Department of Education. It so happens that this proposed language is exactly the same proposal that the Department brought to me in our initial negotiations on Goals 2000. I speak of what is floating around the Hill now and the language that is written at the bottom of this page, and I will not go into specific detail what that language does. But we rejected this language. The negotiators for the Department of Education were very pleased with the negotiations that we worked out.

So the suggested comment on this internal Department memo regarding the Armeley amendment is exactly the position that I, the Department, and 92 of my colleagues put to rest when we reached the final compromise.

The fact that this language is suddenly resurfacing is troubling to me, and it should be troubling to each and every Member of this body who voted for my amendment.

I must point out that this language is not yet an official Department position. It is merely being passed up the chain of command by wily bureaucrats in the bowels of Education.

But that is why I indicated the agreement may be undermined. It is not yet a fait accompli. After all, I am confident that the Department would not want to be accused of saying one thing out of one side of its mouth and an-

other out of the other. You see, I do not believe the Department, once it discovers that this language is floating around the Hill—in other words, once Secretary Riley and Mr. Cohen, who negotiated for him, see this language floating around the Hill—will do the bidding of some bureaucrat down there in the Department that does not like the agreement that was reached in the Senate.

That would be double dealing. It would be a bait-and-switch approach. You do not survive long in this town with that sort of an approach.

So I am hoping, Mr. President, that my being here on the floor this afternoon is a false alarm. Because I am hoping that this position paper will never see the light of day, that it will be put to rest once more as we agreed here in the negotiations before we adopted my amendment 93 to 0, and before we passed the Goals 2000 bill. I am confident that the honorable thing will be done and that the department will adhere to its agreed-to position.

Mr. President, I hope my colleagues will support the amendment in conference as passed by the Senate 93 to 0, and I hope that the Department of Education continues to work with us as we seek broad consensus on education reforms.

Mr. President, I yield the floor. I do not see any of my colleagues seeking the floor. So I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DORGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAMM. Mr. President, with the indulgence of the Presiding Officer, I would like to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas is recognized for 10 minutes.

THE PRESIDENT'S HEALTH CARE PLAN

Mr. GRAMM. Mr. President, I wanted to talk a little bit about health care and respond to something the President said yesterday about the declining popularity of his proposed health care plan. I will also talk about the meeting or retreat which Republicans begin this afternoon and will continue until tomorrow, in our effort to try to come up with a united position on health care reform.

Let me first talk about the President's health care plan. I believe that

support for the President's plan has declined every day since it was made public by him in a very excellent speech to a joint session of Congress. The President yesterday attributed that decline in support to special interests. I believe the decline in support is more basic than that. Not only has support for the plan declined every day since the public first heard about it, but the polls have consistently shown something that I think is very important, which is that the more people know about the President's plan, the more likely they are to oppose it.

Let me just try to summarize what I think is right about the President's plan and what I think is wrong about it. What I think is right about the President's plan is that there are parts of America's health care system that are broken. We can fix the system and make it possible for people to change jobs without losing their health insurance. Every one of the proposals that has been made to reform health care, every single bill—those offered by Republicans; those offered by Democrats—has had a provision that would make it possible for people to change jobs without losing their health insurance.

I believe the President is right that people should be able to buy health insurance that can never be taken away and cannot be canceled. I remember growing up in the fifties. My mama bought an insurance policy and paid on it 4 or 5 years. She had a major ailment, and the insurance company paid for the first episode of medical care and then immediately canceled. What good is health insurance if you do not have it when you need it? The good news is that while that happened a lot in the fifties, it rarely happens today. But the point is that it ought never happen. We can fix that.

I believe the President is also right that we need to do something about excessive paperwork and we need to do something about the regulatory burden. But the paradox is that while the Government now pays 31 percent of the medical bills and generates two-thirds of the paperwork, the President would have us believe that if we turn the whole system over to the Government, somehow the paperwork and regulatory burden will disappear. I do not think people believe that.

We need medical liability reform. The President touches on it in his bill. I do not think it is a very dramatic change to limit contingency fees to 30 percent, every other health bill proposed has had a more comprehensive medical liability provision than the President's. But I agree with the President that there is a problem and in fact a crisis, depending on who you are and the status of your health care.

I have never gotten into this silly debate about whether there is a problem or whether there is a crisis in health

care. I think whether there is a problem or a crisis depends on who you are and what your circumstances are. Certainly, if you are in the process of changing jobs and you find out you or somebody else in your family is very sick and you have lost your health insurance in that transition, that is a crisis. If you are worried about paying the Nation's bills and you look at the exploding cost of Medicare and Medicaid, if it is not a crisis, it is close to it.

There clearly are problems. The point is—and where I differ with the President—is that I believe we can fix what is wrong in the American medical care system without destroying what is right. If our objective is to try to help every American get health insurance, why would we want to destroy coverage for the 85 percent of all Americans who now have it in order to try to help the 15 percent who do not?

I think where the President's plan gets off track—and where it has lost public support—is that while the President talks about access and talks about universal coverage, the reality is that only 19 pages of the President's plan have anything to do with universal coverage. The other 1,323 pages have to do with the Government taking over and running the health care system.

I think where the American people have parted company with the President, and where Congress, Democrats and Republicans in Congress, are parting company with the President, is that we do not believe, and the American people do not believe, that having the Government take over and run the health care system is going to solve our problems. I believe the American people think that what we need to do is preserve the things about our health care system that we recognize as second to none: The quality, the access to the science and technology that have revolutionized American medicine and world medicine, and our right to choose. What we should do is change the system to help all Americans get and keep private health insurance; to make it possible for people who change jobs or who get sick to not lose their health insurance. But we should not force people out of the private sector into a Government health program.

Here are the things that I think represent problems with the President's bill and, to some extent, with the Cooper bill; and it is because the American public is recognizing these problems that I believe we are going to be able to first build a consensus among Republicans and then, hopefully, sit down with Democrats to try to work out a bipartisan bill.

I do not see a health care bill passing with 55 votes. I expect a health care bill to pass with 80 votes, and I expect it to pass with 40 Republicans and 40 Democrats, because I think, in the final analysis, we are going to decide

that we do not want the Government to take over and run the health care system; that we want to try to build on the strengths of the system and we want to try to fix the parts that are broken, but we do not want to tear down the whole health care system of the country and recreate it in the image of Government.

Where I think the President gets off track is when he attempts to limit people's freedom. Under the President's plan, if you do not work for the Federal Government and you do not work for a company that has 5,000 or more employees, your health insurance is going to be canceled. You are going to be forced to buy health care and health insurance through a Government-run cooperative that will be a monopoly buyer in your region.

The American people have looked at this, and I think they have rightly been concerned about a seven-member board in Washington, DC, that is going to dictate the principles under which health care will be practiced nationwide. I do not think it is because the President would appoint this board I would not be happy with this board if we had the seven wisest people on Earth as members of it. I would not be happy with it if a Republican appointed them. I do not think any seven people ought to have that much power.

The idea that anyone would force people to give up their private health insurance I think is alien to the American character. I am against the President's plan not just because it will not work, but because it is at variance with the basic character of the American people to say to someone who has a good Blue Cross/Blue Shield or other insurance policy, who is happy with it, that they have to give up that policy and they have to then buy their health care and their health insurance through a Government-controlled agency, I think people reject that.

I think they also reject the idea that the Government ought to tell us what kind of insurance we should have. If the Government wants to provide information, if the Government wants to help make us wiser purchasers of health care by sharing information with us, I think people are for that. But I do not believe that people think the Federal Government ought to be telling people what kind of health insurance they need.

I think the American people believe that each family ought to have the freedom and flexibility to buy the coverage they want.

It is not a good idea to force everyone, for example, into a system where they are covered for alcohol and drug rehabilitation. Those are real costs, but in many States those requirements have driven up the cost of health insurance by 12 to 14 percent. The fact that we ought to mandate, as the President does, that every American be covered

for participation in encounter groups—I do not know what an encounter group is. It may well be that an encounter group is useful. The point is, to take just one scenario, if a healthy 26-year-old is married to a healthy 23-year-old and they have three little children and are not allowed to buy the insurance of their choice in case little Sarah has to have an appendectomy or in case Johnny falls down and breaks his arm, and they are forced into a plan with all this exotic coverage which costs them money and denies them access just does not make any sense.

We Republicans are going to meet in Annapolis this afternoon to try to come together and support a unified set of principles and ultimately later to produce a bill. We are not going to produce a bill by the end of this meeting. I think we all know it.

But I think what has happened as people reject the parts of the President's program that use the coercive power of Government to force people into the collectivization of health care purchases, is that the rejection of the President's plan has created the opportunity to bring both Republicans and Democrats together.

One of the main things that Republicans differ from the President on is the role of Government. Should we have Government set up these alliances, and control the purchase of health care?

The President's plan says if you work for a company that has 5,000 or fewer employees, your insurance is canceled and you have to buy health care through this Government agency. The Cooper plan says the cutoff point is 100 employees, that if you work for a company with 100 or fewer employees, your insurance is canceled and you are going to have to buy insurance and health care through these Government-run cooperatives.

My answer is that the magic number is not 5,000, and it is not 100. The magic number is 1. I do not think we ought to deny one American freedom to choose his or her own health insurance. If our objective is to help everybody get health insurance, why should we want to cancel the health insurance policies of the people who have health insurance today? I think that makes absolutely no sense.

So as we reject the idea that we should cancel people's health insurance and make them buy through mandatory Government programs, I think that is ultimately going to bring Democrats and Republicans closer together. I believe that the health care purchasing cooperative would be ineffective in any shape, form, or fashion, other than simply allowing free people through organizations or through businesses to pool voluntarily in an effort to reduce cost. But any element of mandated pooling, anything that takes away from people their right to choose,

that I am against. I believe ultimately when we vote on the floor of the U.S. Senate on these mandatory health care purchasing collectives which will force people to cancel their insurance, force them to buy through Government, and when we look at the President's extraordinary provision which provides a \$10,000 fine for anybody who tries to sell private health insurance in competition with the Government, that is not going to survive a debate or a vote on the floor of the Senate.

So I think a consensus can be reached when Democrats and Republicans catch up with the American people, reject mandatory purchasing cooperatives, and reject the idea of Government deciding what kind of health insurance people should buy. When we focus on the parts of the system that are broken, when we provide a workable plan so people can keep bridge coverage when they lose their jobs and retain their insurance until they get a new job, when we change the system to make insurance permanent, when we deal with medical liability, when we force the Government to reduce paperwork, when we allow free individuals and institutions to voluntarily pool to buy health insurance, and when we reform Medicaid and use the savings to give refundable tax credits to working moderate income people so they can buy private health insurance, then I think we are going to find a consensus on those issues. I believe the American people support those reforms.

So, the basic difference that exists among Republicans and among Democrats is really a difference about the role of Government.

The President believes that we should tear down the current system and start over. I reject that. I cannot see destroying the greatest medical system in history to start over and rebuild it in the Government's image.

What we need to do is take the parts of the system that are broken and fix them and we need an aggressive program to fix them. I do not defend the status quo. I did not create the status quo. There are many things about the status quo that I do not support, but I do not believe that we should be destroying the greatest medical care system in history with the idea that by having Government re-create it, that we will be improving it.

Let me also say that when some of my colleagues longingly look toward Canada as being an ideal place where medical care is perfect, it strikes me as somewhat paradoxical that nobody that I have ever heard of in the United States of America went to Canada to get health care. Yet I see Canadians who either have the money or have political influence come to the United States every single day to get health care.

So I would say, in conclusion, Mr. President, that I want to pass a health

care bill this year. There is absolutely no reason that we cannot dramatically reform the health care system to fix the parts of the system that are broken, to make the system more cost conscious, to make it more competitive, to make it more efficient. But we are not going to find cost consciousness in Government, we are not going to find efficiency in Government. We are going to find it by promoting price competition, by making consumers more cost conscious and more responsible for their own individual actions.

I am hopeful that Republicans in Annapolis today and tomorrow will come closer together, will agree to write a health care plan that builds on the principles we believe in—the right of people to choose, a belief that price competition promotes efficiency and economy. I am hopeful that as the American people, as they seem to be doing in their great wisdom, reject all the coercive Government bureaucracy in the President's program—that we can all come together, put together a bipartisan health care reform package, get 80 percent of the Senate to vote for it, and show the American people that we, in fact, can do the job they want us to do. I look forward to that.

I thank the Chair for his indulgence, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas has consumed 10 generous minutes.

Mr. GRAMM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is currently in morning business.

Mr. LEAHY. Is there a limitation of time Senators can be recognized?

The PRESIDING OFFICER. There is 10-minute limitation.

The Senator is recognized for 10 minutes.

SNOW AND POTHLES

Mr. LEAHY. Mr. President, I would note that the usual degree of panic has been expressed by the local governments and media and so on because they had, I think 2, maybe even 3 inches of snow—something we refer to as a dusting back home, unless it happens in July. I have heard a lot of stories, even editorials, saying the weather is terrible here.

I think one might justifiably ask the local governments if they could take a day or so to actually teach people how to remove snow. It is absolutely ridiculous.

I will not go into the usual bit about people who come barreling down the road, thinking they can stop on ice or snow, because that is obvious, and they have the car repair bills to prove it. I will not comment upon the District of Columbia using an outmoded way of repaving their streets. Something that has been turned down by every other city in the country is used here because, I guess, of a historic affinity for potholes.

I think the only way I could compliment those who are supposed to keep our streets clean is to say that they are very religious people. They have an abiding faith—faith that if God put the snow there, God and God alone will take it away. Because, God knows, they are not going to.

EXTENDING THE SATELLITE HOME VIEWER ACT

Mr. LEAHY. Mr. President, I come to the floor of the U.S. Senate to assure the thousands of families in Vermont and the millions of households nationwide that their home satellite dishes are not going to go dark and that the Congress is not about to pull the plug on home satellite reception. I am going to do everything in my power to ensure that we pass the legislation necessary to continue home viewer access to satellite reception of television.

Where mountains and distances can interfere with over-the-air reception of network broadcasts and cable is not a viable alternative—and I can think of my own home in the mountains of Vermont, in a very rural area with houses about a mile apart where you are not going to have cable and the mountains interfere with reception—satellite technology has provided access to the information and entertainment available on television that those in a more urban area take for granted.

In 1988, we made possible the development of home satellite viewing by passing the Satellite Home Viewer Act. I am proud to have been a principal in the passage of that act. I am delighted that so many people in my own home State, who might not otherwise receive signals from the networks or the superstations or the special channels, now can through satellite viewing.

In fact, there are an estimated 35,000 satellite dishes in Vermont. To put that in perspective, Mr. President, we are a State of only 570,000 people. That is a pretty high percentage. In fact, some say that we ought to change our State flower from red clover to the satellite dish. I am not quite prepared to go that far. But if you go down any of the rural roads in Vermont—and there are many of them—you will see how much we rely on satellites.

Last year Senator DECONCINI introduced S. 1485 in order to extend the statutory copyright license that has made the development of the home sat-

ellite dish industry possible. The license provided by current law expires this year, 1994. Indeed, there are less than 120 legislative days left to us in this Congress to act on this necessary legislation. To date, the legislation has yet to be considered by either the House or Senate Judiciary Committees, let alone scheduled for floor action. With the extensive agenda we face in this legislative session, including health care reform, welfare reform and crime legislation—all things I and so many others want to go forward with—we should not delay our consideration of home satellite legislation any longer.

We are undercutting consumer confidence in the future of the home viewing of satellite transmission and raising needless concerns for our constituents, local distributors and satellite retransmission carriers. Home satellite technology has advanced to where the dish is becoming more affordable and about the size of a large dinner plate. This is hardly the time to allow congressional inaction to interfere with these developments that hold such promise for so many viewers in rural areas of the country.

In fact, the distinguished presiding officer comes from a State, a very rural State where—I know from my own experience and—the pleasure I have had visiting North Dakota—you see a number of satellite dishes as you go around that wonderful State.

I join today with my distinguished colleague from Arizona, the chairman of the Subcommittee on Patents, Copyrights and Trademarks of the Judiciary Committee to urge prompt consideration and passage of legislation designed to continue to make possible home satellite viewing of television by those in rural areas and those who opt to take advantage of this exciting technological opportunity.

By cosponsoring S. 1485 today I signal that I intend to make sure that the Satellite Home Viewer Act is extended without interruption. While the precise contours of the legislation will be improved by consideration and amendment, the fundamental purpose of my action today is to reaffirm that home satellite viewing will continue and the development of broadcast satellite technology and so-called wireless cable and other technologies should be encouraged and have access to signals in order to provide video programming and viewing alternatives that the public wants. The prompt consideration and passage of S. 1485 will provide an essential component of the legal framework that is currently needed if all of our constituents are to have increased opportunity to receive information and entertainment by way of television.

As we begin travelling the information highway we should extend to those in unserved and underserved areas, in remote locations and outside our

cities, the opportunity to see their government in action and their favorite sports team, a chance to see performing arts and international news developments, as they happen, and the capability to share in the harvest of information and entertainment that is before us.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Chair advises the Senator there are two minutes and 40 seconds remaining.

WTOP AT 25

Mr. LEAHY. Mr. President, I want to speak about a radio station I listen to virtually every day. Do you know what Walter Cronkite, Connie Chung, Sam Donaldson, Bill Lynch, Eric Engberg, Jim Bohannon, Gary Nunn, Bill Diehl and Jamie Gangel have in common? Besides their reputation for being among the finest broadcast journalists in the business today?

They are all members of the distinguished alumni of Washington's all-news radio station, WTOP. I know that many of us listen to Dave McConnell's "Today on the Hill" program on our way to work each morning and his late night wrapup of the day's congressional action when we return home that night. A lot of times I listen to it late at night as I drive back home just to find out exactly what we did do during the day in the Congress.

Today, WTOP is celebrating the 25th anniversary of its all-news format. I am sure Charles Osgood will have something in rhyme to commemorate the occasion, but I would like to add my appreciation, on behalf of the Senate, for the tremendous public service performed by this great station.

Washington thrives on information. The Congress and the White House are often called upon to react to this information and we are dependent upon the integrity of those sources of information.

WTOP performs a great public service for the people of Washington and those who work on Capitol Hill. On behalf of the Senate and thousands of appreciative listeners, I congratulate WTOP as it marks its 25th anniversary as an all news station.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEAHY). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT CLINTON

Mr. DORGAN. I have listened today at some length to discussion on the floor about a number of things. I wanted to come over and say a few words about President Clinton.

It is interesting that we have so many people running for President this early in the season that they are bumping into each other, driving these political cement trucks, careening from side to side of the road, not caring who or what they run into: Health care, Whitewater.

Let me say first about Whitewater, I do not know all the facts about Whitewater, but I know many of the facts about Presidential ambition. We are told that Whitewater is a massive scandal of some sort.

There is no alleged criminal impropriety by the President in Whitewater that I am aware of. These were not actions that were involved with the term of Mr. Clinton's Presidency. We were told by those who continue to raise this on the floor that there should be a special prosecutor; so there was a special prosecutor named. Now we are told that is not enough, there should be congressional committees investigating it.

I just wonder, as I listen to all of this, whether any helping of information or facts would satisfy the political appetites of those out here on the floor of the Senate with respect to Whitewater.

Next let me mention health care. I have not been a cosponsor of the Clinton health care plan. There are parts of that plan I do not agree with. But I will say this. This President has stepped forward and said this health care system needs fixing and I am going to lead the effort to fix it. I credit him for that, as opposed to previous Presidents who say: "What problem? There is no problem? Everything is just fine," while health care prices are increasing double and triple the rate of inflation every year, pricing American families out of the ability to get health care for their children.

Things are just fine?

They are not fine. We do have a crisis in health care for too many American families. I credit this President for saying this is an issue this Congress must address. Good for him.

For those who are having what is called a retreat this afternoon, I would say that is probably an apt description of where they are heading, a retreat. Because finally, this President through his leadership is bringing them, as well, into the discussion about how to fix this difficult problem.

TRADE

Mr. DORGAN. Mr. President, let me turn to trade just for a second. President Clinton is also under attack for his position on trade issues with Japan.

Finally, I say, finally we have a President who is willing to exhibit a bit of leadership in international trade. We have had, year after year after year, trade actions by Japan and others that are fundamentally unfair to American producers, drive up enormous trade deficits in this country without anybody willing to stand up and say, "That's unfair to us."

Uncle Sam ought to stop getting kicked around in international markets. We ought not expect any special favors at any time, but neither should we accept unfair trade. When other countries decide they want to accept the opportunity in our market to send all their goods to us, then we ought to say one simple thing of them: We have a requirement of you to open up your market to our producers just as generously as we open up the American market to yours. That ought to be the standard for trade: Reciprocal trade and fair trade.

Finally, we have a President who is willing to stand up to Japan and others—good friends, allies, trading partners, yes—but to stand up and say we expect more from you, we expect your markets to be open to American businesses and American workers, and we expect to get our goods into your markets just as you flood our markets with your goods. That is a standard that every American should accept and every American ought to applaud this President for taking that leadership.

Let me turn to one other point in trade that we are trying very hard to get the White House to move on as well, and that is trade with Canada. Canada shares with us the longest border up North. We are good neighbors. We are good friends. But we have an enormously serious trade problem with the Canadians, and that is they are flooding our market with unfairly subsidized grain.

Most people do not know what durum is, unless you produce durum. The people who eat macaroni and cheese tonight will not know they are eating something produced from semolina flour. Semolina flour is the ground product of durum wheat. Eighty percent of the durum wheat raised in America is raised in North Dakota.

So if this evening you decide to have a pasta dinner, you are likely to put something in your stomach that comes from a durum wheat field in North Dakota.

When we had the United States-Canada Free-Trade Agreement before the Congress, our farmers were literally sold out by then Trade Ambassador Yeutter and by the administration. We had zero durum wheat shipped into our country at that point from Canada. Do you know what it is now? Twenty percent of domestic consumption—all of it—is coming in unfairly subsidized. None of it is trade with which we can compete—50 cents a bushel subsidy just

on the subsidized Canadian railroad alone. We cannot compete with it.

It is fundamentally unfair trade. It has sucked hundreds of millions of dollars out of the pockets of our farmers. It has cost us an extra \$600 million in added farm program payments, said the USDA, according to their own testimony.

The question is, what is going to be done about it? This President has taken the first steps to address it, but they are not steps sufficient enough to resolve the problem. And we are asking—yes, demanding—that this administration step up and say to the Canadians, "No more."

We want trade remedies called an emergency 22, emergency section 22, which would impose immediately a significant tariff on that unfairly subsidized grain. We are having a series of meetings with the administration. But you almost fall asleep over all these meetings and all these months when everybody says all these soothing things and nothing really quite gets done to solve the problem.

I am of the opinion that we probably will not need to confirm any additional trade folks, because we do not need more trade people working in any agency downtown if we cannot solve the trade problems we now have. We have some nominations coming up. I have talked to some people in the administration suggesting that if that is the only point of leverage, then we will have to use that.

We must resolve this issue with the Canadians and we must resolve it now. Our farmers deserve no less than to have the administration and Congress step up and say we will not accept unfair trade from our neighbors.

The Presiding Officer, who very ably chairs the Agriculture Committee, understands how arcane some of these disputes are and how difficult some of the issues are with respect to grain.

Most of the people in this Chamber—I should say most of the people in the other Chamber, in the House of Representatives—come from urban areas. Many in this Chamber grew up in urban areas. They do not have to live in a rural area in order to serve here. Those of us who come from rural areas have to live in an urban area to serve here. That is part of the requirement of serving in the U.S. Senate: You have to live at least part of the year in Washington, DC. We understand urban problems because we are forced to live here to serve here.

The reverse is not true. Urban Members of the House and Senate do not always understand the problems we have in rural America. We have very few people out there. They are important. Their livelihood is fragile, depending on the weather, depending on the price. If they get a crop, there might be a decent price from the harvest; more than that, depending on the trade rules, be-

cause we must find a foreign home for half of what we produce.

Trade rules are unfair to them. When you have trade rules that are as unfair as the rules have been with Canada, our farmers understand and are demonstrating in 30 degree below weather up on the northern border that this Government take action.

I talked with President Clinton as recently as 2 days ago about this subject. I implore him again that we need to take effective, immediate, and decisive action to respond to this issue.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SHELBY). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE STATE OF HISTORY EDUCATION

Mr. BYRD. Mr. President, the Woodrow Wilson International Center for Scholars, which operates out of the Smithsonian Institution, recently reported a revival of the study of classical history and philosophy in the Soviet Union. Private educational institutions are being established there to study the humanities—although Soviet authorities have not yet permitted these schools to award degrees. The Wilson Center suggests that “the popularity of such ‘non-utilitarian matters’ as Greek and Roman classical works represents a clear breakdown of the ideological control Soviet authorities once exercised over education.” This is welcome news, and yet how ironic it is that the study of Western civilization seems to be bursting forth in the Soviet Union at the very time it has been declining in the United States.

The distinguished former Chairman of the National Endowment for the Humanities, Mrs. Lynne V. Cheney, had written about how tragic it is that Americans as a society no longer emphasize the study of history and literature in our schools. She pointed out that the study of history—which was part of every year’s curriculum when my generation attended high school—has generally now been reduced to a single year. And even within that single year, many State education systems have de-emphasized the chronological study of history in order to focus on more topical, social studies issues.

A provocative book, “What Do Our 17-Year-Olds Know?” by Diane Ravitch

and Chester Finn, Jr., argues that in our national concern over science and mathematics education, following the sputnik scare of the 1950’s, we turned our attention away from the humanities to the sciences and reduced history to just one of the “social studies.” They lament that as a nation we have lost any consensus about what authors should be read, what subjects should be studied. Standardized testing subsequently concentrated on verbal skills over literary knowledge and appreciation, and on mathematical equations rather than a sense of history. As a result, we have produced a generation of young citizens who have graduated from high school without having read Charles Dickens or Mark Twain, and who have not the slightest clue who Herodotus or Thucydides were. Many young people cannot tell when World War II was fought, cannot identify the Magna Carta; and cannot explain why President Washington was also called “General Washington.” And the only information they have about Abraham Lincoln is that—as I heard one young lady say—“he was shot.” We may well have produced a generation of voters who cannot understand what they read in the newspapers or hear on the media because they lack any historical reference points.

One newspaper columnist has written “In Praise of the Non-Voter.” Rather than being depressed that only half the eligible voters showed up to cast ballots on election day, columnist Doug Bandow took satisfaction on the grounds that people who do not know enough about the issues should not be encouraged to vote. “High school graduates these days have no idea where most foreign countries are.” He noted, “they have no sense of history and don’t understand economics.” I can agree with his assessment of the current state of history education, but I cannot subscribe to a cure that discourages voters. I would rather ensure that all citizens are educated sufficiently to carry out their responsibilities and preserve our democratic form of government. Every citizen must have some sense of history in order to make choices about today’s social, economic, and political issues.

Along these same lines, University of Virginia Professor E.D. Hirsch, Jr., has called for improvement of America’s “cultural literacy.” Professor Hirsch writes: “To be culturally literate is to possess the basic information needed to thrive in the modern world.” He argues that the cultural “illiteracy” of so many citizens is a result of the failure of our schools, which offer “a fragmented curriculum based on faulty educational theories.” Professor Hirsch not only believes that there is a national culture, but that it can and must be studied and mastered. “To teach the ways of one’s own community has always been and still remains

the essence of the education of our children,” he writes. He objects to “cafeteria-style education” and “the shopping real high school,” in which students randomly and arbitrarily choose what they will study amid myriad classes, many drawn not with the core curriculum but from passing fads and fancies. He believes that teaching children the “national mainstream culture” will help them to understand those values, but not force them to accept those values uncritically. Cultural literacy will place “a higher value on national rather than on local information,” and give students a greater breadth of view.

Professor Hirsch then offers a 63-page list of names, dates, places, events, and concepts that literate Americans ought to know. This list is probably what made his book a best seller, as readers who studied the list could then pride themselves on their literacy. Others have objected to such reductionist approaches to knowledge and literacy. Professor Fred Newmann, director of the National Center on Effective Secondary Schools, spoke for those who felt we should “go for depth” of learning rather than limit ourselves to Professor Hirsch’s lists of specific background information. In response, Professor Hirsch admitted that he did not “love a list,” but was impelled to create one by the logical and practical constraints of trying to identify the core knowledge that all educated citizens should possess. His list, he hoped, would open debate about what that core knowledge should be.

Open—or at least contribute mightily to a debate he surely did. In the last few years both popular and scholarly journals have produced a literary avalanche of articles on what has gone wrong with our study of the humanities. The Bradley Commission on History in the Schools, designed to help States perform their history education, has proclaimed that the study of history fosters better “habits of the mind,” among them “critical thinking, acceptance of uncertainty, [and] appreciation of causation.” Professor Paul Gagnon, staff director of the Bradley Commission, testified that such books as “What Do Our 17-Year-Olds Know?” and “Cultural Literacy” have stimulated a much-needed review of history education, and also considerable opposition from those who fear that they will bring about a return to rote learning of facts and jettison “relevance” from the curriculum.

Professor Gagnon added his own prescriptions in an important cover-story in the Atlantic Monthly, “Why Study History?” “When Students, and School Boards Ask, ‘Why History? What Are We Supposed To Be Getting Out of This?’” He wrote, “the best answer is still that one word: Judgment.” Citizens need to possess a judgment guided and enlightened by history. Judgment

requires more than simply a civics lesson on the tools of government, it requires wisdom, a sense of tragedy, comedy, irony, and paradox—and history, biography, and literature, “if they are well taught, cannot help but convey them.” Gagnon tells us that history helps students develop a sense of “shared humanity.” History helps students to understand themselves and others, by showing their resemblances to people of different times and places. History helps students to question stereotypes. History helps students to distrust simple answers and to confront complexity in human action and motivation. History even helps students to recognize the abuse of historical “lessons” and other forms of misinterpretation and distortion of the past.

History is at its best when it pursues broad themes, but Professor Gagnon particularly faults American history textbooks for a lack of imagination in presenting these themes and the broad sweep of history. In recent years textbooks seem to be stripped of style, and devoid of any point of view. Trying to appeal to everyone and to offend no one, they may well have appealed to no one and offended everyone by their blandness. What a shame that is, because I still remember the vivid prose and sweep of the textbook that I read in high school, as a matter of fact, in Elkton in the elementary school, by David S. Muzzey, “History of the American People.” Since Muzzey, history textbooks have apparently lost their world view and make few comparisons with events happening outside of North America. In their rush to include the lives of “ordinary people,” they have diminished the stature of the leaders and heroes who once made history thrilling and inspired young leaders. Trying to become more democratic, they have lost much of their power to serve as educators of democracy.

These themes are repeated in various forms in such studies as Harriet Tyson-Bernstein’s “A Conspiracy of Good Intentions: America’s Textbook Fiasco,” Gilbert T. Sewall’s “American History Textbooks: An Assessment of Quality,” and the People for the American Way’s “Looking at History: A Review of Major U.S. History Textbooks,” as well as Professor Gagnon’s pamphlet, “Democracy’s Half-Told Story: What American History Textbooks Should Add.”

Now, it is worthwhile to mention that while these studies are uniformly critical of American history textbooks, especially on the high school level, they each have favorite books that they cite as better than the rest, and they do not at all agree on which books are the best. In other words, the situation is bad but not hopeless, and there are some good products available on the market.

Pick up any high school textbook today and you will notice immediately that it looks different from the books we read. Those of us who have lived a long time and others who have not lived so long will notice immediately that the history textbook of today looks different from the book that you read. For one, there are color illustrations on practically every page. In Muzzey there were none. There is nothing wrong with color pictures, particularly if they catch a student’s attention and imagination. I am very pleased with the handsome appearance of the color pictures in my own recently published “History of the United States Senate.” But I must admit a preference for colorful writing over colorful pictures. The real test of a textbook is in the words, the story, and the flow of the narrative. Thankfully, some books still tell a good story, but others read as if they were written by a committee—and most likely they probably were!

How did textbooks get this way? Part of the problem lies in the fragmented nature of our National Education System.

The United States has developed 50 approaches to education, and an even greater number when one considers the individual towns and counties and local school districts that direct education in their schools. When it comes to adopting textbooks, about half the States have some form of State-wide adoption. Under these systems, the individual State reviews the various textbooks that publishers offer and selects a limited number from which the various schools in that State can choose. If a book is not adopted, it cannot be purchased by the public schools in that State. Naturally, larger States like California and Texas, with their larger sales potentials, will influence the market far more than smaller States. Some large States, like New York, have a system of local option, leaving decisions to local school boards. Regardless of the merits of these State and local approaches, they have tended to fragment educational policies and leave textbook publishers in something of a quandary over how they can possibly appeal to so many different demands.

For many years, for instance, some southern States would not purchase books that employed the term “Civil War,” preferring, instead the euphemistic “War Between the States.” Textbook publishers complied by producing two different versions of their books with the appropriate nomenclature for each region. But issues of interpretation are much harder to resolve. How should these textbooks deal with the issue of slavery and reconstruction, when the north and south still, a century and a quarter after the Civil War, hold different interpretations? Other States have mandated

that textbooks adopt a multicultural approach to history, or emphasize the development of the free-enterprise system, or include references to a particular hero of that State. Moreover, the increased academic interest in social history has reduced the space available in textbooks for more traditional political and diplomatic history. More history is also devoted to women, African-Americans, Hispanic-Americans, Asian-Americans, and Indian-Americans, each of whom has sought strong voices of advocacy in the textbook-adoption process. Taken on their own, these may all be valid requests, but put together, they certainly make it difficult for publishers to satisfy everyone and still retain their individual character and style. I wonder how Muzzey would have fared against such odds.

Mr. President, my ancestors came from England and so I suppose I would call myself an Anglo-American. But I think there are too many hyphenated Americans. Afro-Americans to me are Americans, and so are all of the other hyphenated Americans, if they are born in this country. I can be just as proud of my Anglo-American heritage as anyone else can be of theirs. But I am not a hyphenated American. I am not an Anglo-American. I am an American.

So that is the way I look at it.

Now, what is the answer? As a nation, Americans recognize that we have drawn our heritage from the contributions of men and women from all continents. Over the past decades, the lives and writings of individuals from all of these hyphenated groups have been incorporated into our traditional fields of study—and rightly so. But, I would agree with Ravitch and Finn that:

It is possible to define American history, with all its complexity, controversy, and variety, as the story of a people forged from many different pasts but joined together under a common political system. There is, in short, an American people—we ought to be proud of that—not just a mosaic of unrelated groups, each with its own story, disconnected from the whole.

Mr. President, from what I have been saying, I think it is obvious that I find history worth studying. History is exciting. It is flesh and blood. It is drama. It is enormously instructive. I can also attest that history is exacting. It requires research. It requires accuracy and precision. It requires analysis. It requires understanding and even empathy for those who went before us, and whose lives and deeds have so much to teach us.

A taste for history can become unquenchable. My own studies began with the institution of the Senate, and then led me back to our pre-history in the British Parliament.

Of course, as I already indicated, they began with Muzzey, but more recently my studies began with the institution of the Senate and then led me

back to our present-history in the British Parliament. From there I found myself reading about the Roman Senate and further back to the Greek democratic city-states. As a result, I have come to believe that Americans need more than a knowledge of their own history. Mainly, we should know American history. One needs a knowledge and appreciation of world history. Therefore, with regard to the debate over "Euro-centric" history and "Afro-centric" history, I would endorse "global-centric" history. We need to broaden our focus, not shut our eyes to the achievements and lessons from all parts of the world.

I find it strange, for instance, to identify ancient Greece as part of a "Euro-centric" curriculum, when the ancient Greeks had far more contact with the Middle East and Africa than with Europe. Moreover, many of the writings and lessons of the Greeks were preserved not by Europeans but by Arab scholars, from whom the Europeans eventually received back that lost heritage.

Why should American students study the Ancient Greeks? It was from the Greeks that we inherited our concept of democracy, and from whom we learned the wisdom of dividing government into different branches. In the Fourth Century B.C., Aristotle divided government into "three elements." The first was "the deliberative element," or the legislative branch, along with an executive branch and a judicial branch. Aristotle found it in the interest of a democracy that "the parts of the state should be represented in the deliberative body by an equal number of members," the formula that the Constitutional Convention adopted for the U.S. Senate. He recommended that the legislature be sovereign in such matters as war and peace and the making and breaking of alliances, in the enactment of all laws, and in the appointment of all magistrates.

Polybius, who lived from 205 B.C. to 125 B.C., spoke about a government with separation of powers.

He talked about the Romans, and their checks and balances.

Our Founding Fathers had the benefit of a classical education, and were well aware of such theories at the time they drafted our Constitution. To understand our Government today we, therefore, need to understand Aristotle, Lycurgus, Polybius, the Greeks, and the Romans.

The very concept of a historian comes from the Greek *historia*, meaning "to inquire," and a sustained inquiry was a *historia*. Herodotus was the first historian. He lived from circa 480 to circa 420, B.C.

Thucydides lived from circa 460 to circa 400, B.C. Herodotus lived during the Fifth Century B.C., and his account of the Greek war with the Persians is considered the first work of Greek history.

Herodotus tells us about the Persian Kings, about how Darius, of Hystaspes, was made king by the neigh of a horse. Thucydides followed shortly after Herodotus and appears to have been much influenced by him. Indeed, his story began where Herodotus's ended; and Xenophon's story picked up where Thucydides left off.

Xenophon wrote about the Anabasis, the going in to Persia by Cyrus the Younger, the brother of Artaxerxes II, and about the death of Cyrus at the battle of Cunaxa.

Thucydides tells us that his history is not easy to read "because of the absence in it of a romantic element." He was not writing in the style of Homer, with heroes and gods and monsters and daringly impossible feats. Instead, he wanted to write factual story of real people and nations engaged in a long war. He did not believe in knowledge for its own sake, but something that could be used. Thus, he wrote:

It will be enough for me, however, if these words of mine are judged useful by those who want to understand clearly the events which happened in the past and which (human nature being what it is) will, at some time or other and in much the same ways, be repeated in the future. My work is not a piece of writing designed to meet the needs of an immediate public, but was done to last forever.

Thucydides distinguished his own form of factual history from the "prose chroniclers" of his time, who he informs us, "are less interested in telling the truth than in catching the attention of their public," and "whose authorities cannot be checked." He might very well be describing the many "prose chroniclers" of our own day, who pass off rumors and gossip and unattributed "deep-background" quotes as gospel truth and offer no possibility of verification.

His history of the Peloponnesian War is the story of alliances, of mistrust, of military action, victory, retreat, and defeat, of fortifications and land and naval battles, of diplomacy oratory, and politics, of how small allies can trigger warfare between large powers, of how people can miscalculate their strength, miscalculate their enemies. He wrote of the love of power, of individual and communal greed and treachery, of violent fanaticism, even of politicians who tried to deny bad news by attacking the medium that brought the news. In short, although writing about the distant past, he was cataloging and analyzing human nature, which is timeless and universal.

Napoleon said, "Let my son often read and reflect on history; this is the only true philosophy."

Thucydides tells us that "war is a stern teacher." Centuries before George Orwell, Thucydides understood the politics of words:

To fit in with the change of events, words, too, had to change their usual meanings. What used to be described as a thoughtful

act of aggression was now regarded as the courage one would expect to find in a party member; to think of the future and wait was merely another way of saying one was a coward; any ideas of moderation were just an attempt to disguise one's unmanly character; ability to understand a question from all sides meant that one was totally unfitted for action. Fanatic enthusiasm was the mark of a real man.

How modern that sounds!

Mr. President, our students should be reading Herodotus and Thucydides and Polybius and Livius and Gaius Sallustius, Crispus, and Tacitus, and Zosimus, and Suetonius, and Gibbon, and others.

They should be studying particularly America's history and literature, and English literature and English history—the history of the British, the history of the people of the British Isles, which are today known to us as Scotland, Ireland, Wales, and England. And what history is more fascinating than the history of the Romans?

They should have enough time in their curricula to study all of those fields comprehensively and in depth.

Prof. Peter Stearns of Carnegie-Mellon University has urged that American history be taught as part of the "much broader historical panorama" of the world. More comparative history, more interaction between world and American history, more global perspectives, he reasons "will help students intelligently assess any claim to American uniqueness or to understand why foreign views of the United States—and its history—may well differ from their own."

I, for one, welcome the debate over our history education, and trust that its effects will be felt in classrooms all over this Nation. We must do all that we can to stimulate and support our educational system if we hope to produce new generations who are capable of carrying out their responsibilities as citizens with an appropriate sense of history.

I close with Cicero's words:

One should be acquainted with the history of past events. To be ignorant of what occurred before you were born is to remain always a child.

(Mrs. BOXER assumed the chair.)

HAPPY BIRTHDAY, EDDIE WALKER

Mr. BYRD. Madam President, from time to time in my daily life, I am privileged to encounter a man or woman who renders exceptional service in his or her work, who seems to have discovered in his or her work a special calling, who feels that no respectable job is demeaning and who believes that a big man can make a little job big, and who consistently leaves those to whom those services are rendered with the impression that such services were adorned with courtesy and performed with pleasure.

Such a man is Mr. Eddie Walker. Who is Eddie Walker? You have all seen

him. I am sure he has said hello to everyone here, whether or not they bother to respond by saying hello to him. He is the Lead Waiter with the U.S. Senate Restaurant's Banquet Department.

Edward Steven Walker started working with the Senate Restaurant on October 26, 1971—nearly 23 years ago—at the age of 20. He has spent more than half of his life working here for Senators, for the families of Senators, for tourists, for the general public, and for all of the people who work with us and for the Senate.

Eddie Walker seems to perform all of his assignments with a smile—something of a rarity in so many occupations nowadays. And he is always polite, and that is all too often a scarce commodity nowadays. His smile is one of those contagious expressions that makes its recipient feel better for having received it.

Ever dependable, Eddie Walker always seems to be here at 7 o'clock in the morning, and often stays late in the evening, sometimes until 10, 11, or even 12 o'clock at night, depending on the scheduling of special dinners, receptions, or banquets.

Regardless of the time of day that I encounter Eddie Walker, he seems always to have something kind or pleasant to say to me—something that further brightens my day or that makes me glad that Eddie Walker is my friend.

Madam President, I make a point of sharing these thoughts about Eddie Walker because this Saturday, March 5, is Eddie Walker's 43d birthday. Oh, to be 43 again!

On this occasion, I wish Eddie Walker the happiest of birthdays, and I know that I speak for all of our colleagues who have been recipients of Eddie Walker's unique graciousness, when I express this greeting to one of the people who makes the work lighter and every day a little brighter for all who are privileged to serve in the United States Senate.

So, Eddie,

Count your garden by the flowers
Never by the leaves that fall;
Count your days by the sunny hours,
Not remembering clouds at all;
Count your nights by stars, not shadows,
Count your life by smiles, not tears.

And on next Saturday afternoon,
Eddie:

Count your age by friends, not years.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WTOP 25TH ANNIVERSARY

Mr. BYRD. Madam President, today marks the 25th anniversary of Washington's only All-News radio station, WTOP. WTOP's reputation for presenting the news instantly and in a unbiased manner is well known. It sets a good example of providing the facts to its listeners without editorializing.

This is quite a milestone for the personnel at WTOP and I am sure that my colleagues and all join with me in wishing the personnel at WTOP many more years on the air.

TRIBUTE TO PAUL DUKE

Mr. BYRD. Madam President, this weekend will mark a real sea change for devotees of good political discussion. On Friday night, that is tomorrow night, Paul Duke will celebrate his last night as moderator of the PBS program "Washington Week in Review." I have known Paul Duke for many, many years. I have not seen him in a while face to face, and I will miss him.

Paul has been an institution in this town for over two decades and he has come to symbolize all that is good about the media's role in reporting the business of Congress and the White House. His ability to transcend the fray and present a balanced, fair, and decent program is legendary. Paul has never made himself the focus of the debate. He has always brought the proper combination of expertise and guidance, and graciousness to his role. As a result, Paul has set a remarkable standard. One that will not be easily repeated. It is my hope that his contribution to his profession will be remembered and that journalists will seek to emulate him.

I congratulate Paul on his great contribution to Washington and wish him all the best in his future plans.

The hours are like a string of pearls,
The days like diamonds rare.
The moments are the threads of gold,
That bind them for our wear.

So may the years that come to you (Paul),
Such wealth and good contain.

That every moment, hour and day,
Will be like a golden chain.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. MITCHELL. Madam President, as all Members of the Senate know, ordinarily the Senate would be in session well into the evening on today—a Thursday—and tomorrow as well. But

as I noted in earlier remarks to the Senate, the Republican Senators have a meeting today and tomorrow on health care, and the Republican leader asked me to change the schedule to accommodate Republican Senators for that meeting. I was pleased to do so. I applaud their attention to the importance of the subject of health care. As I also noted in my earlier remarks, Democratic Senators have had a number of meetings on this subject, and they will have a number of additional meetings.

My hope is that out of these respective meetings can come a genuinely bipartisan effort to reach agreement to reform our Nation's health care system. The problems that Americans face with respect to the cost of health care are neither Republican problems nor Democratic problems. They are problems that face every family, regardless of politics or political philosophy or persuasion. I believe it will take a genuine bipartisan effort, with our allegiance being first and foremost to the national interest, for us to resolve this matter and to reach agreement on what I hope will be a meaningful and bipartisan and comprehensive reform of our Nation's system of health care.

There are many things we must do. First and foremost among them, we must see to it that every American has private health insurance that cannot be taken away, health insurance that is permanent, noncancelable, and that travels with that person for life. No longer should Americans have to fear the loss of health insurance if they lose or change their jobs, if they move from one place to another.

No longer should a single American—a single American—have to choose, let alone the many thousands who now make the most basic decisions of life based upon health care considerations. Right now in this country there are thousands of people who decide whether or not to marry, whether or not to have children, where to live and where to work, based upon health care insurance and cost considerations. I personally have met with many such Americans.

I held a series of hearings around the country, and I was shocked to hear people tell me that they are either not going to be married or not going to have children solely because of their concern about health insurance and the cost of health care.

And, of course, we all know about the growing phenomenon of joblock, where millions of Americans have jobs that are not making the maximum use of their talents, and who could, in fact, and would like to have other jobs, but do not move because of their fear of losing health insurance. This creates massive inefficiency in a free-market economic system in which the highest level of productivity is when each person is working at the maximum level of talent which he or she has.

So there has to be health insurance for every American. There has to be control of cost. We cannot continue the escalation of health care costs that is occurring in this country, that has occurred over the past several decades.

Volumes have been written on it; books have been written on it; but one statistic tells the story. In 1960, Americans spent on health care in the aggregate \$27 billion. This year, Americans will spend on health care in the aggregate \$950 billion. From \$27 billion to \$950 billion. That is a rate of increase which cannot be sustained.

I know there are some who say the rate of increase has moderated a little bit in the most recent year or two and, therefore, ought not be a matter of concern. These are among the no-crisis exponents in our society who say this is not a crisis, this is not a real problem, we really do not have to do very much.

Madam President, Members of the Senate, I strongly disagree.

We must act. We must act this year. I would like to make a final personal appeal on one subject which has been a matter of special consideration and attention for me.

Before becoming majority leader, I served as chairman of the Senate Health Subcommittee, and I have been privileged to serve on that Health Subcommittee in all the years I have been in the Senate.

I became aware then and have become increasingly aware of the need for much greater emphasis on primary and preventive care in our society. One of the reasons Americans spend so much on health care is that we spend almost all of it trying to make people well after they have become ill. We devote very little attention, very little effort, and very little in the way of resources—and almost nothing in the way of education—in an effort to persuade people that it is in their personal interest to concentrate on wellness.

Healthy people do not need as much health care as people who are not healthy. That is so obvious it needs to be restated: We must undertake a major national effort at education, at prevention, to change the minds and attitudes and poor health habits of Americans, to concentrate our efforts on personal responsibility. Every person is personally responsible for his or her well-being. It is something that is so obvious that it is often not said. But we have to do a much better job, especially among young Americans, of encouraging them to discontinue poor health habits and to encourage the kinds of habits that will permit longer, fuller, more meaningful, and more healthy lives. We can save billions of dollars in the process, and although the examples are legion, I am going to take this opportunity to recite just one of them because I think it is an example with which every American can and should identify.

I have toured every health-care facility in my State, and I have been in many health-care facilities in other States. Some time ago, I was privileged to be taken on a tour of the Tampa, FL, General Hospital. It is a very fine community hospital in a large urban area with a diverse population. As I walked through the pediatrics ward, the chief pediatrician pointed to a row of incubators along the wall and said: "Senator, those are our million-dollar babies."

I said, "What do you mean by that?"

She said: "It is a term of affection, but the cost of keeping each of those babies alive has exceeded \$1 million. In the case of some of them, it is \$2 million or \$3 million."

I went over with her to the row of incubators and walked along and looked at each of those babies. Some of the parents were there, and I talked to some of them and I inquired about the histories of the babies and the parents.

They were different. This is a diverse urban area, but there was one common theme among most of them. Most of these babies were born of mothers who had received no prenatal care. In plain and simple English, many of these young mothers had not seen a doctor between the time they conceived and the time they gave birth to the child.

That ought to be shocking to all of us. I am absolutely certain that every single Member of this Senate would find it unthinkable, if one of their children became pregnant, that she would not see a doctor during pregnancy. For us, it would be unthinkable.

What is unthinkable for us ought to be unthinkable for every American family. It is unacceptable that what is unthinkable for us is the reality for many American families. It simply ought not to occur in America.

Every single American woman should know that if she becomes pregnant, she can see a doctor. The normal, reasonable, preventive measures that our children would take under similar circumstances ought to be taken by every pregnant American woman. This simply ought not to occur in our country, and yet it does with distressing frequency.

I have had many people say to me, "Well, there really are not that many \$1 million babies." Maybe there are \$800,000 babies, maybe there are \$400,000 babies, maybe there are \$100,000 babies. But the reality is this: The rate at which babies are born prematurely and of very low birthweight is markedly higher among women who do not receive prenatal care than it is among those who do.

That, again, is just obvious common sense. A pregnant woman who does not see a doctor, especially one who may not have a high level of education, who may not have a supportive, intact family, who may be frightened and under enormous social and economic pres-

sure, that woman is much more likely to have a child born prematurely of low birthweight, therefore requiring these heroic and expensive measures, than one who does not suffer from those pressures, who is not subject to those pressures, and who has the opportunity and the means to see a doctor on a regular basis and to have any problems taken care of, or, most importantly, to take reasonable preventive measures.

That is just one example, and there are literally hundreds of such examples, of how we can have a healthier society, a better society, and spend less money.

Would we all not be better off if there were fewer \$1 million babies or \$100,000 babies, whatever the figure? We would have healthier babies, healthier mothers, healthier families, a healthier society, and spend less in the process.

It is so obvious, it is so clear, the knowledge exists. The only thing lacking is the political will to do what we know must be done. And that is our task.

Each of us sought this office. Each of us worked very hard to get here. And once we get here, it is our responsibility to act in the national interest, not merely to serve in public office for the glory of being in public office, but to use that limited opportunity, the short time that each of us has in life overall and in public life to do something good and meaningful and positive and beneficial to the country. That would be the best legacy we could leave individually and as a Congress.

Our challenge this year—and it is a challenge that no other Congress has faced with as much opportunity in many, many years—is to pass comprehensive, meaningful health care reform.

Madam President, I commit myself to that objective. Again, I express the determination of the Democratic Members of the Senate to get this job done this year. We look forward to working with our Republican colleagues. We do not think we have all of the answers. We do not think our way is the only way. We welcome discussion. We welcome dialog. We welcome negotiation.

Let us keep our eye on the common objective that we share and not be divided by the differences on how best to get there. With good will, with determination, with commitment, and with a proper sense of what public service means, I am convinced we can reach that goal.

So I look forward to welcoming our Republican colleagues back to the Senate next week with a view toward sitting down and going forward and working together and achieving this important national objective. It is the most important thing we have to do. If we do it, we will have performed a valuable public service.

SENATOR SPECTER ARGUES BEFORE SUPREME COURT

Mr. WARNER. Madam President, I rise to commend my colleague, the senior Senator from Pennsylvania [Mr. SPECTER], for personally arguing yesterday the case of Dalton versus Specter before the Supreme Court of the United States.

This case was originally filed by Senators SPECTER, WOFFORD, BRADLEY, and LAUTENBERG, as well as other Pennsylvania, New Jersey, and Delaware elected officials and various unions, to protest the alleged violations of law in the procedures followed by the Base Realignment and Closure Commission [BRAC]. The BRAC recommended closing the Philadelphia Naval Shipyard.

Senator SPECTER argued that the Navy deliberately concealed from the BRAC certain information which argued for keeping the Philadelphia Naval Shipyard open. The argument before the Supreme Court yesterday focused on the question of whether the courts had any power to require that the BRAC follow the procedures outlined in the Base Realignment and Closure Act. Senator SPECTER argued that the Department of Defense had specifically violated the act's requirements that all information relied on in the base closing process be made available to the Commission, the GAO, and the Congress.

Senator SPECTER pointed out that a long line of Supreme Court decisions, from Chief Justice Marshall's opinion in *Marbury versus Madison* in 1803 to the Youngstown case involving President Truman's seizure of the steel mills in 1952, require the courts to determine whether the President and executive branch agencies have complied with the law.

As a sitting Senator, Senator SPECTER was not unique in appearing before the Supreme Court to argue a case. Daniel Webster and others did so frequently in the 1800's, and more recently Senators Ervin and Saxbe did so in 1972 in a case involving senatorial immunity.

This is not the first time Senator SPECTER argued before the Supreme Court of the United States. As a Yale law school graduate and district attorney from Philadelphia, he was last at the court in 1970.

Once again, Senator SPECTER has proven himself to be a skilled litigator as well as a tough fighter for the people of Pennsylvania.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Madam President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,554,851,980,565.91 as of the close of business yesterday, March 2. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$17,470.89.

MASSACHUSETTS ATHLETES IN THE 1994 WINTER OLYMPICS

Mr. KENNEDY. Madam President, it is a privilege to commend the 17 athletes and the 2 coaches from Massachusetts who earned the honor of representing the United States at the winter Olympic games in Lillehammer, Norway, last month.

All of these athletes and coaches deserve great credit for their achievements. The outstanding performance of Nancy Kerrigan was a profile in courage because of her extraordinary grace under extraordinary pressure. She skated into the hearts of our country and the world in winning the silver medal in figure skating, missing the gold medal by only the narrowest of margins.

I also particularly commend Eric Flaim, who won a silver medal as part of the Men's 5,000 Meter Short Track Relay Team and Karen Cashman, who won the bronze medal as part of the Women's 3,000 Meter Short Track Relay Team.

In addition, I want to pay special tribute to a native son of Massachusetts who is currently "on loan" to Yale University, the head coach of the USA Hockey Team, Tim Taylor. Tim, a former Natick resident, did an outstanding job in guiding Team USA to the medal round.

Massachusetts is proud of all our athletes who competed at Lillehammer. Their ability, their energy, and their dedication are inspiring examples to us all. I ask unanimous consent that a list of the members of the U.S. Olympic Team from Massachusetts may be printed at this point in the RECORD.

There being no objection, the list of members was ordered to be printed in the RECORD, as follows:

THE MASSACHUSETTS MEMBERS OF THE 1994 U.S. OLYMPIC TEAM

Women's downhill: Krista Schmidinger of Lee.

Women's giant slalom: Heidi Voelker of Pittsfield.

Women's slalom: Carrie Sheinberg of Lee.
Freestyle skiing: Nikki Stone of Westborough.

Figure skating: Nancy Kerrigan of Stoneham and Mahlon Bradley of Marblehead (Assistant Team Leader).

Luge: Jon Edwards of South Weymouth and Erin Warren of Somerville.

Bobsled: Jim Herberich of Winchester.

Men's 5,000 meter short track relay: Eric Flaim of Pembroke.

Women's 3,000 meter short track relay: Karen Cashman of Quincy.

Hockey: Tim Taylor of Natick (Head Coach), Jim Campbell of Westborough, Ted Crowley of Concord, Peter Laviolette of Franklin, Jeff Lazaro of Waltham, John Lilley of Wakefield, David Sacco of Medford, and Garth Snow of Wrentham.

PARTNERSHIP FOR PEACE: A CONFUSED POLICY

Mr. HELMS. Madam President, one of the special friends that I have made since I came to Washington is a true patriot who has served his country long and well—Lt. Gen. Edward L. Rowny. Ed Rowny has distinguished himself in every assignment he has undertaken.

As a military man, his career was nothing short of superb. As deputy chairman of NATO's military committee he earned the respect of everyone who observed his work. As an arms control negotiator, Ambassador Rowny handled every sensitive aspect in a manner that served well the hopes for peace in the world.

Madam President, Ambassador Rowny was present at the Wehrkunde Conference in Munich in early February. He told friends later that the new Secretary of Defense, Bill Perry, "foreshadowed the administration's stiffening policy on Bosnia."

Upon his return, Ambassador Rowny penned an article for the Wall Street Journal which should be must reading for all Senators. I therefore ask unanimous consent, Madam President, that this article be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PARTNERSHIP FOR PEACE: A CONFUSED POLICY (By Ambassador Edward L. Rowny)

My recent conversations with European and Russian policymakers reveal they are confused over how to carry out President Clinton's Partnership for Peace. In the rush to cobble together a road map for the future of NATO, it is understandable that the Clinton Administration was not able to develop a coherent or sufficiently detailed plan for policymakers to follow.

Our allies, grateful for President Clinton's commitment to NATO, and desirous of assuring that NATO has a viable future, adopted a vague and painless proposal to which all could quickly agree. Central European leaders, unhappy with the proposal, were pressured into adopting it in the hope that they could turn it to their advantage. Eastern European leaders, jubilant that the proposal does not appear to be a policy of neo-containment, likewise hope to turn its implementation to their advantage. The Clinton Administration, still reluctant to get deeply involved in external affairs, appears content to have checked off this square with a sketchy outline and let nature take its course. As a result, Western European offi-

cialists are unclear about the ultimate objectives of Partnership for Peace. Central European officials, stunned with their shabby treatment because the West failed to make a distinction between them and Eastern Europe, are content to pocket what they can in the hopes of getting more later. Both groups naturally want to see the plan carried out to suit themselves. Eastern European policymakers, calculating that the initial steps implementing the plan are working to their advantage, are content with them. To regain credibility and demonstrate leadership, the Clinton Administration should act quickly to provide a more detailed plan which will clear up the confusion and uncertainty.

All would agree that the ultimate goal of Partnership for Peace is to provide for security and stability in Central and Eastern Europe. But by failing to establish priorities, the uncharted course will either allow the proposal to continue to flounder, or worse, cause it to fail completely. Meanwhile, the Eastern European states will attempt to shape events so as to continue to gain unilateral advantage.

I believe that the Clinton Administration should act now and promise the Central European states of Poland, Hungary, and the Czech and Slovak Republics early membership into NATO. These states share Western cultural values and yearn to be fully reunited with Europe from which they were snatched by the Soviets. They have demonstrated courage in breaking away from totalitarian communist regimes and have shown a willingness to undergo hardships in transforming their Marxist economies. They have moved a long way in the last three years along the road to democratic capitalism. As soon as they demonstrate that they will be able to shoulder the burdens of membership, they should join NATO as full partners.

At the same time, Eastern European nations—Russia, Ukraine, Belarus, and the Baltics—should be given more support and encouragement to adopt democratic and economic reforms. There should be no promise of early, or even eventual, membership in NATO. Rather, they should be led to understand that it is in their own interests to embrace democracy and market economics as ways of promoting their own security and prosperity.

In talking to Russian and Ukrainian leaders, I am convinced that drawing Central Europe into the NATO sphere will not undermine Yeltsin's efforts to seek reforms. Thoughtful leaders realize that NATO was—and will continue to be—a purely defensive alliance which threatens no one. Western leaders need to reiterate this point and drive it home so that Yeltsin's opposition, such as Zhironovsky, the military, and the successors to the KGB, are exposed as being paranoid. They can then be prevented from capitalizing on the instabilities resulting from Russia's experiments with democracy. Yeltsin can then show Russian citizens and the world that these anti-reformers undermine Russian stability and prevent economic growth.

The United States and its Western European allies, whose resources are already stretched thin, should concentrate on assisting Central Europe to become full members of NATO. This will provide the West with a hedge against a resurgence of a militant Russia. It will also promote stability in Europe.

At the same time, the West should redouble its efforts to help Eastern Europe reform.

We should continue military contacts between the states of NATO and Eastern Europe. But the principal elements of assistance should be non-military, such as cultural exchanges and training leaders in skills necessary for democracy and economic health. When IMF conditions are met, larger doses of financial aid should be offered. We should also assist Eastern Europe in transforming their industries from a military to a civilian base, to scrap their missiles more rapidly, and to place their growing stockpiles of plutonium and weapons grade uranium under strict surveillance and control.

I am not one who shares the notion that promoting democracy and market economics in Eastern Europe is a hopeless endeavor. It is true that these states lag behind Central Europe in such efforts and have a long historical legacy to overcome. But there is nothing inherent in the Russian character which prevents them from moving toward Western ideas and standards. The rapid fall of the Communist Party and renunciation of Marxist economics are cases in point. Further encouragement and investment in hastening reforms in Eastern Europe can pay large dividends. We should not repeat the mistake we made in the early 1930s in failing to support the Weimar Republic. If we were to consider Russia—as we then considered Germany—a pariah state, we could well create a climate for the emergence of a totalitarian regime.

There is another reason why membership of the Central European states in NATO makes sense and membership for Eastern Europe does not. Central European states are largely homogeneous ethnic entities. Western NATO allies need not worry about preserving internal stability in Central Europe. On the other hand, there are reasons to worry about the stability of Eastern Europe. A quarter of the Russian population lives beyond its current borders. Today there are armed conflicts in Georgia, Armenia, Moldova, and other former republics of the Soviet Union. Ukraine, despite recent security guarantees, remains suspicious of Russia in view of the boasts by Russian hardliners that Ukraine will be annexed. We can therefore expect considerable unrest, resulting in conflict and bloodshed, in Russia and its eastern and southern neighbors. These conflicts are not matters in which an expanded NATO should become involved. In fact, when the Eastern European states no longer have ethnic conflicts, and when they become democracies with operating market economies, they will no longer pose a potential threat to others. NATO can then be declared a full success, and like an old soldier, quietly fade away.

As for providing security guarantees to Eastern Europe, the United States can enter into agreements with Russia and Belarus similar to those reportedly offered recently to Ukraine. As part of the deal to get Ukraine to give up its nuclear weapons to Russia, the United States and Russia recognized the current Russian-Ukrainian boundaries. The United States also promised to support any actions that the United Nations decides are necessary to assure Ukraine's sovereignty and territorial integrity.

In sum, the Clinton Administration should quickly announce its specific plans to implement Partnership for Peace. Inaction and drift will only encourage further confusion and invite chaos. The key to success is the leadership of the United States. It should press for membership of the Central European states into NATO. The Clinton Administration's failure to take timely action will result in a missed opportunity to enhance

stability in Central and Eastern Europe and support reforms in Russia.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH IRAQ—MESSAGE FROM THE PRESIDENT—PM 93

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of August 2, 1993, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq), then or thereafter located in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin, as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. U.S. persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution No. 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Resolution No. 778 of October 2, 1992. Resolution 778 requires U.N. member states temporarily to transfer to a U.N. escrow account \$200 million apiece in Iraqi oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq. These funds finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction and to provide humanitarian assistance in Iraq on a non-partisan basis. A portion of the escrowed funds will also fund the activities of the U.N. Compensation Commission in Geneva, which will handle claims from victims of the Iraqi invasion of Kuwait. The funds placed in the escrow account are to be returned, with interest, to the member states that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No member state is required to fund more than half of the total contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders Nos. 12724 and 12817. The report covers events from August 2, 1993, through February 1, 1994.

1. During the reporting period, there were technical amendments to the Iraqi Sanctions Regulations relating to notification of transfers into blocked accounts and registration of persons holding blocked property, 58 Fed. Reg. 47643 (September 10, 1993). A copy of the amendments is attached for reference.

2. Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. These are intended to deter future activities in violation of the sanctions. Additional civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi Sanctions Regulations with respect to transactions involving Iraq. Three penalties totaling nearly \$54,000 were collected from three banks for violation of the prohibitions against funds transfers to Iraq, and noncompliance with reporting requirements and an Office of Foreign Assets Control directive license.

3. Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to the Office of Foreign Assets Control's listing of individuals and organizations determined to be Specially Designated Nationals of the Government of Iraq.

4. Pursuant to Executive Order No. 12817 implementing United Nations Se-

curity Council Resolution No. 778, on October 26, 1992, the Office of Foreign Assets Control directed the Federal Reserve Bank of New York to establish a blocked account for receipt of certain post-August 6, 1990, Iraqi oil sales proceeds, and to hold, invest, and transfer these funds as required by the order. On July 20, 1993, following payments by the Governments of Saudi Arabia and Denmark of, respectively \$40,589,419.00 and \$674,360.00, to the special United Nations-controlled account, entitled United Nations Security Council Resolution No. 778 Escrow Account, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$41,263,779.00 from the blocked account it holds to the United Nations-controlled account. Similarly, on August 2, 1993, following the payment of \$1,765,138.33 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$1,765,138.33 to the United Nations-controlled account; on September 11, 1993, following payments of \$1,547,054.35 by the Government of Canada, \$276,000.00 by the Government of Greece, \$3,196,897.72 from the Commission of the European Community, and \$1,006,614.89 from the Government of Denmark, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$6,026,566.96 to the United Nations-controlled account; and on December 15, 1993, following payments of \$5,223,880.60 by the Government of the United Kingdom, \$621,426.80 by the Government of Germany, and \$1,219,941.98 from the Government of the Netherlands, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$7,065,249.38 to the United Nations-controlled account. Total transfers from the blocked Federal Reserve Bank of New York account since issuance of Executive Order No. 12817 have amounted to \$107,613,270.99 of the \$200 million for which the United States is potentially obligated, on a matching basis, pursuant to United Nations Security Council Resolution No. 778.

5. Since the last report, there have been developments in one case. In *Campia et al. v. Newcomb et al.*, a settlement was entered into by the parties addressing payment of back rent to the landlord and return to the landlord of premises leased by the Matrix Churchill Corporation. To implement the settlement, certain blocked property owned by Matrix Churchill was sold, with the proceeds placed in a blocked account. Matrix Churchill's remaining property and records were placed in secure storage.

6. The Office of Foreign Assets Control has issued a total of 444 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Since my last report, 53 specific licenses have been issued. Licenses

were issued for transactions such as the filing of legal actions against Iraqi governmental entities, for legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, and food intended for humanitarian relief purposes, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, and the protection of pre-existent intellectual property rights in Iraq.

7. The expenses incurred by the Federal Government in the 6 month period from August 2, 1993, through February 1, 1994, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are reported at about \$3.1 million, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Assistant Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near East and South Asian Affairs, the Bureau of International Organizations, and the Office of the Legal Adviser), and the Department of Transportation (particularly the U.S. Coast Guard).

8. The United States imposed economic sanctions on Iraq in response to Iraq's invasion and illegal occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime, despite international will, has failed to comply fully with United Nations Security Council resolutions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraq's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. Nonetheless, we see a pattern of defiance: repeated public claims to Kuwait, sponsorship of terrorism, incomplete declarations to weapons inspectors, and ongoing widespread human rights violations, among other things. The U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

The Baghdad government continued to violate basic human rights by repressing the Iraqi civilian population

and depriving it of humanitarian assistance. For more than 2 years, Baghdad has maintained a complete blockade of food, fuel, and medicine on northern Iraq. The Iraqi military routinely harasses residents of the north, and has attempted to "Arabize" Kurdish, Turcoman, and Assyrian areas in the north. Iraq continues to launch artillery attacks against civilian population centers in the south, and its efforts to drain the southern marshes have forced thousands to flee to neighboring States.

In 1991, the United Nations Security Council adopted Resolutions 706 and 712 that permit Iraq to sell up to \$1.6 billion of oil under U.N. auspices to fund the provision of food, medicine, and other humanitarian supplies to the people of Iraq. Under the U.N. resolutions, the equitable distribution within Iraq of this assistance would be supervised and monitored by the United Nations. The Iraqi regime so far has refused to accept these resolutions and has thereby chosen to perpetuate the suffering of its civilian population. In October 1993, the Iraqi government informed the United Nations that it would not implement Resolutions 706 and 712.

The policies and actions of the Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, as well as to regional peace and security. Because of Iraq's failure to comply fully with United Nations Security Council resolutions, the United States will continue to apply economic sanctions to deter Iraq from threatening peace and stability in the region, and I will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 3, 1994.

MESSAGES FROM THE HOUSE

At 11:14 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, without amendment:

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.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-379. A resolution adopted by the Senate of the Legislature of the State of Michigan; to the Committee on Armed Services.

"SENATE RESOLUTION NO. 313

"Whereas, It has long been customary for kings and republics, governments of all

kinds, to issue medals commemorating events or faithful service. Presently the United States issues a multitude of medals and ribbons for a broad scope of services and actions, both to individuals and to all members of a command; and

"Whereas, Members of the armed forces are issued campaign medals and ribbons indicating participation in certain actions, bravery, or honorable service. These are to denote a person's accomplishments. Now, the question of a medal that will also identify heritage has been raised. The establishment of a National Armed Forces Medal for United States military veterans would continue a proud tradition from one generation to the next; and

"Whereas, It has been suggested that a separate ribbon for each American effort of one's blood lineage be worn with one universal medal. Thus, on quick observation, it would be apparent by the line of ribbons whether the wearer had forebears in service during the American Revolution, the War of 1812, the American Indian Wars, the Civil War, or other events in a certain 100-year time frame; and

"Whereas, Other periods of war service would also be included after the 100-year period. The Spanish-American War, 1898 to 1902, would be included in 1998, and World War I, World War II, and succeeding conflicts, after each had passed the century mark; now, therefore, be it

"Resolved by the Senate, That this legislative body memorialize the Congress of the United States to establish a National Armed Forces Medal for United States military veterans; and be it further

"Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation."

POM-380. A joint resolution adopted by the General Assembly of the State of Tennessee to the Committee on Commerce, Science and Transportation.

"HOUSE JOINT RESOLUTION NO. 407

"Whereas, a joint National Aeronautics and Space Administration (NASA) and U.S. Department of Defense study has proposed the construction of a \$3.2 billion state-of-the-art subsonic and transonic wind tunnel complex with all necessary operational support facilities, such project to be known as the National Wind Tunnel Complex (NWTC); and

"Whereas, although such worthy project has yet to be funded, technical and cost criteria for the project have been established and a process begun to select a site for the proposed NWTC; and

"Whereas, if approved, the NWTC would establish a capability for advanced aeronautical development that will strengthen the national security of the United States in two important ways; and

"Whereas, the NWTC would provide a development capability second to none in the world for advanced military aircraft, and more importantly, it would enable our commercial aircraft developers to compete more effectively in the world market, thereby strengthening our economic national security; and

"Whereas, the NWTC would require some 1,200 experienced construction workers to build the facility and at least 200 skilled management and engineering personnel to operate the facility; and

"Whereas, the premier site in this nation for the new development of wind tunnels is

the U.S. Air Force's Arnold Engineering Development Center (AEDC), located in southern Coffee County and neighboring Franklin County in Middle Tennessee; and

"Whereas, AEDC houses testing grounds for jet engines and space systems, including wind tunnels used to gauge equipment strength and durability on 40,000 acres managed by the U.S. Air Force and operated by private contractors; and

"Whereas, AEDC has a total work force of nearly 4,000, including roughly 500 Air Force and Defense Department civilian employees; and

"Whereas, the existing support infrastructure and experienced development testers at AEDC would reduce the initial cost and operational risk of the NWTC, and there are opportunities for commercial-military partnerships in dual-use technologies which are made possible only by the co-location and joint use of civilian and military facilities; and

"Whereas, U.S. Senator Jim Sasser, U.S. Senator Harlan Mathews and U.S. Congressman Jim Cooper have so astutely stated: 'This potential investment is far too critical to our nation's economic and defense future not to be placed in a location in which low life-cycle cost, high operating efficiencies, ideal environment conditions and an abundance of space for future expansion can maximize its effectiveness'; and

"Whereas, the AEDC site provides an ideal location for the NWTC because of the abundance of land, water for cooling the vast machinery used to operate the test facilities, low-cost electricity, and its relative isolation from other development; and

"Whereas, the AEDC installation is buffered from surrounding communities by thousands of forested acres, and would remain so even with further expansion in the future; and

"Whereas, the Tennessee Valley Authority has the current generating capacity to meet the electrical needs of the NWTC with no impact on current customers or restrictions on testing operations; a 4,000-acre cooling-water reservoir is already in place; and

"Whereas, finally, the entire southern Middle Tennessee area benefits from relatively low construction costs, a workforce already experienced in production development testing, and the synergism that would be created by co-locating this facility with those testing and research facilities already in the area; and

"Whereas, the NWTC will provide our nation with a world-class developmental test capability which will support military and commercial aeronautical requirements well into the next century; and

"Whereas, the siting of NWTC at AEDC would ensure AEDC's long-term viability as a national testing and research center; and

"Whereas, the members of this General Assembly are confident that the site selection process for NWTC will clearly demonstrate that AEDC is by far the best site in the nation for the complex; Now, therefore, be it

"Resolved by the House of Representatives of the Ninety-eighth General Assembly of the State of Tennessee, the Senate concurring, That this General Assembly hereby memorializes the President of the United States and the U.S. Congress to locate the proposed National Wind Tunnel Complex (NWTC) at the Arnold Engineering Development Center (AEDC) in Middle Tennessee, because the AEDC installation best serves the aeronautical development needs of this nation, and be it further

"Resolved, That the Chief Clerk of the House is hereby directed to transmit en-

rolled copies of this resolution to the President and Vice President of the United States; the U.S. Secretary of Defense; the Administrator for NASA, the Speaker and the Clerk of the U.S. House of Representatives; the President and Secretary of the U.S. Senate; and to each member of the Tennessee delegation to the U.S. Congress."

POM-381. A resolution adopted by the Legislature of Rockland County, New York relative to Northern Ireland; to the Committee on Foreign Relations.

POM-382. A resolution adopted by the Senate of the Legislature of the State of Michigan; to the Committee on Foreign Relations.

"SENATE RESOLUTION NO. 369

"Whereas, The President of the United States has lifted the trade embargo with Vietnam by Executive Order. This embargo was imposed on North Vietnam in 1964 and on the entire country in 1975 after the communist forces succeeded in capturing South Vietnam. The embargo was enforced not only because this communist government had waged a bitter and painful war against the United States, but also because some of our citizens may still be missing in that country; and

"Whereas, The MIA issue is a painful controversy in this nation, one that will not be resolved until we have the fullest possible accounting of the nearly 2,300 Americans who remain missing and unaccounted for in Southeast Asia. Seventy-two of these people are from Michigan, brave and patriotic citizens who cannot be forgotten; and

"Whereas, Restoring this embargo will maintain pressure on the government of Vietnam to do everything possible to find the missing Americans. On behalf of the MIAs, their loved ones, and all veterans, we request the President to restore the trade embargo on Vietnam; Now, therefore, be it

"Resolved by the Senate, That we memorialize the President of the United States to reconsider lifting the trade embargo with Vietnam; and be it further

"Resolved, That a copy of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation."

POM-383. A concurrent resolution from the Legislature of the State of Texas relative to State Tidelands Rights; to the Committee on the Judiciary.

POM-384. A concurrent resolution from the Legislature of the State of Texas relative to polygamy and polygamous cohabitation; to the Committee on the Judiciary.

POM-385. A concurrent resolution adopted by the Legislature of the State of Michigan; to the Committee on the Judiciary.

"HOUSE CONCURRENT RESOLUTION NO. 122

"Whereas, The United States Supreme Court has ruled in a 5-4 decision that popular legislative assemblies' attempts to curtail those acts that are an affront to the American people by protecting national symbols through local legislation may be unconstitutional if they go beyond the fine-line of the First Amendment; and

"Whereas, The desecration of national symbols through acts which are beyond the free speech essentials of our laws that allow the expression of diverse ideas or opposition to national policy that is political in nature, should be defined in law in order to protect against offensive acts which may incite or encourage violence or counterproductive activity of other citizens; and

"Whereas, Veterans' groups, expressing the sentiment of our people, have called for action to ban the desecration of the American flag. Indeed, to ignore the effect of this decision would be an affront to everyone who has been committed to the ideals of our nation in times of war and in times of peace; now, therefore, be it

"Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature hereby memorialize the United States Congress to pass an amendment to the United States Constitution to prohibit the desecration of the American flag; and be it further

"Resolved, That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation."

POM-386. A resolution adopted by the House of the Legislature of the State of West Virginia; to the Committee on the Judiciary.

"HOUSE RESOLUTION NO. 8

"Whereas, Legal injustice and discrimination on the basis of gender have long existed; and

"Whereas, The citizens of West Virginia clearly support an end to discrimination on the basis of gender through an amendment to the Constitution of this nation, as the United States has previously renounced slavery, racial discrimination, and denial of the right to vote on the basis of race and gender; and

"Whereas, Congress in 1972 proposed a federal Equal Rights Amendment to the United States Constitution to provide for equality of the law regardless of gender, which was narrowly defeated in 1982; and

"Whereas, The West Virginia House of Delegates prefers that each state ratify the federal Equal Rights Amendment to achieve a uniform national policy; and

"Whereas, The Equal Rights Amendment provides that gender should not be a factor in determining the legal rights of men and women and thereby recognizes the fundamental dignity, individuality, and worth of each human being; and

"Whereas, The West Virginia House of Delegates again stands ready to ratify a federal Equal Rights Amendment when approved by Congress for state ratification; therefore, be it

"Resolved by the House of Delegates: That the House of Delegates of the State of West Virginia respectfully memorializes the President and the Congress of the United States to propose to the several states an amendment to the Constitution of the United States stating that all men and women are equal under the law; and, be it further

"Resolved, That the Clerk of the House of Delegates is hereby directed to forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from West Virginia in the Congress of the United States."

POM-387. A resolution adopted by the Council of the City of New York, New York relative to AIDS education and prevention; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 1224. A bill to prohibit an agency, or entity, that receives Federal assistance and is involved in adoption or foster care programs from delaying or denying the placement of a child based on the race, color, or national origin of the child or adoptive or foster parent or parents involved, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BAUCUS (for himself, Mr. MOYNIHAN, Mr. REID, Mr. WOFFORD, Mr. WARNER, Mr. DURENBERGER, Mr. GRAHAM, Mr. LAUTENBERG):

S. 1887. A bill to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SARBANES:

S. 1888. A bill for the relief of Maria Manzano; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself, Mr. MOYNIHAN, Mr. REID, Mr. WOFFORD, Mr. WARNER, Mr. DURENBERGER, Mr. GRAHAM, and Mr. LAUTENBERG):

S. 1887. A bill to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes; to the Committee on Environment and Public Works.

NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1994

Mr. BAUCUS. Madam President, I am pleased today to introduce the National Highway System Designation Act of 1994. I am joined by Senators MOYNIHAN, WARNER, DURENBERGER, LAUTENBERG, WOFFORD, and REID.

Madam President, I first want to congratulate Department of Transportation Secretary Federico Peña and Federal Highway Administrator Rodney Slater for all of their hard work in developing the National Highway System or NHS. This map is the culmination of many months of consultation and discussion with Federal, State and local officials.

The Intermodal Surface Transportation Efficiency Act of 1991 requires congressional approval of the National Highway System by September 30, 1995. I am happy to tell my colleagues that as chairman of the Environment and Public Works Committee, I am committed to begin work on this bill this year.

INTERSTATE SYSTEM

In 1956, President Dwight D. Eisenhower initiated the construction of one of this Nation's largest public works

projects—the Interstate System. As when Jefferson made the Louisiana Purchase or when Seward and Lincoln bought Alaska, this turned out to be one of the wisest investments in American history. The Interstate System has served to unite and connect every region of this country.

The Interstate System has been the catalyst behind the growth and expansion of the U.S. economy. While the Interstate is finally nearing completion—40 years and \$130 billion later—the economic importance of a well-maintained, interconnected system of highways continues.

In 1991, Congress recognized this by passing the Intermodal Surface Transportation Efficiency Act; a law later known as ISTEA. ISTEA marked a significant change in transportation policy by emphasizing flexibility, planning, and strategic investing. ISTEA has also shifted this country out of the Interstate era and into the National Highway System era.

NATIONAL HIGHWAY SYSTEM

The NHS is a network of over 159,000 miles—only 4 percent of the nearly 4 million miles of our public roads. The NHS will carry over 40 percent of the highway traffic and carry over 70 percent of commercial truck traffic. By identifying the NHS routes, States will be able to better target their future investments to address the safety and efficiency of our highways.

These are the arteries of American commerce; they connect major population centers, border crossings, ports, and airports.

In the spirit of ISTEA, the National Highway System reflects an emphasis on intermodal connectivity. Making sure all our various transportation components are connected. A seamless transportation network that encompasses all modes of transportation that will enhance our economic competitiveness in an increasingly global economy.

For western States, such as my home State of Montana, the National Highway System is vital. Highways are critical to the economy and way of life in the West. Highways are virtually the only significant source of transportation, sometimes a few buses, some air service, but the main transportation system is highways. Highways are also a key to travel and tourism. Many tourists will use some portion of the NHS in the future. By linking population centers with national parks and other tourist attractions, the NHS can contribute to the development of areas not currently served by the Interstate.

In particular, I commend Secretary Peña and Federal Highway Administrator Slater for recognizing the importance of considering the legitimate transportation needs of every region of this country—both urban and rural.

For my home State of Montana, for instance, this proposal represents a

vast improvement over a plan that was put forward by the Bush administration. That proposal would have made it virtually impossible for large and sparsely populated States to maintain their existing road networks. And it would have amounted to an economic death sentence to many rural communities in my State and other sparsely populated areas.

But the Clinton administration plan—and the bill I am introducing today—would treat States like Montana fairly. This new map is good news for a number of Montana communities—places like Lewistown, Thompson Falls, Circle, Sidney, Jordan, Broadus, Miles City, Roundup, and Malta—that would have been left in virtual isolation under the previous proposal.

RELATION TO NAFTA

The NHS also has broad and important implications for American trade policy. The passage of the North American Free-Trade Agreement will spur future growth in trade between the United States, Canada, and Mexico.

The NHS not only helps to link all three countries, it enables States to develop transportation corridors for an integrated system of roads to meet increases in commercial vehicle use.

Almost 80 percent of the freight moving between the United States and Mexico moves by truck. Almost 60 percent of the freight between the United States and Canada moves by truck. Improving and maintaining the NHS within these trade corridors will further facilitate this trade.

ALLEVIATE CONGESTION

Making the necessary improvements to existing roadways will alleviate much of the traffic congestion in this country. We see this in the Washington area today—the large number of potholes in the roads has slowed and snarled traffic, thereby increasing not only the time spent on the road, but also increasing vehicle emissions. Focusing future investments on the NHS routes can help alleviate the increasing congestion problems in urban areas.

NATIONAL TRANSPORTATION SYSTEM

The declaration of policy in ISTEA states "It is the policy of the United States to develop a National Intermodal Transportation System that is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner."

The National Highway System will serve as the backbone for such a system. The Department of Transportation is in the process of formulating the National Transportation System with the cooperation of State and local officials. I applaud the Department's efforts.

While I reserve judgment on the final NTS product, I do feel it is important

to have an intermodal emphasis to future transportation policies. This Nation cannot afford to view its transportation system as a collection of individual modes. An integrated approach to planning and investments is in our national interest.

CONCLUSION

Madam President, I have outlined the purposes and goals of the NHS. Let me now alert my colleagues to my intentions in moving this bill. The Environment and Public Works Committee will hold hearings this spring on the NHS and transportation policies in general.

As I mentioned earlier, the deadline for congressional action on the NHS is September 30, 1995. While I intend to take action on this bill this year—and I underline this year—I must warn Members that this is not an opportunity to reopen ISTEA.

I know that Members have special highway demonstration projects that are important to them. Let me be firm in saying that Senate consideration of the NHS bill will not be an avenue to add new demonstration projects. I encourage Members to restrain themselves from requesting demonstration projects.

With the difficulty Congress continues to face with fully funding ISTEA, I believe the Senate should continue its tradition of passing highway bills that are free of demonstration projects.

In order for the NHS to be approved this year, it must remain a clean bill—that is, free from extraneous and controversial items. I look forward to working with Members of the Senate and with Chairman NORM MINETA in the House to pass an NHS bill that will help lead American transportation policy and American competitiveness into the next century.

Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Highway System Designation Act of 1994".

SEC. 2. NATIONAL HIGHWAY SYSTEM DESIGNATION.

Section 103 of title 23, United States Code, is amended by inserting after subsection (b) the following new subsection:

"(c) NATIONAL HIGHWAY SYSTEM DESIGNATION.—

"(1) DESIGNATION.—The most recent National Highway System as submitted by the Secretary of Transportation pursuant to this section is hereby designated to be the National Highway System.

"(2) MODIFICATIONS.—

"(A) IN GENERAL.—At the request of a State, the Secretary may—

"(i) add a new route segment to the National Highway System, including a new intermodal connection; or

"(ii) delete a then existing route segment and any connection to the route segment.

if the total mileage of the National Highway System (including any route segment or connection proposed to be added under this subparagraph) does not exceed 165,000 miles (265,542 kilometers.)

"(B) PROCEDURES FOR CHANGES REQUESTED BY STATES.—Each State that makes a request for a change in the National Highway System pursuant to subparagraph (A) shall establish that each change in a route segment or connection referred to in such subparagraph has been identified by the State, in cooperation with local officials, pursuant to applicable transportation planning activities for metropolitan areas carried out under section 134 and statewide planning processes carried out under section 135.

"(3) APPROVAL BY THE SECRETARY.—The Secretary may approve a request made by a State for a change in the National Highway System pursuant to paragraph (2) if the Secretary determines that the change—

"(A) meets the criteria established for the National Highway System under this title; and

"(B) enhances the national transportation characteristics of the National Highway System."

Mr. WARNER. Madam President, I am pleased to join with Chairman BAUCUS and other colleagues to introduce legislation to designate the National Highway System.

The National Highway System is the cornerstone of the 1991 Intermodal Surface Transportation and Efficiency Act [ISTEA] to ensure that our rail, air, and surface transportation network perform to maximum efficiency to move goods and people across the country.

Through the designation of the NHS, we reaffirm the direct Federal responsibility to maintain essential elements of a core network of our interstate system, plus strategic defense highways, and other primary routes.

While the hallmark of ISTEA was its flexibility for States to address their most pressing priorities, the NHS provides the assurance that a quality transportation system will be maintained to assist the flow of commerce between States and into international markets.

I am also committed to developing an efficient, modern, and safe National Highway System because I believe it should be the first of our systems to benefit from the application of new and emerging technologies. The Intelligent Vehicle Highway System or the so-called smart highways presents a good example of emerging technologies with great potential for improving highway safety and efficiency.

In Virginia, the twin problems of congestion and safety in major urban/suburban areas have been the focus of our transportation policy for some time. Interstate highways approach complete gridlock during peak travel periods with the result that commuters cannot get to work and interstate commerce is delayed. That translates into reduced productivity and wasted time and money.

Throughout my service on the Environment and Public Works Committee, I have been concerned about the safety of our surface transportation system for the traveling public.

While we have experienced a decrease in highway fatalities in recent years because of seatbelt and speed limit laws, both of which I have supported, the number of highway-related casualties each year is still far too high. More than 40,000 persons are killed and another 5 million persons injured each year in traffic accidents.

The allocation of resources to bring IVHS technologies to the National Highway System offers a tremendous opportunity to improve mobility, enhance safety, and reduce congestion through electronics, communications, and control technologies.

I believe the Congress must move promptly to designate the National Highway System so that States can begin to plan effectively to dedicate transportation dollars to these routes. I also believe that this legislation should not become a new reauthorization for our Nation's surface transportation programs.

Madam President, If the Congress can keep this legislation focused on its purpose and address limited and valid technical amendments to ISTEA, then we have a good chance for success this year.

ADDITIONAL COSPONSORS

S. 549

At the request of Mr. DOMENICI, the names of the Senator from Idaho [Mr. CRAIG] and the Senator from Missouri [Mr. DANFORTH] were added as cosponsors of S. 549, a bill to provide for the minting and circulation of one-dollar coins.

S. 1149

At the request of Mr. DOMENICI, the names of the Senator from Utah [Mr. HATCH] and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 1149, a bill to establish in the Department of the Interior the Office of Indian Women and Families, and for other purposes.

S. 1288

At the request of Mr. AKAKA, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 1288, a bill to provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture commercialization research program, and for other purposes.

S. 1329

At the request of Mr. D'AMATO, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 1329, a bill to provide for an investigation of the whereabouts of the United States citizens and others who have been missing from Cyprus since 1974.

S. 1359

At the request of Mr. LEAHY, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of S. 1359, a bill to amend the Food Stamp Act of 1977 to require the domestic production of food stamp coupons.

S. 1485

At the request of Mr. DECONCINI, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 1485, a bill to extend certain satellite carrier compulsory licenses, and for other purposes.

S. 1614

At the request of Mr. LEAHY, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of S. 1614, a bill to amend the Child Nutrition Act of 1966 and the National Lunch Act to promote healthy eating habits for children and to extend certain authorities contained in such acts through fiscal year 1998, and for other purposes.

S. 1690

At the request of Mr. DANFORTH, the names of the Senator from Utah [Mr. BENNETT] and the Senator from New Hampshire [Mr. SMITH] were added as cosponsors of S. 1690, a bill to amend the Internal Revenue Code of 1986 to reform the rules regarding subchapter S corporations.

S. 1858

At the request of Mr. BAUCUS, the names of the Senator from Rhode Island [Mr. CHAFEE] and the Senator from Louisiana [Mr. JOHNSTON] were added as cosponsors of S. 1858, a bill to amend the Trade Act of 1974 to make Super 301 permanent.

S. 1884

At the request of Mr. SIMPSON, the names of the Senator from South Dakota [Mr. PRESSLER] and the Senator from New Hampshire [Mr. GREGG] were added as cosponsors of S. 1884, a bill to amend the Immigration and Nationality Act to reform asylum procedures, to strengthen criminal penalties for the smuggling of aliens, and to reform other procedures to control illegal immigration to the United States.

SENATE JOINT RESOLUTION 163

At the request of Mr. LEAHY, the names of the Senator from Hawaii [Mr. INOUE] and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of Senate Joint Resolution 163, a joint resolution to proclaim March 20, 1994, as "National Agricultural Day."

SENATE CONCURRENT RESOLUTION 61

At the request of Mr. WOFFORD, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of Senate Concurrent Resolution 61, a concurrent resolution expressing the sense of the Congress in support of the President's actions to reduce the trade imbalance with Japan.

SENATE RESOLUTION 182

At the request of Mr. D'AMATO, the names of the Senator from Maryland [Ms. MIKULSKI] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Resolution 182, a resolution entitled "A Call for Humanitarian Assistance to the Pontian Greeks."

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee will hold a full committee hearing to examine the impact of health care reform on the small business sector. The hearing will be held on Thursday, March 10, 1994, at 9:30 a.m., in room 428A of the Russell Senate Office Building. For further information, please call John Ball, staff director of the Small Business Committee at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, March 3, 1994, at 11 a.m. to mark up draft legislation entitled the "Department of Agriculture Reorganization Act of 1994."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, March 3, 1994, at 9:30 a.m., in open and closed session, to receive testimony from the unified commanders on their military strategy and operational requirements, and the Defense authorization request for fiscal year 1995 and the future years Defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, March 3, beginning at 10 a.m. to conduct a hearing on regulatory consolidation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to hear testimony on the subject of designing health care benefit packages.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, March 3, 1994, beginning at 9:30 a.m., in 485 Russell Senate Office Building on the President's fiscal year 1995 budget for the Indian Health Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, March 3, 1994, to hold a hearing on the nominations of Franklin D. Burgess, to be a U.S. district judge for the Western District of Washington, Ancer Haggerty, to be a U.S. district judge for the District of Oregon, Michael J. Davis, to be a U.S. district judge for the District of Minnesota, Daniel T.K. Hurley, to be a U.S. district judge for the Southern District of Florida.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, March 3, 1994, at 9:30 a.m., to hold a hearing to receive testimony and view demonstrations on current and emerging technology which may affect the future operations of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 3, 1994 at 2:30 p.m. to hold an open hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIA AND PACIFIC AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on East Asia and Pacific Affairs of the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Thursday, March 3, 1994, at 10:30 a.m. to hold a hearing on U.S. policy toward North Korea.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, TRADE, OCEANS AND ENVIRONMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Trade, Oceans and Environment of the Committee on Foreign Re-

lations, be authorized to meet during the session of the Senate on Thursday, March 3, 1994, at 2 p.m. to hold a hearing on global economic and environmental policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 10 a.m., March 3, 1994, to receive testimony on the following bills: S. 218, to authorize the Secretary of Agriculture to convey certain lands in the State of Arizona, and for other purposes; S. 859, to reduce the restrictions on lands conveyed by deed under the act of June 8, 1926; S. 1233, to resolve the status of certain lands in Arizona that are subject to a claim as a grant of public lands for railroad purposes, and for other purposes; S. 1586, to establish the New Orleans Jazz National Historical Park in the State of Louisiana, and for other purposes; and H.R. 1183, to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Co.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO ADVANCE SEED CO.

• Mr. McCONNELL. Mr. President, I rise today to pay tribute to a company's countless contributions to the community of Louisville, KY. The Advance Seed Co. of Fulton, KY, has helped make the dreams of a Veterans Administration medical center in Louisville come true and the dream continues today.

The Louisville-based medical center leads other centers in a nationwide program named Project Blossom, a horticultural therapy project for veterans which allows for exposure to the outdoors, mental exercise, relaxation, and a chance to nurture living things. With help from Advance Seed Co., the national project became a success in Louisville. Advance Seed has donated more than \$3,000 in seeds to the program. More than 35 centers in 24 states now participate in Project Blossom with 6 million seeds at a retail value over \$57,000 donated nationwide. The extensive effort will benefit over 1,500 patients directly and thousands more indirectly. These numbers continue to grow daily.

Of course, this would hardly be a reality if it were not for the diligent and continuous work of Mr. Jack Simpson. A very active member in the commu-

nity of Fulton, Mr. Simpson is a member of the four Rivers Manufacturing Council, the Fulton County Chamber of Commerce, and other civic organizations. Along with these achievements is his enthusiastic commitment to Advance Seed for the past nineteen years. He is currently chief operating officer of the Advance Seed Co., and he certainly put his best foot forward to make sure that the medical center's wishes were granted.

Mr. President, I ask my colleagues to join me in recognizing this outstanding Kentucky company and all its valuable members, especially Mr. Simpson. Mr. President, I also ask that an article from a Veterans Administration medical center newsletter be included in the RECORD.

The article follows:

[From the VA Connections newsletter]

PROJECT BLOSSOM GROWS AND GROWS AND GROWS * * *

[Note.—As the story goes, Johnny Appleseed traveled around the country planting apple seeds wherever he went. The Department of Veterans Affairs Medical Centers have their own "Johnny Appleseed" in the form of the Advance Seed Company.]

Through the exceptional generosity of a seed company in Fulton, Kentucky, the Louisville VAMC has led Medical Centers across the country in a nationwide horticulture therapy project.

Last summer, the Advance Seed Company donated 2,500 packages of vegetable and flower seeds (valued at over \$3,200) to the Day Treatment Center's Horticulture Therapy Program.

Robert Brown, Sales Administrator for the Advance Seed Company, says his company made the donation to benefit the country's Veterans. "Because they have given so much to us, we felt this would be the least we could do for them," he said.

After their initial donation, the Advance Seed Company (which is the retail distributor of Ferry-Morse Seeds) received such an overwhelming positive response from Veterans and the general community that they decided to take the Project nationwide.

With the help and coordination of the Louisville VAMC's Public Affairs Office and the American Legion, every VAMC with horticulture therapy programs was contacted and offered up to 3,000 packages of seeds—at absolutely no cost.

The response was tremendous.

Project Blossom distributed more than six million seeds nationwide—that's 43,475 individual seed packets—with a retail value of more than \$57,000. Thirty-five Medical Centers in 24 states received seed packets that will ultimately benefit over 1,500 patients directly and thousands more indirectly.

Each facility receiving seed packets was encouraged to use creativity and ingenuity in deciding how they could best use the donation. And, since the massive distribution early this Spring, several Medical Centers have reported back to the Louisville VAMC and the Advance Seed Company regarding their success with Project Blossom.

At the Battle Creek, Michigan, VAMC, for example, the seeds are being grown to produce flowers for the flower beds on hospital grounds and for flower arrangements used at VA functions (such as dances, volunteer luncheons, and patriotic celebrations). Their greenhouse also features a "plant of

the month" that is grown and distributed on the hospital wards, in waiting areas and in day rooms.

Battle Creek patients are taking horticulture therapy one step further by using the flowers in basic flower arranging classes and also by creating a "butterfly garden" complete with hibernation boxes.

Horticulture therapy principles have been around for centuries, but formal horticulture therapy and structured programs are relatively new. Horticulture therapy uses simple gardening techniques to enhance the quality of life for individuals with mental, physical, emotional, development, and/or social problems.

From a medical perspective, researchers are just beginning to look for a psychological or even physiological explanation for the benefits of horticulture therapy. However, on a more obvious level, gardening benefits special populations in the same way it does for the rest of us: physical exercise, the opportunity to be exposed to the outdoors, mental challenges, relaxation when we're tense, and the outlet to nurture living things.

A big "thanks" goes to Robert Brown, who initiated Project Blossom. A great Veterans advocate, Brown is currently the vice-commander of the American Legion—Department of Kentucky, as well as an active member of the Disabled American Veterans and the Veterans of Foreign Wars among others.●

CONGRATULATIONS TO JOE MERRITT ON THE OCCASION OF HIS ELECTION TO THE PRESIDENCY OF THE NFDA

● Mr. GORTON. Mr. President, I would like to take this opportunity to congratulate an outstanding man on the occasion of his election to the presidency of the National Funeral Directors Association [NFDA]. Mr. John C. "Joe" Merritt has been a licensed funeral director and embalmer since 1974, when he received the Mu Sigma Alpha Society award for excellence from the California College of Mortuary Science.

Joe was born and raised on an American Indian reservation. He and his wife Kerry are the parents of two daughters, Brandi, who was a nursing student at the Washington State Intercollegiate School of Nursing before her death as a result of a brain tumor on November 1, 1992, and Bradi, a business student at Washington State University.

Joe and Kerry own and operate Merritt Funeral Home, Langevin-Mussetter Funeral Home, Jones & Jones Funeral Home, and Waterville Funeral Home. Joe is a past president of the Washington State Funeral Directors Association as well as a past president of the State Funeral Insurance Agency. Joe has served NFDA as chairman of the committee for audits of brochures and booklets and as a member of the education affairs steering committee. Additionally, Joe has served as NFDA's secretary, treasurer, and president-elect. Joe's outstanding contributions to NFDA have enabled the association to better serve its members through improved communications and educational programs.

During the upcoming year, Joe hopes to help NFDA establish itself more fully as a flexible, growing, and dynamic leader in the funeral service industry. Finally, Joe believes that NFDA's priorities should mirror those of the truly committed funeral service professional: The consumer first, the professional second, and the individual third.

The National Funeral Directors Association has elected an able and committed leader as their president for 1994. They are fortunate to have such a leader, and I commend Mr. Merritt on his great achievement in becoming president of the National Funeral Directors Association.●

HONORING DOMINIC DiFRISCO AND STEFANO CACCIAGUERRA RANGHIERI

● Ms. MOSELEY-BRAUN. Mr. President, on March 4, 1994, the National Italian-American Foundation will honor my friends Dominic DiFrisco and Consul General Stefano Maria Cacciaguerra Ranghieri at the first Annunzio award luncheon in Chicago. This recognition is indeed an honor—and a well-deserved one.

The NAIF is honoring Dominic DiFrisco and Stefano Cacciaguerra Ranghieri with this award because they have made a real difference in bringing together the Italian-American citizens of Illinois. They serve their community with distinction. NAIF is the major advocate in Washington, DC, for the Nation's 20 million Italian-Americans. Their mission is to help Italian-Americans preserve the values of their heritage and to ensure that the American media and public are aware of the contributions that Italians and their descendants have made to the United States throughout its history. Dominic DiFrisco and Stefano Cacciaguerra Ranghieri are truly representative of these goals and ideals.

Dominic currently represents the esteemed firm of Burson-Marsteller as their senior vice president and director of community and government relations in Chicago. Prior to that, he was an administrative aide to Congressman Frank Annunzio following his work as public relations and sales manager at Alitalia Airlines in Chicago. He is a man who is proud of his Italian heritage which shows in both his professional life and personal endeavors. He has led the community in bridging the gap between people of various ethnic backgrounds, cultural differences, and social diversity.

Dominic has spent many years working on behalf of his community and many other ethnic communities in Chicago. Whether it is as president of the Joint Civic Committee of Italian-Americans, as a member of the board of directors of the Chicago Center for Peace Studies, as chairman of the

United Negro College Fund Telethon in 1990-91, or as a member of the board of directors of the Chinese-American Service League, Dominic has shown his dedication and commitment to the various communities which serve the Chicago area. Dominic is immersed in the fabric of Chicago's multiethnic community.

Stefano Cacciaguerra Ranghieri has served in the diplomatic service of Italy for over 15 years, and we have been lucky enough to have him in Chicago as the consul general for the past 3 years. The consul general has taken an active role in promoting the Italian cultural heritage of Italian-Americans, and in forging trade and economic links between Italy and Chicago and the Midwest. He is a cofounder of the Italy-Midwest Exchange whose mission is to strengthen the economic and cultural ties between Italy and the Midwest, and to promote the image of contemporary Italy.

The consul general was very involved in the events in Chicago leading up to the 500th anniversary of Columbus's voyage to America. As part of the 1992 Quincentenary Celebration and Beyond, he assisted in the staging of the Living Chess Game from Marostica, Italy, in the Daley Center Plaza. And he brought Frece Tricolori, the Italian Air Force aerobatic team, to the 1992 Chicago Air and Water Show.

I am very pleased that the National Italian American Foundation has chosen to honor Dominic DiFrisco and Stefano Cacciaguerra Ranghieri. Their past national honorees include U.S. Supreme Court Justice Antonin Scalia, Frank Sinatra, Joe DiMaggio, Lee Iacocca, Liza Minelli, Luciano Pavarotti, and Sophia Loren, and in my view Dominic and the consul general fit in perfectly with this esteemed group. I wish to convey my heartfelt congratulations to them and my sincere thanks for all that they have done.●

TRIBUTE TO DANIEL "DANNY" STERN

● Ms. MIKULSKI. Mr. President, I rise today to honor a remarkable man, Daniel "Danny" Stern, my constituent and an active member of the Beth Israel Synagogue for over 20 years. He will be given a Distinguished Service Award by the Beth Israel Synagogue in Randallstown, MD. He has earned this award because of his active involvement in his synagogue and the community. A man successful in life, he generously contributes to his community his time and energy.

He has been the club president and vice president of Beth Israel Synagogue. He has served on the Beth Israel board of directors for 8 years and has served as copresident of the Hebrew School PTA with his wife. He has taught bar and bat mitzvah lessons to young students.

In addition to his involvement in his synagogue and with its young people, he has held many regional executive positions within the Federation of Jewish Men's Clubs [FJMC]. Currently, he serves on the executive committee of FJMC. The FJMC is the coordinating body which sets the national policy and service programs for all conservative Jewish synagogues in the United States and Canada.

Mr. Stern gives so much of his community. It is citizens like Mr. Stern who make America the great country that it is. That is why I stand here today to honor him.●

CASIMIR PULASKI DAY

● Ms. MOSELEY-BRAUN. Mr. President, I would like to take a moment to honor Casimir Pulaski, one of the heroes of the American Revolution. In my great State of Illinois the first Monday in March is known as Casimir Pulaski Day, in honor of his birthday, March 4, 1747. In 1929, Congress designated October 11 to be observed as Pulaski Day.

Born in Warka, Poland, Mr. Pulaski began his career as organizer and leader of the Confederacy of Patriots which fought against Russian aggression and interference. He was exiled from Poland in 1771 after being unjustly accused of attempting to kill the King. He eventually wound up in Paris where his military leadership was recognized by the French royal court who recommended him to Benjamin Franklin, who was seeking volunteers for the American Revolution.

On July 23, 1777, Pulaski arrived in America to serve in General Washington's army not speaking a word of English. Mr. Pulaski proved to be much more than a good officer; he was both an experienced cavalry man and a superior strategist.

This marked the beginning of an extraordinarily decorated career. He played a crucial role in helping America fight for freedom and independence. As soon as Mr. Pulaski took temporary command of Washington's cavalry detachment in September 1777, he successfully saved supplies and Warren's Tavern from British attack.

On September 15, 1777, because of his bravery in the Battle of Brandywine, Congress commissioned Mr. Pulaski brigadier general. On February 25, 1778, he resigned as commander of the cavalry corps and began the formation of the Independent Corps of Light Cavalry and Infantry, which was later known as the Pulaski Legion.

Once the corps was authorized, Brigadier General Pulaski quickly recruited, clothed, and trained the corps in 3 months time, using a good sum of his own money. His corps fought minor skirmishes in Egg Harbor, NJ, and Minising on the Delaware River.

In February 1779, the corps was ordered to the South to join Gen. Ben-

jamin Lincoln's army. The corps helped regain Charleston, SC, and later that year fought the siege of Savannah, GA, alongside the French against the British. It was during this battle where he was fatally wounded as he led the charge against the enemy. He later died aboard the American brig *Wasp* on October 11, 1779 at the age of 32.

Pulaski has been honored in many ways around the United States. There is a monument here in Washington. Brigadier General Pulaski was one of 600 Polish officers that vitally contributed to our fight for freedom.

One of this country's greatest strengths is its ability to draw on the talent of all the people that have arrived on American shores. Casimir Pulaski is a proud example of the contributions of many to the fight for freedom and democracy in the United States.

Today, I honor Brig. Gen. Casimir Pulaski as an American patriot.●

ORDERS FOR MONDAY, MARCH 7, 1994

Mr. MITCHELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12:30 p.m. on Monday, March 7; that following the prayer, the Journal of the proceedings be approved to date, and the time for the two leaders reserved for their use later in the day; that there then be a period for morning business not to extend beyond 1:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with Senator HEFLIN recognized for up to 10 minutes; that at 1:30 p.m. the Senate proceed to the consideration of Calendar No. 165, S. 4, the National Competitiveness Act of 1993.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 12:30 P.M., MONDAY, MARCH 7, 1994

Mr. MITCHELL. Madam President, I see no other Senator seeking recognition.

If there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 3:50 p.m., recessed until Monday, March 7, 1994, at 12:30 p.m.

NOMINATIONS

Executive nominations received by the Senate March 3, 1994:

FEDERAL MARITIME COMMISSION

JOE SCROGGINS, JR., OF FLORIDA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 1995, VICE CHRISTOPHER L. KOCH, RESIGNED.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE AS-

SIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A), AND AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, UNITED STATES CODE, SECTION 711:

To be lieutenant general

To be a senior member of the military staff committee of the United Nations

MAJ. GEN. WESLEY K. CLARK, 432-80-5682, U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT AS CHIEF, ARMY RESERVE, U.S. ARMY FOR A PERIOD OF 4 YEARS, UNDER SECTION 3038, TITLE 10, UNITED STATES CODE.

ARMY RESERVE

To be chief

MAJ. GEN. MAX BARATZ, 330-26-0968, U.S. ARMY.

IN THE NAVY

THE FOLLOWING-NAMED REAR ADMIRALS (LOWER HALF) IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624. SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

MEDICAL CORPS

To be rear admiral

REAR ADM. (LH) RICHARD ARNOLD NELSON, 442-40-1464, NAVY.

SUPPLY CORPS

To be rear admiral

REAR ADM. (LH) DONALD EUGENE HICKMAN, 315-38-3238, U.S. NAVY.
REAR ADM. (LH) DAVID ROSS RUBLE, 240-60-1979, U.S. NAVY.

CIVIL ENGINEER CORPS

To be rear admiral

REAR ADM. (LH) THOMAS ALLAN DAMES, 342-34-4355, U.S. NAVY.

DENTAL CORPS

To be rear admiral

REAR ADM. (LH) WILLIAM HOWARD SNELL, JR., 059-32-2078, U.S. NAVY.

HOUSE OF REPRESENTATIVES—Thursday, March 3, 1994

The House met at 11 a.m.

The Rabbi Israel Poleyeff, Hebrew Academy of the Five Towns and Rockaway, Cedarhurst, NY, offered the following prayer:

Almighty God, we ask Thy blessings upon this distinguished legislative body, and we ask that You crown their deliberations with success. For more than two centuries our blessed and beloved country has been the haven for those fleeing tyranny and oppression. They came to these shores seeking a new life in the land of freedom and opportunity. Our Nation to this day remains a beacon of light to all people and an example to the nations of the world that life, liberty and the pursuit of happiness are indeed the inalienable rights of all human beings.

The men and women gathered here are charged with the awesome responsibility of guiding our Nation along that path set forth by our Founding Fathers. Bless them with wisdom and understanding and compassion so that all the inhabitants of this land can look forward to the time when every person shall dwell safely, "each under his vine and his fig tree" in peace and security. 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. 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 250, nays 153, not voting 30, as follows:

[Roll No. 38]
YEAS—250

Abercrombie	Andrews (ME)	Applegate
Ackerman	Andrews (NJ)	Bacchus (FL)

Baessler	Gutierrez
Barca	Hall (OH)
Barcia	Hall (TX)
Barlow	Hamburg
Barrett (WI)	Hamilton
Barton	Harman
Bateman	Hayes
Becerra	Hefner
Beilenson	Hinchey
Berman	Hoagland
Bevill	Hochbrueckner
Bilbray	Holden
Bishop	Houghton
Blackwell	Hoyer
Borski	Hughes
Boucher	Hutto
Brewster	Hyde
Brooks	Inglis
Browder	Insee
Brown (FL)	Johnson (GA)
Brown (OH)	Johnson (SD)
Bryant	Johnson, E. B.
Byrne	Johnston
Cantwell	Kanjorski
Cardin	Kaptur
Carr	Kasich
Chapman	Kennedy
Clayton	Kennelly
Clement	Kildee
Clinger	Kingston
Clyburn	Kieciska
Coleman	Klein
Collins (MI)	Klink
Combest	Kopetski
Condit	LaFalce
Conyers	Lambert
Cooper	Lancaster
Coppersmith	Lantos
Costello	LaRocco
Coyne	Laughlin
Cramer	Lehman
Danner	Levin
Darden	Lewis (GA)
Deal	Lipinski
DeFazio	Lloyd
DeLauro	Long
Dellums	Lowey
Derrick	Maloney
Deutsch	Mann
Dicks	Manton
Dingell	Margolies-
Dixon	Mezvinsky
Dooley	Markey
Durbin	Martinez
Edwards (CA)	Matsui
Edwards (TX)	Mazzoli
Engel	McCloskey
English	McCurdy
Eshoo	McDermott
Evans	McHale
Everett	McKinney
Farr	McNulty
Fazio	Meehan
Fields (LA)	Meek
Filner	Menendez
Fingerhut	Mfume
Flake	Miller (CA)
Foglietta	Mineta
Ford (TN)	Minge
Frank (MA)	Mink
Frost	Moakley
Furse	Mollohan
Gejdenson	Montgomery
Gephardt	Murtha
Geren	Myers
Gibbons	Nadler
Gillmor	Nadler
Gilman	Neal (MA)
Glickman	Neal (NC)
Gonzalez	Oberstar
Gordon	Obey
Greenwood	Olver
	Ortiz

Orton	Andrews (TX)
Oxley	Archer
Pallone	Bonior
Parker	Brown (CA)
Pastor	Collins (IL)
Payne (AL)	Crane
Payne (NJ)	de la Garza
Payne (VA)	Fields (TX)
Pelosi	Fish
Penny	Ford (MI)
Peterson (FL)	
Peterson (MN)	
Pickett	
Pickle	
Pombo	
Pomeroy	
Porter	
Poshard	
Price (NC)	
Rahall	
Rangel	
Reed	
Reynolds	
Richardson	
Roemer	
Rose	
Rowland	
Roybal-Allard	
Rush	
Sanders	
Sangmeister	
Sarpalius	
Sawyer	
Schenk	
Schumer	
Serrano	
Sharp	
Shepherd	
Sisisky	
Skaggs	
Skelton	
Slattery	
Slaughter	
Smith (IA)	
Spratt	
Stark	
Stenholm	
Stokes	
Strickland	
Studds	
Stupak	
Swett	
Swift	
Synar	
Tanner	
Tauzin	
Tejeda	
Thompson	
Thornton	
Thurman	
Torres	
Torricelli	
Towns	
Traficant	
Tucker	
Unsoeld	
Valentine	
Velazquez	
Vento	
Visclosky	
Volkmer	
Waters	
Watt	
Waxman	
Wheat	
Williams	
Wilson	
Wise	
Myers	
Nadler	
Neal (MA)	
Neal (NC)	
Oberstar	
Obey	
Olver	
Ortiz	

NAYS—153

Allard	Goss	Paxon
Army	Grams	Petri
Bachus (AL)	Grandy	Portman
Baker (CA)	Gunderson	Pryce (OH)
Baker (LA)	Hancock	Quillen
Ballenger	Hastert	Quinn
Barrett (NE)	Hefley	Ramstad
Bartlett	Herger	Ravenel
Bentley	Hobson	Regula
Bereuter	Hoekstra	Ridge
Billrakis	Hoke	Roberts
Bliley	Horn	Rogers
Blute	Huffington	Rohrabacher
Boehert	Hunter	Ros-Lehtinen
Boehner	Hutchinson	Roth
Bonilla	Inhofe	Roukema
Bunning	Istook	Royce
Burton	Jacobs	Santorum
Buyer	Johnson (CT)	Saxton
Callahan	Johnson, Sam	Schaefer
Calvert	Kim	Schroeder
Camp	King	Sensenbrenner
Canady	Klug	Shaw
Castle	Knollenberg	Shays
Clay	Kolbe	Shuster
Coble	Kreidler	Skeen
Collins (GA)	Kyl	Smith (MI)
Cox	Lazio	Smith (NJ)
Crapo	Leach	Smith (OR)
Cunningham	Levy	Smith (TX)
DeLay	Lewis (CA)	Snowe
Diaz-Balart	Lewis (FL)	Solomon
Dickey	Lightfoot	Spence
Doolittle	Linder	Stearns
Dornan	Machtley	Stump
Dreier	Manzullo	Sundquist
Duncan	McCandless	Talent
Dunn	McCollum	Taylor (MS)
Ehlers	McHugh	Taylor (NC)
Emerson	McKeon	Thomas (CA)
Ewing	McMillan	Thomas (WY)
Fawell	Meyers	Upton
Fowler	Mica	Vucanovich
Franks (CT)	Michel	Walker
Franks (NJ)	Miller (FL)	Walsh
Gallegly	Molinari	Weldon
Gekas	Moorhead	Wolf
Gilchrest	Morella	Young (AK)
Gingrich	Murphy	Young (FL)
Goodlatte	Nussle	Zeliff
Goodling	Packard	Zimmer

NOT VOTING—30

Andrews (TX)	Gallo	Moran
Archer	Green	Natcher
Bonior	Hansen	Owens
Brown (CA)	Hastings	Rostenkowski
Collins (IL)	Hilliard	Sabo
Crane	Jefferson	Schiff
de la Garza	Livingston	Scott
Fields (TX)	McCrey	Torkildsen
Fish	McDade	Washington
Ford (MI)	McInnis	Whitten

□ 1130

Mr. QUINN changed his vote from "yea" to "nay."

So the Journal was approved. The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. DARDEN). The Chair will ask the gentleman from Georgia [Mr. COLLINS] if he would kindly come forward and lead the membership in the Pledge of Allegiance.

□ 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.

Mr. COLLINS of Georgia led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate disagrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 1804) "An Act to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes," agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. PELL, Mr. METZENBAUM, Mr. SIMON, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mr. WOFFORD, Mrs. KASSEBAUM, Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. THURMOND, Mr. HATCH, and Mr. DURENBERGER, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1560. An act to establish the Social Security Administration as an independent agency, and for other purposes.

WELCOME, RABBI ISRAEL POLEYEFF

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

Mr. LEVY. Mr. Speaker, I rise to thank today's guest chaplain, Rabbi Israel Poleyeff, for offering a moving and inspirational opening prayer.

Rabbi Poleyeff is a teacher at the Hebrew Academy of the Five Towns and Rockaway, which is located in the district I represent. He is joined today by several of his students in the House gallery who have braved the elements to tour our Capital and see their teacher speak on the House floor.

Rabbi Poleyeff has served his country as an Army chaplain and has offered counsel and guidance to congregants in Pennsylvania and New York. He has been teaching at the Hebrew Academy since 1975.

I am grateful to have such an outstanding spiritual leader from my district open a session of the House of Representatives and I want to thank

Speaker FOLEY for allowing me to bring Rabbi Poleyeff here today.

Thank you, Rabbi Poleyeff, and the students of the Hebrew Academy for joining us.

TRIBUTE TO THE HONORABLE WILLIAM H. NATCHER

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

Mr. FOLEY. Mr. Speaker, for the first time since his election on August 1, 1953, the gentleman from Kentucky, WILLIAM H. NATCHER, has not responded to a rollcall vote. It would have been his 18,402d consecutive vote, the vote we just took on approving the Journal.

I was advised today that after consultation with his physicians he reluctantly determined that he would remain at Bethesda Naval Hospital and, consequently, not respond to this or other rollcall votes today.

Obviously, this is a sad moment for all of us because of the unparalleled public service of Mr. NATCHER. He will have in the record of 18,401 rollcall votes a record that I believe will stand forever.

I hope, Mr. Chairman, that you may be watching this session of the House and understand that behind that standing ovation of Members of the House from both sides of the aisle, from every part of this country, goes our enormous respect and admiration for you.

With your permission, Mr. Chairman, I would like to read your own words as given today:

Afer consultation with my physicians this morning, I have very reluctantly decided to remain at Bethesda Naval Hospital for continued treatment, and I will not be able to return to Capitol Hill today.

I want to thank the people of the Second Congressional District of Kentucky and the Commonwealth of Kentucky for all of their support and for their prayers and concern.

I served as Federal conciliation commissioner in 1936 and 1937 for the Western District of Kentucky, was then elected as county attorney of Warren County for three 4-year terms, and then was elected as commonwealth attorney in 1951 and served until I was elected to the Congress on August 1, 1953. Throughout my entire public service, I have never missed a single day of work, and during my tenure as a Member of Congress, I never missed a day or a vote. Through yesterday, Wednesday, March 2, 1994, the total of 18,401. I could not do this again, but I will try because I believe Members of Congress should vote.

The Second Congressional District of Kentucky has been good to me. I have enjoyed every day of my service, not only as a Member, but also as the chairman of the Labor, Health and Human Services and Education Appropriations Subcommittee, and as the chairman of the Full Committee on Appropriations.

I am extremely proud that last year, after being elected chairman of the full committee, with the cooperation of all of the Members and the staff, I was able to see to it that

all 13 appropriations bills were enacted on time, without an extended continuing resolution.

I will remain at the hospital and will be consulting with my physicians about my return to work.

Mr. Chairman, everyone in this Chamber hopes that the day will come soon when you can return to us, to your distinguished work and to this House. In the meantime, our prayers and thoughts are with you. God bless you, sir.

FURTHER TRIBUTE TO HON. WILLIAM H. NATCHER

(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, let me say first of all that I want to thank the Speaker for the way in which he briefed the House and briefed the country today. I think it is an important part of this institution to remind people how human it is. I think every heart here goes out to Chairman NATCHER, and I appreciate very much the Speaker's bringing it to our attention.

I just want to say on behalf of Mr. MICHEL and the Republican leadership that we join with what the Speaker said and that we want Mr. NATCHER to know that across this House and, I think, frankly, this land, as people in recent weeks have watched the courage and the commitment of Mr. NATCHER, that the people are praying for him and care about him and that all of us look forward very fondly to the day when he can come back and join us. And I thank the Speaker for bringing that to our attention.

(Applause, the Members rising.)

FURTHER TRIBUTE TO THE HONORABLE WILLIAM H. NATCHER

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

Mr. MAZZOLI. Mr. Speaker, I can add very little to what our Speaker has said a moment ago about our colleague and friend, BILL NATCHER. But to put it in perspective, I have had the honor and rare privilege of serving with him for the past 24 years. It has been from my observation of him as a person and as a professional that when we think of BILL NATCHER, we think of the term estimable, we think of the terms devoted, dedicated, all these terms we know are part and parcel of public service.

Congressman NATCHER, my good friend from the Second District, has exemplified all of those cardinal virtues of public service throughout his entire career here in the House.

As the Speaker has said, this marks a day in which for the first time in those

40-plus years the chairman has been unable to cast a vote.

□ 1140

It does not mark the end of his service, however. It does mean that he is taking a momentary pause to try to recover his health at Bethesda Hospital, and we do join the Speaker and the minority side, all the sides, in extending our prayers to him for a full and a swift recovery.

Mr. Speaker, I think that while we will cast many votes in our careers and while we will represent our communities in the best way we can see fit to do, that there will be very few among us who will reach that pinnacle, who will become a true icon of public service, and I think that is exactly how the gentleman from Kentucky [Mr. NATCHER] has proceeded, to become an icon of this place.

So, Mr. Speaker, all of us in the Kentucky delegation join in extending our best wishes to BILL in the hopes that he take a good rest and recover his strength.

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

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

Mr. BROOKS. Mr. Speaker, I would like to say just briefly that I was here when the gentleman from Kentucky [Mr. NATCHER] came, when he was sworn in, and he has been a gracious and distinguished Member since that very day, been courteous to everybody, fair to everybody, and well respected by spouses. In fact, Mr. Speaker, my wife said this morning that she wanted me, if I saw BILL NATCHER, to tell him that we still loved him.

Now that is the kind of impact he made on people.

Now I want to give my colleagues one bit of other information:

While he was probably the most distinguished Presiding Officer that we had, other than our elected Speakers, he did confide in me one day that having a perfect record was probably the worst mistake he ever made, and I fully agree because I do not have a perfect voting record. I have missed several quorums, four or five Journal votes, and every now and then I believe I missed other votes that were not critical.

So I just want to say to my colleagues, "I warn you. Don't think you can emulate this because it's not a good deal, and he would have told you, and probably would still tell you, that trying to have a perfect record is almost impossible and a tremendous burden on yourself."

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

Mr. MAZZOLI. Mr. Speaker, I would appreciate being able to yield a brief moment to my friend from the First District, the gentleman from Kentucky [Mr. BARLOW].

Mr. BARLOW. Mr. Speaker, it is an honor and a privilege to be in the House working with the gentleman from Kentucky [Mr. NATCHER]. He has just missed one vote. He has other votes ahead of him. He is a fighter. We Kentuckians are fighters. He is fighting to restore his health.

Across America, Mr. Speaker, prayers are with him. I do believe the Lord has prepared the gentleman from Kentucky [Mr. NATCHER] to lead us as a House on both sides of the aisle as we come into this period when we are restoring financial strength to our Nation. God bless him. Our prayers are with him.

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

Mr. MAZZOLI. I yield to the gentleman from Kentucky [Mr. BAESLER], my colleague.

Mr. BAESLER. Mr. Speaker, for those of us from Kentucky and, I think, throughout the country, the gentleman from Kentucky [Mr. NATCHER] sets a standard for service to this House, as was said by the Speaker.

He sets a standard for grace and charm for all of us who might be in public life, and I think he sets a standard, for those of us who care about those we serve, our constituents, and all we can do is strive toward that standard, but we can never equal it. Mr. Speaker, it will always be a goal we will try to strive for.

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

Mr. MAZZOLI. I yield to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I, like many in this body today, feel very close to the gentleman from Kentucky [Mr. NATCHER]. In fact, Mr. Speaker, this Member knows him well.

For the last 20 years, Mr. Speaker, when we have been in session, we have had breakfast together, and I would like to say, "God bless you, BILL NATCHER. We look forward to seeing you back at breakfast, and it's your time to buy."

TRIBUTE TO THE SERVICE OF WILLIAM H. NATCHER

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

Mr. ROGERS. Mr. Speaker and Members of this august body, today, of course, is a different day for everyone in this body except two because this is, of course, the first time in 40 years and 18,401 votes that the voting light beside BILL NATCHER'S name stayed dark. And this is the first day he has missed work in his 40 years of service to this body and to this Nation.

Mr. Speaker, I think we all watched that light up there knowing that it would come on before the voting time

expired because it always has. We have always known that, all but two Members of this body who came here senior to Mr. NATCHER. That unbroken voting record, of course, is unmatched, not just in this body, but in every other national legislative body in the world.

More important, Mr. Speaker, than the quantity of his votes, however, has been the quality of his service to the House and to the Nation. His devotion to duty is evidenced in these last few weeks by his painful journey to this body to cast votes, and with this incredible voting record that he has amassed, never to be superseded, there is even more proof to the body of his legislative achievement, his quietly working behind the scenes putting together those appropriations bills which made massive changes in America and its people.

None of us know, Mr. Speaker, a more courteous, or dignified, or considerate human being than the gentleman from Kentucky [Mr. NATCHER]. He is a neighbor to my district in Kentucky, and, of course, the dean of the Kentucky delegation and the chairman of the Committee on Appropriations where I have the honor of serving with him. None of us is more respected. No one is more admired. No one has the rectitude of BILL NATCHER. But we also learned over these years that one could not mistake that courtliness, from another age really, with timidity or reticence. BILL NATCHER was forceful, is forceful. He is resolute. He is crisp. He is commanding in his leadership and in his beliefs.

Mr. Speaker, in an age of cynicism toward politicians the gentleman from Kentucky [Mr. NATCHER] remains a pillar of rectitude and of admired devotion to duty, and he makes us all proud to serve in this House and be his colleague here.

The gentleman from Kentucky [Mr. NATCHER] appreciates all of our prayers, and he knows of our love and devotion. We have shown that to him. He also knows of the care and concern of every Kentuckian from every county and community in our State who are praying for his quick recovery and return to his beloved House here and his beloved home in Kentucky.

Mr. BUNNING. Mr. speaker, will the gentleman yield?

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

Mr. BUNNING. Mr. Speaker, I thank the gentleman from Pulaski for yielding to me, and I would just like to add my devotion to BILL NATCHER as a colleague in this House of Representatives, the pride that I have in serving with the gentleman having the respect of everyone in Kentucky. There is not one person in Kentucky that I know that has anything but the deepest respect for BILL NATCHER as a servant of the people.

Mr. Speaker, if we could make a prototype of a person to serve in this

House of Representatives, the gentleman from Kentucky [Mr. NATCHER] would be that prototype. As my colleagues know, 18,000-plus votes and 40 years of service uninterrupted for the people of this House of Representatives, the people of his district, the people of the Commonwealth.

However, Mr. Speaker, more than that the people of the United States of America know what a job BILL NATCHER has performed, and I am proud to have served in this House with the gentleman from Kentucky, and I am more proud to call him my friend and fellow Kentuckian.

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

Mr. ROGERS. I yield to our distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

□ 1150

Mr. MICHEL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is a very historic moment in this House of Representatives, and I just cannot refrain from making mention of the very telling conversation I had with BILL yesterday after BILL had cast his next-to-last vote. We were in our old Appropriations Committee room, and I was making my point with BILL about how he had already made his mark in history through this tremendous unblemished record, and that I would hope he would give serious thought to the tremendous opportunities we have here through advances in medical science to make him whole again, and that, from my point of view and, I am sure, from the point of view of his constituents in the country, much more important than extending a voting record, I feel it would be so much better for him to give those people the opportunity to make him whole, and that that would mean so much to his grandchildren to whom he has written regularly about the history of this body and his experience in it, and how much more memorable it would be if he could live a sufficient number of years in the future, regardless of the voting record, to be able to tell those grandchildren about it personally and to amplify on what he had written.

I hope that maybe it might have had a little impact on BILL, as he then went back to the hospital last night and thought it all over again. So for me, I have to be happy that BILL has made that agonizing decision when I thought maybe he just would not come to grips with it in that way.

I certainly want to endorse and subscribe to everything that has been said about him here today. You folks from Kentucky know him so well. I spent so many of my years, 20 years in this House on the Appropriations Committee with him. I became the ranking member of our subcommittee, and he eventually became our chairman. We

were so close in our deliberations with one another, and I have to say there was no finer subcommittee chairman or full committee chairman from the standpoint of fairness and, yes, working industriously as he was tending to his duties every day.

So rather than detain the House any longer from this Member of Congress, may I simply say that I embrace all those wonderful things that have been said. And, BILL, if by chance you are listening on the monitor, I want to just say again that we, I am sure, speaking for all the Members of this House, will keep praying for you, and we are happy about your decision, because it suggests to me that you can again be made whole and live to tell those grandchildren any number of stories for a number of years to come, and we will be happy to welcome you back to the House when that time comes.

Mr. ROGERS. Mr. Speaker, may I say this: Mr. Leader, I think I can safely say for BILL NATCHER that you are going to come out OK in his journal. Of course, BILL NATCHER is going to come out OK in all our journals as well.

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

Mr. ROGERS. I yield briefly to the gentleman from California.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman for yielding, and I will be succinct.

I think even more important than the votes is that we should know the character of BILL NATCHER. I have three Members from the other side of the aisle who really touched me and helped me, especially when I was a freshman. One was JOHN LEWIS, and another was CRAIG WASHINGTON. And I say, yes, CRAIG, I will support you.

The other one was BILL NATCHER. But I was madder than a hornet at BILL NATCHER one day when he was on the other side of the aisle and we were arguing and debating an issue. Being a hot-headed freshman, I was steaming. BILL NATCHER walked over to this inexperienced freshman and put his arm around me, and he said, "DUKE, you know, in Kentucky, we have these young horses that run and they get so much adrenaline that they break their legs and we have to shoot them."

I thought, man, he is threatening me. Then he looked at me and put his arm around me and he said, "DUKE, if you will just slow down a bit, I'll show you how to win the race."

And more than just win the race, he did help me. It is that kind of leadership that I think all of us enjoyed.

Mr. ROGERS. BILL NATCHER, our hearts and our prayers are with you for a quick and speedy return to your place.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was commu-

nicated to the House by Mr. McCathran, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DARDEN). At this point the Chair will proceed in the following manner:

The Chair will receive up to 15 1-minute speeches from Members on both sides of the aisle.

A FURTHER TRIBUTE TO BILL NATCHER

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

Ms. SLAUGHTER. Mr. Speaker, when I was elected to the 100th Congress and came to Washington to go through the orientation process, I immediately realized what a giant of a man Mr. NATCHER is. We had a routine that we went through, because we would always talk about Kentucky, which is my native States, and whenever I would speak to him or ask him about anything, he would always say to me, "Aren't you from Pulaski County?" And after I said, "Yes, sir, I am," then we could get on with the business of the day.

I want to comment, not only on his voting record, which will never be equaled in the universe, but on the fact that he loved his grandchildren so much and every day he sat down and wrote an individual letter to each one of them. Last year he lost one of his beloved grandsons in an automobile accident, and his grief was painful to watch.

What I would like to say to Mr. NATCHER, if I could, is, "Mr. NATCHER, lay down that burden of never missing a vote. The people in the Second District certainly understand your faithful service."

Mr. Speaker, I do not think anybody else in the country could ever follow or match his reelection record. I am told that the most Mr. NATCHER ever spent on a campaign was \$50, and that that money was only for gasoline. He had no pamphlets, no bumper stickers, no media. He simply drove around his district every 2 years, and without any question, unfailingly, they sent him back.

It has been a wonderful record, Mr. NATCHER, and when you come back, you can complete it. But nobody has voted more than you, and your record will stand. We hope that you really will not worry about it. Just get well.

A PLEDGE TO FIGHT CRIME BY RENDERING JUSTICE AND GUAR- ANTEERING LIBERTY

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

Mr. COLLINS of Georgia. Mr. Speaker, we have just rendered a pledge to our flag and the Republic for which it stands.

Mr. Speaker, a republic is people. People working equally as one nation. Under God, indivisible, with liberty and justice for all.

Yes, under God we have united and have been granted a government, to protect the liberty and render justice for all.

We protect our liberty through faith, patriotism, and a strong defense. Would be aggressors fear our strength and respect our values.

However, the aggressor we fear most walks among us, dividing us from within—the criminal.

We must make the criminal as fearful of violating our liberty as any aggressor we have faced.

Mr. Speaker, only justice will render such fear.

We as dutiful officers of the Republic must harness the criminal element through justice.

Justice will only prevail when we as a Congress swallow our thirst for power and assist our local and State governments in stopping the criminal threat to our liberty.

THE HEALTH CARE CRISIS

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

Mrs. CLAYTON. Mr. Speaker, there are those in this body who would have America believe there is no health care crisis.

I stand before you today to say, shame on them. Shame on them for trying to deny over 37 million of their fellow citizens who stand to lose everything they have, if they are faced with a serious illness or injury.

Those who live in rural areas like my own district have an even greater problem—that of access. They often put off going to the doctor until they are faced with a medical emergency. Then, they have to drive many miles to the nearest hospital.

Mr. Speaker, this is expensive, inhumane, and unacceptable. It is a crisis of the worst sort. We must have health care reform now, with coverage that is universal, affordable, and portable. And for the people who live in rural areas and urban centers where access is a tremendous problem, we must empower community health centers to do what they do best.

We must protect this grassroots health care delivery system if we are ever to fully address the problem of access. I ask you to join me in support of the Access to Community Health Care Act, and the Community Health Improvement Act. They will ensure that this main artery to preventive health care will not be shut off from those who so desperately need it.

□ 1200

CONFLICT OF INTEREST

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

Mr. BALLENGER. Mr. Speaker, the White House yesterday denied that there was a conflict of interest when Hillary Clinton sued a political supporter for the Government, and settled for less than she should have.

The White House also doesn't think it is unusual that Mrs. Clinton's associates sold short pharmaceutical company stocks right before she publicly attacked those companies in the media.

Clearly, the White House doesn't know the definition of conflict of interest.

But, Mr. Speaker, there are serious questions raised by the ethical lapses of the Clinton administration. The President's credibility on health care and crime must be reexamined in light of these ethics questions.

How can we trust a Government to run our health care when it cannot take care of its own business without waste, fraud, and abuse of the people's trust?

How can we trust a President to fight crime when his own administration has ethical problems? The American people need to know the answers to these questions.

CONSTITUTION COVERS AMERICAN TAXPAYERS

(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, for more than 4 years, Alex and Kay Council fought the IRS, trying desperately to provide that they did not owe \$70,000, that grew to \$300,000. They said the IRS was ruthless—so ruthless, that Alex Council believed he had no other choice to provide money for his family, so he took his own life. He left a note, and he said, "Use the insurance money to stop this illegal agency that is out of control and fight, by God, for our family."

Mr. Speaker, a court in North Carolina ruled the following: No. 1, his deduction was completely legal; and No. 2, the IRS never made notice.

The IRS said they sent a letter, and it did not need to be certified. It was an oversight.

Mr. Speaker, we in Congress ought to be ashamed of ourselves. If Charles Manson is innocent until proven guilty, an American taxpayer should be treated the same way. Discharge Petition No. 12 says a taxpayer is innocent until proven guilty and the Constitution still means something in our country.

TRY IT, YOU'LL LIKE IT?

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

Mr. BOEHNER. Mr. Speaker, when it comes to their health care reform plan, the Clinton White House is saying to the American people, "Try it. You'll like it."

But after looking at the particulars of this proposal, the people are gagging on the Clinton plan. Eight out of ten fear, rightfully, that the quality of their health care will go down with the Clinton bill.

Most business groups oppose the President's employer mandate, which will drive thousands of small businesses out of business and millions of Americans out of their jobs.

And the public has rebelled against getting its health care spoon-fed by the Government.

Mr. Speaker, the American people don't have to try the Clinton plan to know they won't like it. They just have to look at the specifics. And as they do, their prognosis is: The Clinton bill is dead.

DEMOCRATIC ACTION SPEAKS LOUDER THAN REPUBLICAN WORDS

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

Mr. VISCLOSKY. Mr. Speaker, last year Congress passed the largest deficit reduction package in history. During the debate on that economic plan, Republican rhetoric did not reflect reality.

For example, on February 18 of last year, the gentleman from Texas [Mr. ARMEY] said, "I will tell you this: This program will not give you deficit reduction. It will be a disaster for the performance of the economy."

Mr. Speaker, the reality is that President Clinton's economic plan has reduced the deficit to its lowest level since 1979 relative to the gross economy. The reality is that the actual deficit for the last year was \$73 billion lower than that projected in President Bush's budget.

Mr. Speaker, the deficit is projected to fall to \$226 billion this year, and decline again to \$178 billion in 1995, putting our Nation on track for 3 years of reduced deficit. This is the first time this has happened since a Democrat, Harry Truman, was in the White House.

Mr. Speaker, when it comes to deficit reduction, it is clear that Democratic actions speak louder than Republican words.

GLOBAL WARMING—LET US PUT IT IN PERSPECTIVE

(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 concerning an issue that I am sure is on everybody's mind, global warming. I say this with tongue in cheek as an admonition.

It is obvious to all of us as we are dealing with this latest snowstorm here that the blistering apocalypse of global warming is putting everything in perspective.

After all, during the big January snowstorm, temperatures dipped below zero. In the February snow and ice storm, the thermometer dropped into the single digits. And here in March, the coldest it will get during this snowstorm is only the twenties.

Judging by this winter, you'd think that a new ice age is upon us. Of course, it would be ridiculous to judge long-term climatic changes on one winter in one part of the country. Unfortunately, equally ridiculous claims of global warming have been made based on short-term weather trends, and have helped shape policy in Congress.

Mr. Speaker, let us keep this long, cold winter in mind the next time Congress is asked to push good science aside and make policy based on hyperbole and hysteria.

PRESIDENT'S BUDGET POINTS WAY TO STRONGER ECONOMY

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

Mrs. KENNELLY. Mr. Speaker, we all know that there is a right way and a wrong way to do everything, and the effort to deal with the budget deficit is no exception. Today in the Budget Committee we begin marking up the fiscal year 1995 budget, and continue what we began last year—dealing with the budget deficit the right way.

We will continue to set priorities, make tough choices, and focus resources where they are needed most. We will stay within the very tight discretionary caps adopted last year. And we will keep that deficit on a downward path.

That is the right way. The wrong way is to offer phony panaceas and miracle cures—rhetorical flourishes instead of real fixes. That's the approach taken by those who oppose the President's budget.

Last year, Republicans predicted the President's budget would be a disaster for the economy. They said it would do nothing to reduce the deficit. They said it would slow economic growth. And they were wrong, wrong, wrong.

There is a right way and a wrong way to do everything. Mr. Speaker, we have

now started to do things the right way. Let us continue what we have begun by passing the President's budget, and keeping America on the path to a stronger economy.

ACTIONS SPEAK LOUDER THAN WORDS

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

Mr. HEFLEY. Mr. Speaker, in his State of the Union Address, Clinton told us that as long as he is President, the military will be the best equipped, best trained, and best prepared fighting force on the face of the Earth. No more cuts, he stood right there and said.

But actions speak louder than words. Just a few short weeks have passed, and yesterday the Secretary of the Army said what Clinton really meant to say was no more cuts beyond what he had already planned to cut.

So much for the Clinton credibility. Defense is back on the chopping block, this time to cut personnel by 181,000. The Army, of course, takes the biggest hit.

For a decade now the Defense Department has been the only Federal agency to see its budget cut. But look around you. We have got problems in Somalia, Communists with nuclear capability in Korea, and bloody violence in Bosnia. The cold war may be over, but we do not have the capability, given the numbers we are looking at now, to respond adequately to many of these challenges.

Ronald Reagan believed in peace through strength. According to Solzhenitsyn, who is going back to Russia, he said that Ronald Reagan, with that belief, brought about the collapse of the Soviet Union and the Berlin Wall.

Mr. Clinton, do not tell us. Show us that you are committed to a military that will ensure the security of all Americans and our interests around the world.

CHICKEN LITTLE AWARDS

(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, during the last couple weeks we have seen all sorts of medals and awards being handed out in the Olympics and the Grammys, but the awards being handed out in Congress today are the most important ones, for looking to the future.

What are they? They are chickens running through the halls giving Chicken Little awards to many of the Republicans, because they are the ones last year who not one of them voted for the budget and made all sorts of wrong predictions. There were more dead wrong predictions than we can even talk about.

□ 1210

Let me just point out one. One Member came out and said this is really the Dr. Kevorkian plan for our economy. Oh, really? The economy seems to be booming more than we ever anticipated. Look at the Greenspan report. Look at everything else.

I hope as we enter this year's budget it will not be partisan and we will deal with real facts and not Republican rhetoric.

FRIENDS IN NAME ONLY

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

Mrs. BENTLEY. Mr. Speaker, Canada may be our good northern neighbor, but it is not friendly in trade matters. The Journal of Commerce reports that last year, under the Canadian Free-Trade Agreement [CFTA], a five member dispute resolution panel overturned a 6.5 percent duty placed by the United States on imports of Canadian softwood lumber.

The tariff was to offset Canadian subsidies which had pushed down lumber prices in the United States. American lumber officials charged that two Canadian panel members had ties to both the Canadian lumber industry and Canadian Government. This is not the first time the United States has charged a conflict of interest on the dispute panels.

Trade negotiators are concerned that the CFTA panel reveals a critical flaw in the dispute panel system. This decision exposes the fact that special interests can influence the panels and harm U.S. interests. Remember CFTA panels, NAFTA panels and GATT panels all operate the same. We should say no to this system when we debate GATT, the granddaddy of the agreements.

MISLEADING POLITICAL RHETORIC

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

Mrs. UNSOELD. Mr. Speaker, rhetoric flows freely in this well and throughout this House, particularly political rhetoric. Last year it foamed and flowed over the Clinton economic package. In August, Mr. KASICH said, "We will come back here next year and try to help you when this puts the economy in the gutter." The minority whip said, "I believe this will lead to a recession next year. This is the Democrat machine's recession, and each one of them will be held personally accountable."

Mr. Alan Greenspan is hardly a flaming radical, but at the end of January of this year he said, "I do not recall as good an underlying base for the long-

term outlook as we have today in the last two or three decades.”

Mr. Speaker, I will gladly be accountable for what has taken place, but for what will we make the minority whip accountable?

ANOTHER MONSTER LOOSE IN THE LAND

(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, when we think about walking through the Jurassic Park as portrayed in the book and the movie, we know we need a catastrophic health care plan. Indeed, there is a catastrophic health care plan. If there were a legislative sequel to it, it would be the President's plan that promises to be just like Jurassic Park in terms of viciousness and scarieness. It creates 105 new bureaucracies and expands 40 more. According to the Congressional Budget Office, it adds \$70 billion more to the deficit. Another trillion dollars will be expended by the year 2000.

There are those that paid the admission fee for the movie Jurassic Park and found it worth the money, at least in technique, but many Americans will find that the legislative sequel will be a high budget, low quality production. When the dinosaur ideas of the Clinton monster plan cut into the hard-earned savings of the American family, the American people will wish that they had never entered that theater.

A SUCCESSFUL BUDGET AND A HEALTH CARE REFORM PLAN THAT WILL WORK

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

Mr. CLYBURN. Mr. Speaker, 2 months ago the opponents of health care reform announced no crisis in health care. Now we hear them declaring the health care security plan dead. These prognostications remind me more than a little bit of things we were hearing last year about the President's budget. Last year one of our opponents said that the President's budget will stifle economic growth, destroy jobs, reduce revenues, and increase the deficit.

Mr. Speaker, let us look at what has happened. Today the deficit is projected to be 40-percent lower than it was projected to be 1 year ago. Today housing starts are up over 25 percent, and single-family starts are their highest level in 15 years.

Under the President's budget, nearly 2 million jobs were created last year, including 1.7 million in the private sector, 70 percent more than was created in the whole 4 years previously.

Mr. Speaker, the President's budget is working, and now we need to get on with reforming our health care delivery system.

URGING FULL DISCLOSURE OF THE WHITEWATER TRANSACTION

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

Mr. LEACH. Mr. Speaker, there are many elements of the so-called Whitewater affair that are a bit esoteric. But the revelations of the past few days that officials of the Department of the Treasury and Resolution Trust Corporation briefed key White House aides on potential legal action which independent regulatory agencies might be obligated to take against the President and First Lady subvert one of the fundamental premises of American democracy—that this is a country of laws and not men.

In America, process is our most important product. No individual, whatever his or her rank, is privileged in the eyes of the law. No public official has the right to influence possible legal actions against him or herself. For this reason agencies of the Government as well as the White House have precise rules that govern their employees.

Let me cite, in particular, the following Department of Treasury standard which appears patently to be violated. Under “Rules of Conduct,” 31 CFR, section 0.735-30 states:

An employee should avoid any action * * * which might result in, or create the appearance of * * * (2) Giving preferential treatment to any person; * * * (4) Losing complete independence or impartiality; (5) Making a Government decision outside official channels; or (6) Affecting adversely the confidence of the public in the integrity of the Government.

Similarly, the following standards contained in 12 CFR section 1605.7 apply to RTC employees:

No employees shall engage in any action, which might result in, or create the appearance of * * * (b) giving preferential treatment to any person; * * * (d) losing complete independence or impartiality; (e) making an RTC decision outside official channels; or, (f) adversely affecting the public's confidence in the integrity of the RTC.

Likewise, the following standards apply to the White House—3 CFR, section 100.735-4:

In all circumstances employees shall conduct themselves so as to exemplify the highest standards of integrity. An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of: (1) Using public office for private gain; (2) Giving preferential treatment to any person; * * * (4) Losing complete independence or impartiality; (5) Making a Government decision outside official channels; or (6) Affecting adversely the confidence of the public in the integrity of the Government.

Seldom have the public and private ethics of lawyers in the White House

and executive branch departments and agencies been so thoroughly devalued.

All participants in these meetings should be brought before Congress to provide full public disclosure of their actions and discussions.

VIOLENCE—A THREAT TO SOCIETY

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

Mr. TOWNS. Mr. Speaker, once again the city of New York and its citizens have been victimized and assaulted.

Unfortunately, violence has become pandemic in our society. However, I applaud the efforts of the New York City Police Department, and those concerned citizens, that assisted cutting across ethnic and religious lines, that have resulted in the speedy apprehension of the alleged gunman who perpetrated the heinous and barbaric act against innocent individuals. The victims were concerned solely with their religious faith and devotion.

I offer my condolences to members of the Lubavitcher community who have suffered terribly as a result of this crime. And I also offer my gratitude to them for their restraint. I also commend the Arab community for assisting in the apprehension of the alleged gunman. It is gratifying that despite the prevailing pain, anguish, and anger, emotions have been tempered and calm actions have been maintained.

I encourage all New Yorkers to seek common bonds of understanding so that we can eradicate the bigotry and prejudice that is the root cause of many of these violent acts.

□ 1220

TRIBUTE TO WTOP NEWS RADIO 1500

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

Mrs. MORELLA. Mr. Speaker, I rise today to congratulate station WTOP-AM, Washington, DC's only all-news radio, on its 25th anniversary, and to extend my very best wishes to its 23 anchors, 11 reporters, 12 editors, and 2 writers.

I would like to especially commend the station's Capitol Hill reporter, Dave McConnell, who day after day, vote after vote, with style and grace, informs his listeners about the legislation, the personalities, and the drama of the U.S. Congress.

I would also like to salute WTOP's energetic Montgomery County reporter, Janice Sosebee, a former student of mine at Montgomery College, who covers the people and news of my home county and my congressional district.

Twenty-four hours a day, in good times and bad, those of us who live in the Washington metro area know we can rely on WTOP for the latest in news, weather, and sports. It has never let us down since its debut as an all-news outlet in 1969.

EARLY RESULTS SHOW BRADY LAW WORKS

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

Mr. SCHUMER. Mr. Speaker, today is day 3 of the Brady law and the early evidence is already in: careful gun control works, and works well.

During the first 48 hours of the new law, convicted criminals and mentally unstable people all across the Nation have been denied guns.

In Utah, 4 felons were refused guns; in Kentucky, 8; in Colorado, 17; in Nevada, 6; in Louisiana, 10; in just one city in Texas, 13 were turned away; and in Kansas, 5.

And the list goes on and on across the Nation. Criminals are denied access to guns without doing any harm to the law-abiding gun owners.

In fact the attorney general of Kansas estimated that as many as 10 percent of those trying to buy guns in Kansas will be caught by the Brady law and they won't get a handgun.

Law enforcement, parents, concerned citizens, and community leaders are delighted. We don't know exactly how many lives may be saved, how many stores won't be held up, how many kids won't be shot on the way to school, how many domestic disputes won't end in blazing gunfire.

But we do know this: lives will be saved. We know that over 60 people who shouldn't have a handgun in just the 7 States I have cited won't walk away with a handgun, thanks to the Brady law.

Mr. Speaker, the irony is that only the NRA thinks this is a bad thing.

Only the NRA will keep pretending that a disastrous assault on the constitution is going on here.

Only the NRA will keep falsely claiming the Brady law won't help in the battle against handgun violence.

Only the NRA will keep denying what everyone else can see.

The good news, my colleagues, is that the American people will see that the NRA has not been telling the truth. Americans will see every day in every State that rational gun control works, protects lives, and does no harm to the law abiding, whether they own guns or not.

ACCESS TO CHILDREN'S HEALTH CARE ACT OF 1994

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

minute and to revise and extend her remarks.)

Ms. LAMBERT. Mr. Speaker, I rise today to introduce the Access to Children's Health Care Act of 1994. This bill will allow children's hospitals to qualify as federally qualified health centers [FQHC] by giving children's hospitals outpatient services exemptions to certain FQHC provisions. These provisions will strengthen the vital safety net of services for low income and underserved children with special health care needs.

Children's hospitals provide almost half of all their care to poor children. As the number of children in poverty have grown and private coverage of dependents has declined, children's hospitals have increasingly become the primary care pediatrician and pediatric specialist for children. In addition, children's hospitals accept all children regardless of their ability to pay and substantially underwrite outpatient care.

By allowing children's hospitals to qualify as FQHC's, the hospitals will receive reimbursement based on reasonable costs as defined by Medicaid.

This bill has the support of the National Association of Community Health Centers, which recognizes the need to maintain and strengthen community resources. In addition, this legislation is a top priority for the National Association of Children's Hospitals and related institutions.

Access to care is a vital part of health reform. This legislation is not only important within the context of the current Medicaid program, it also will assure that children's hospitals will be recognized as essential providers under reform proposals.

I urge my colleagues to take a serious look at this proposal to guarantee appropriate health care access for the children in their districts with special health needs.

CLINTON CARE-LOWER QUALITY

(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, yesterday the Washington Post reported that 80 percent of Americans fear that the Clinton health plan would reduce the quality of health care in this country. The same poll showed more Americans disapprove of the President's plan than support it. That is certainly consistent with the message I am receiving from constituents in my district.

Most telling however, is the fact that now more than 60 percent of Americans feel like they actually know something about the proposal and the bottom line: The more people learn about the President's 1,300-page bill—and its arbitrary price controls, big government alliances, and new bureaucracies—the more skeptical they become.

In other words, the more they know, the more they dislike, notwithstanding rhetoric cranked out at a dizzying speed by White House spin doctors. It is time to move on to other choices—and there are other choices, better choices like the Rowland-Bilirakis bill—that deserve attention and action.

STOP FEEDING ADDICTS HABITS

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

Mr. HERGER. Mr. Speaker, most Americans were outraged that a Federal court recently ruled that the SSI Disability Program must pay nearly \$20,000-plus monthly to a convicted heroin drug dealer who said he needed the money to support his habit.

Drug addicts and alcoholics who receive disability benefits should be required to receive treatment as a condition of eligibility. Right now, that is not the case.

I have introduced a companion bill to legislation which was adopted unanimously in the other body yesterday to streamline the disability program so that the Federal Government doesn't continue to feed life destroying addictions. It also requires a responsible party to be named to oversee benefits paid to addicts and alcoholics. I urge my colleagues to cosponsor and support this much needed reform of our disability system.

UPTURN IN THE ECONOMY

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

Mr. GOODLING. Mr. Speaker, I do not usually take 1 minutes, but sitting here listening to the 1 minutes I became very, very amused because some very intelligent people would have us believe that somehow or other last year's budget process had something to do with the upturn of the economy. Now, those very intelligent people certainly remember that the upturn of the economy began in the third quarter of 1992, I repeat, the third quarter of 1992. That is before we got to the budget process.

I would also remind them that we will not know what effect April 15 will have on the economy until about December of this year. I hope that it will not have an ill-effect, but we will not know that for another several months.

25TH ANNIVERSARY OF WTOP RADIO NEWS

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

Mr. MORAN. Mr. Speaker, today as we drive home from work many of us will turn on WTOP 1500 on our radio dial and we will hear Dave McConnell report on the very sad and historic occasion that occurred today. One of the finest gentlemen to ever serve in the U.S. House of Representatives missed his first vote after never having missed a vote in 42 years. After over 18,000 consecutive votes he had to miss today's vote.

I did not plan to mention that, but rather to focus on the fact that today is the 25th anniversary of WTOP, a station that has defined itself by its professional and objective reporting. It was Walter Cronkite, Connie Chung, Sam Donaldson, and a host of other familiar names who got their start with WTOP. It brings a lot to the Washington area.

I wish today that the news that it were reporting was not so sad. All of us grieve over the fact that such a respected, esteemed colleague has missed his first vote, and we wish him all the best. He certainly is in our thoughts and has our prayers at Bethesda Naval Hospital.

HEALTH CARE: DO NOT CREATE NEW GOVERNMENT BUREAUCRACIES

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

Mr. DOOLITTLE. Mr. Speaker, achieving Government mandated health coverage such as advocated by President Clinton and others will require a Government intrusion into the lives of both employers and individuals. Implementing such a mandate will require the Government to make insurance affordable by rationing health care and imposing price controls. Price controls will lead to higher taxes, bigger deficits, and health care rationing.

Employer mandates and mandatory health alliances will have a significantly negative impact on jobs and on the character and quality of our health care.

We should focus our effort instead on reforming the current system rather than creating a new Government bureaucracy. Our goal, as policymakers, ought not to be to mandate insurance coverage for everyone, rather it ought to be to make sure that all Americans are guaranteed access to health insurance, making that access as easy and consumer friendly as possible within our means.

ADVICE FOR THE PRESIDENT

(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, I want to recommend to the President and his senior staff that they read today's column by Al Hunt in the Wall Street Journal entitled "Whitewater: It's the Coverup More Than the Deal."

There was a point where President Nixon could have, I think, saved his Presidency by decisively bringing in outside counsel, listening to them, and doing whatever it took to obey the law and to enforce public trust even at the expense of personal friendship. There was a point where President Reagan felt compelled to create the Tower Commission to look into a series of allegations and to try to find out what had happened in the White House.

I am afraid, with yesterday's revelations and today's revelations involving the Justice Department, the RTC, and a whole range of clearly unethical and inappropriate behaviors by senior appointees, that the Clinton Presidency is very close to a problem that, in fact, could ultimately unravel its entire ability to function.

I would hope the President would take seriously the recommendation to relieve the current counsel, Mr. Nussbaum, to bring in a total outsider of impeccable credentials, respected by everyone, to insist that that person go through the entire administration, insisting on ethical, accountable behavior, and establishing firm principles that fit the law and that fit the procedures the country should expect of the executive branch.

I simply would suggest to the President and his senior staff that this is potentially a very critical turning point for the administration, and it should not go into a defensive bunker mentality, and it should not wait for an independent counsel like Mr. Fisk to give it the bad news after the fact, and it should not tolerate its aides engaging in coverup.

REPORT CONCERNING NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. VIS-CLOSKY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of August 2, 1993, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the

International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq), then or thereafter located in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin, as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. U.S. persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution No. 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Council Resolution No. 778 of October 2, 1992. Resolution 778 requires U.N. member states temporarily to transfer to a U.N. escrow account up to \$200 million apiece in Iraqi oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq. These funds finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction and to provide humanitarian assistance in Iraq on a nonpartisan basis. A portion of the escrowed funds will also fund the activities of the U.N. Compensation Commission in Geneva, which will handle claims from victims of the Iraqi invasion of Kuwait. The funds placed in the escrow account are to be returned, with interest, to the member states that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No member state is required to fund more than half of the total contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders Nos. 12724 and 12817. The report covers events from August 2, 1993, through February 1, 1994.

1. During the reporting period, there were technical amendments to the Iraqi Sanctions Regulations relating to notification of transfers into blocked accounts and registration of persons holding blocked property, 58 Fed. Reg.

47643 (September 10, 1993). A copy of the amendments is attached for reference.

2. Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. These are intended to deter future activities in violation of the sanctions. Additional civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi Sanctions Regulations with respect to transactions involving Iraq. Three penalties totaling nearly \$54,000 were collected from three banks for violation of the prohibitions against funds transfers to Iraq, and noncompliance with reporting requirements and an Office of Foreign Assets Control directive license.

3. Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to the Office of Foreign Assets Control's listing of individuals and organizations determined to be Specially Designated Nationals of the Government of Iraq.

4. Pursuant to Executive Order No. 12817 implementing United Nations Security Council Resolution No. 778, on October 26, 1992, the Office of Foreign Assets Control directed the Federal Reserve Bank of New York to establish a blocked account for receipt of certain post-August 6, 1990, Iraqi oil sales proceeds, and to hold, invest, and transfer these funds as required by the order. On July 20, 1993, following payments by the Governments of Saudi Arabia and Denmark of, respectively \$40,589,419.00 and \$674,360.00, to the special United Nations-controlled account, entitled United Nations Security Council Resolution No. 778 Escrow Account, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$41,263,779.00 from the blocked account it holds to the United Nations-controlled account. Similarly, on August 2, 1993, following the payment of \$1,765,138.33 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$1,765,138.33 to the United Nations-controlled account; on September 11, 1993, following payments of \$1,547,054.35 by the Government of Canada, \$276,000.00 by the Government of Greece, \$3,196,897.72 from the Commission of the European Community, and \$1,006,614.89 from the Government of Denmark, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of \$6,026,566.96 to the United Nations-controlled account; and on December 15, 1993, following payments of \$5,223,880.60 by the Government of the United Kingdom, \$621,426.80 by the Government of Germany, and \$1,219,941.98 from the Government of the Netherlands, the Federal Reserve Bank of New York was directed to

transfer a corresponding amount of \$7,065,249.38 to the United Nations-controlled account. Total transfers from the blocked Federal Reserve Bank of New York account since issuance of Executive Order No. 12817 have amounted to \$107,613,270.99 of the \$200 million for which the United States is potentially obligated, on a matching basis, pursuant to United Nations Security Council Resolution No. 778.

5. Since the last report, there have been developments in one case. In *Campia et al. v. Newcomb et al.*, a settlement was entered into by the parties addressing payment of back rent to the landlord and return to the landlord of premises leased by the Matrix Churchill Corporation. To implement the settlement, certain blocked property owned by Matrix Churchill was sold, with the proceeds placed in a blocked account. Matrix Churchill's remaining property and records were placed in secure storage.

6. The Office of Foreign Assets Control has issued a total of 444 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Since my last report, 53 specific licenses have been issued. Licenses were issued for transactions such as the filing of legal actions against Iraqi governmental entities, for legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, and food intended for humanitarian relief purposes, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, and the protection of pre-existent intellectual property rights in Iraq.

7. The expenses incurred by the Federal Government in the 6 month period from August 2, 1993, through February 1, 1994, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are reported at about \$3.1 million, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Assistant Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near East and South Asian Affairs, the Bureau of International Organizations, and the Office of the Legal Adviser), and the Department of Transportation (particularly the U.S. Coast Guard).

8. The United States imposed economic sanctions on Iraq in response to Iraq's invasion and illegal occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime, despite

international will, has failed to comply fully with United Nations Security Council resolutions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraq's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. Nonetheless, we see a pattern of defiance: repeated public claims to Kuwait, sponsorship of terrorism, incomplete declarations to weapons inspectors, and ongoing widespread human rights violations, among other things. The U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

The Baghdad government continued to violate basic human rights by repressing the Iraqi civilian population and depriving it of humanitarian assistance. For more than 2 years, Baghdad has maintained a complete blockade of food, fuel, and medicine on northern Iraq. The Iraqi military routinely harasses residents of the north, and has attempted to "Arabize" Kurdish, Turcoman, and Assyrian areas in the north. Iraq continues to launch artillery attacks against civilian population centers in the south, and its efforts to drain the southern marshes have forced thousands to flee to neighboring States.

In 1991, the United Nations Security Council adopted Resolutions 706 and 712 that permit Iraq to sell up to \$1.6 billion of oil under U.N. auspices to fund the provision of food, medicine, and other humanitarian supplies to the people of Iraq. Under the U.N. resolutions, the equitable distribution within Iraq of this assistance would be supervised and monitored by the United Nations. The Iraqi regime so far has refused to accept these resolutions and has thereby chosen to perpetuate the suffering of its civilian population. In October 1993, the Iraqi government informed the United Nations that it would not implement Resolutions 706 and 712.

The policies and actions of the Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, as well as to regional peace and security. Because of Iraq's failure to comply fully with United Nations Security Council resolutions, the United States will continue to apply economic sanctions to deter Iraq from threatening peace and stability in the region, and I will con-

tinue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON,

THE WHITE HOUSE, March 3, 1994.

IMPROVING AMERICA'S SCHOOLS
ACT OF 1994

The SPEAKER pro tempore. Pursuant to House Resolution 366 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6.

□ 1234

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6) to extend for 6 years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes, with Mr. HUGHES, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Tuesday, March 2, 1994, the amendment offered by the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] had been disposed of.

Are there further amendments to title I of the proposed Elementary and Secondary Education Act?

AMENDMENT OFFERED BY MR. BOEHNER

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

The Clerk read as follows:

Amendment offered by Mr. BOEHNER:

Page 66, after line 18, insert the following (and redesignate the subsequent sections accordingly):

"SEC. 1116. SCHOOL CHOICE.

"(a) CHOICE PROGRAMS.—A local education agency may use funds under this part, in combination with other Federal, State, local, and private funds to develop and implement choice programs, for children eligible for assistance under this title, which permit parents to select the public school that their children will attend.

"(b) CHOICE PLAN.—A local educational agency that chooses to implement a school choice plan shall first develop a comprehensive plan that includes assurances that—

"(1) all eligible students across grade levels will have equal access to the program;

"(2) the program does not include schools which follow a racially discriminatory policy;

"(3) describe how the school will use resources under this part and from other sources to implement such components;

"(4) describe how the school will provide individual student assessment results, including an interpretation of such results, to the parents of a child who participates in the assessment required by section 1111(b)(3);

"(5) the plan will be developed with the involvement of the community to be served and individuals who will carry it out, including teachers, principals, and other staff, parents, and, if the plan relates to a secondary school, students from the school;

"(6) the plan will be made available to parents and the public; and

"(7) the program shall not include schools that do not receive funds under this title".

Mr. BOEHNER. Mr. Chairman, I rise today to offer an amendment which would allow school districts to use their title I funds for public school choice programs. To begin, I would like to emphasize three points.

First, this amendment is strictly optional. There is no mandate. It is up to school districts to decide whether or not they want a public school choice program.

Second, this amendment only allows for public school choice.

Third, only children eligible for assistance for title I funds can participate. These children are the poor and educationally disadvantaged. In other words, the ones most in need of a choice.

I hear a great deal on this floor about how we must help the poor, especially the children. Our goal with title I is to help these poor. What better way to help them than to allow them to get out of bad schools? What better way to help them than to allow school districts to set up programs that would allow the poor to attend a school that better suits their needs?

As a reasonably well-off parent, I and my wife have the financial ability to send our two daughters to private schools or to move into a jurisdiction with better public schools. Luckily, the public school district in which I live is one of the best in the State, so my wife and I have made the choice to send our daughters to the schools in that district. But what about the poor children just miles away? Their parents are so poor that they cannot move into another district. They cannot afford a private school. And if their district does not allow movement among schools, they may be forced to keep their children in failing schools. This amendment would allow and encourage school districts to change this and grant parents the power to get their children into better schools.

Bill and Hillary Clinton and Al and Tipper Gore should not be the only two couples in America who live in public housing that have school choice. The President in the State of the Union Address made it clear that he supports public school choice.

I also hear a great deal about how we must get parents more involved in their child's education. What better way to get this involvement, than to empower parents to make the most fundamental of decisions, where to send their child to school? Experiences with choice programs in East Harlem, Cambridge, MA and elsewhere have shown that parental involvement with a school and with their child's education is increased when they get to choose the school.

The States seem to agree with me. As a former member of the Ohio General

Assembly, I am reminded that States often are the laboratories of invention. This is why I look to such varying States as California and Minnesota, Virginia and Hawaii, Arkansas and Massachusetts, and my home State of Ohio, which all have some form of public school choice programs. We can help school districts in these States and others with this amendment.

In conclusion, I cannot emphasize enough that this amendment will help poor children, will empower poor parents, and will improve public schools. I encourage its adoption.

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

Mr. Chairman, many Members of this body support the concept of public school choice. Others do not. The President himself has expressed interest in this approach.

But using title I funds to develop and implement such a program I do not believe is really an appropriate use of these funds. Title I funds are a central source for our poorest schools, and the purpose of title I is to provide educational services to low-achieving students.

This amendment would change the purpose of title I from that of providing educational services to disadvantaged students to paying the administrative costs of developing and implementing choice programs.

□ 1240

Mr. Chairman, I do not believe this is a good use of title I funds, and I do oppose the amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, because the amendment deals strictly with title I schools, title I children going from title I schools to another title I school, I rise in support of the amendment by our colleague, the gentleman from Ohio [Mr. BOEHNER]. First of all, it is a local option to implement public school choice, it is entirely up to the local school. Second, the choices are limited to other title I schools. This would avoid the criticism that I would have that you would dilute title I funds and limit the effectiveness of the program if it were going to a non-title I school.

Making choices available to parents, particularly in title I programs, encourages them to be more involved in their child's education.

The amendment does not require the LEA to provide transportation.

So, because of all of those reasons, I rise in support of the gentleman's public school choice amendment.

Mr. BALLENGER. Mr. Chairman, I rise in support of the Boehner school choice amendment and urge my colleagues to vote "yes" on this important amendment. Even President Clinton has stated his support for public school choice, an idea whose time has come.

Far too many students experience failure that is far worse than an "F" on a test. The

failure they experience is that of the entire public school system. Schools across the country seem to be plagued with second rate syndrome. They are falling behind and no longer offer a quality education to the youth of America.

To allow parents the option of choosing which public school their children will attend, is to empower them. By making a very small change to the status quo, this amendment would provide huge benefits to the parents and students ensnared in failing schools.

As studies have shown, and parents will tell you, they would like to have the option of sending their children to the good schools in their community, the ones with a magnetism that would draw students if choice were allowed. The mediocre schools, those that refuse to change in order to meet the educational needs of students, are stagnant and performing a grave disservice to the youth of America. If competition were injected into the educational system, these stagnant schools would be forced to improve, or cease to exist.

Competition in schools must take the form of school choice. We all know that wealthy privileged Americans, like President Clinton, can send their children to the best schools available. The poor do not have that option. They are locked into the worst and weakest schools, in spite of the fact that parents long for the ability to choose which school their children will attend. I believe parents should have more options for educating their children.

The implementation of school choice for public schools receiving title I funds would allow for the participation of parents and establish an important structure of accountability for those receiving Federal funds. I believe strongly that empowering parents with the ability to choose the school their children will attend, would make our public schools among the finest in the world.

Mr. Chairman, choice for everyone is an idea whose time has come. I urge my colleagues to vote "yes" on the Boehner amendment.

The CHAIRMAN pro tempore (Mr. HUGHES). The question is on the amendment offered by the gentleman from Ohio [Mr. BOEHNER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROMERO-BARCELÓ

Mr. ROMERO-BARCELÓ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROMERO-BARCELÓ: Page 123, line 15, strike "1.62" and insert "2.5".

Mr. ROMERO-BARCELÓ. Mr. Chairman, yesterday I proposed an amendment to bring the students in Puerto Rico to the point where they receive the same share, the same amount that is granted for every child throughout the Nation. The House voted 258 to 70 against it.

I explained that it would only have cost each State, per child, the sum of 75 cents per month to allow the children of Puerto Rico, U.S. citizens, to be treated in the same way as all of the children throughout the Nation.

Today I am proposing an amendment that would not bring the children in

Puerto Rico to parity with the rest of the fellow citizens throughout the 50 States of the Nation but at least would give them a little fairer share of the funds being allocated through H.R. 6 for children throughout the Nation.

The formula which is applied for Puerto Rico is arbitrary. At the end, when they discuss the formulas to be applied for all the States throughout the Nation, discussed at pages 120 to 123 of H.R. 6, they end up with the last sentence, lines 13, 14, 15, that say, "For the Commonwealth of Puerto Rico the weighting factor shall be no greater than 1.62."

We are asking that that be amended to read 2.5. That still is not the largest weighting factor. The largest weighting factor is 3 points. Puerto Rico would be entitled to the largest weighting factor of 3 points. With 2.5 you take into consideration all of the children throughout the Nation and what each State would have to give up on an average would be a little bit over 3 cents per month per child covered by the act—38 cents per year per child covered by the act.

The funds that would be available then for the children of Puerto Rico, as I said before, would not bring them up to parity with the rest of the Nation even though they are United States citizens, but at least would give them an opportunity to have a better education at home.

I want to read once again the statement of policy of H.R. 6 in title I, section 1001. The statement of policy reads:

The Congress declares it to be the policy of the United States that a high-quality education for all persons and a fair and equal opportunity to obtain such education (1) are a societal good necessary for creating a vibrant future. * * *

Mr. Chairman, I ask once again, we would like to tell the children of Puerto Rico: Are they considered to be part of other persons in the Nation, are they considered to be citizens of this Nation or not? Do they have a right to be treated equally or not?

Many of those children, their grandparents or their great-grandparents died in the Second World War, in the Korean war, in the Vietnam war, defending this Nation. Some of these children see their grandparents or great-grandparents who have been maimed or who have some kind of difficulty as a result of the wounds they suffered defending this Nation in the wars in which they participated.

Mr. Chairman, Puerto Ricans are equal in death, they are equal in time of war, there is not a halftime allotment for service in the military in the time of war. It is a full-time service.

Now, when it comes to education, they are being treated unfairly, unequally.

The Congress talks about equality, it talks about discrimination, but it is

not putting its money where its mouth is because for Puerto Rico there is a different formula. The children of Puerto Rico are being deprived of an opportunity to decrease the gap of education that exists between Puerto Rico and the Nation.

As I said yesterday, I hear from other people, "Oh, but you don't pay income taxes in Puerto Rico." That is true. But I did not vote for it. If I had a vote, I would vote for the people of Puerto Rico, the ones who can pay, would pay their income taxes so that the poor, the children, the handicapped would receive what they deserve. But I do not have a vote; you have the vote. There is no reason, no good reason why Puerto Rico cannot pay Federal income taxes.

But you have chosen to give the benefits to the large corporations, to the wealthier individuals, and deprive the children, the handicapped, the elderly, abandoned mothers with children who have no resources, of fair and equal treatment. I say the children, they do not pay taxes, but they should be allowed to at least receive a little bit more.

All I am asking each fellow Member in this House is for 3 cents per month per child who qualifies under the act in their State. I think that is very little to ask to just give the children of Puerto Rico a little better chance; not the same kind of chance, but a little better chance than they have right now under the act.

Mr. GOODLING. Mr. Chairman, as my chairman would say, I rise with heavy heart to oppose the amendment.

I do so because the new formula, of course, does take into consideration the fact that Puerto Rico will receive from the new formula in H.R. 6 more than 42 other States in the United States. It would put them in the top five, as a matter of fact. It will put them above Michigan and Pennsylvania in receiving new money.

So, because the fact that the formula is weighted to help areas such as Puerto Rico, I rise in opposition because it will be taking from other needy areas in the other 42 States throughout the United States.

Mr. ROMERO-BARCELÓ. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I would be happy to yield to the gentleman from Puerto Rico.

Mr. ROMERO-BARCELÓ. I thank the gentleman for yielding.

Mr. Chairman, the reason why Puerto Rico is receiving more is because it has many more poor children than those other States. If we had the same number of poor children or a lesser number of poor children, it would be receiving less. But because it has many more poor children, then it gets penalized. They say because you have so many poor children who need an advantage, who need an opportunity to raise

the level of education so they can find a better job, so there will be less poverty in Puerto Rico, you are going to be deprived of those funds, just because we have those poor children.

□ 1250

Mr. GOODLING. Mr. Chairman, reclaiming my time, that is why we agreed to a formula that benefits Puerto Rico and the children of Puerto Rico. Those of us in the 42 States who will lose money, because those who agreed to the formula believe that we should help the young people in Puerto Rico. So the new formula will be very helpful to Puerto Rico.

Mr. KILDEE. Mr. Chairman, for similar reasons enunciated by myself yesterday and by the gentleman from Pennsylvania [Mr. GOODLING] today I rise, again with a heavy heart, to oppose this amendment being offered by the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ].

We did in committee, of course, increase the concentration in a formula for title I, and that will help Puerto Rico, and I will continue to work with the Governor in trying to achieve statehood for the people of Puerto Rico. In that instance they will have full voting rights and will be paying Federal income tax.

But in the meantime, Mr. Chairman, to enact this amendment would mean the loss of dollars for a number of States here, many of whom are willing to give up some dollars in increasing the concentration formula. So, I do oppose the amendment, again with a heavy heart, but I feel that we must oppose it because States will lose dollars under this.

Mr. ROMERO-BARCELÓ. Mr. Chairman, will the gentleman yield?

Mr. KILDEE. I yield to the gentleman from Puerto Rico.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I want to explain once again that even though we do not pay Federal income taxes we are now paying for the first time in our history income taxes, and that money that is being received by the Federal Treasury, which is approximately \$1 billion per year, is from the corporations that are doing business in Puerto Rico. This is a new tax which was not paid before this year, and that money is not being received back by Puerto Rico at all.

So, Mr. Chairman, from that money there is sufficient monies to be given to Puerto Rico, but we are not being treated fairly, and all I am asking my fellow Members, Mr. Chairman, all I am asking is 3 cents per child per month so that the children of Puerto Rico can have a better opportunity of education. That is all I am asking.

The CHAIRMAN pro tempore (Mr. HUGHES). The question is on the amendment offered by the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

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

RECORDED VOTE

Mr. ROMERO-BARCELÓ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 76, noes 340, not voting 22, as follows:

[Roll No. 39]

AYES—76

Abercrombie	Hamburg	Reynolds
Ackerman	Hilliard	Richardson
Andrews (ME)	Jefferson	Romero-Barceló
Becerra	Johnson, E. B.	(PR)
Bishop	Kennedy	Ros-Lehtinen
Blackwell	Kennelly	Roybal-Allard
Clay	Lewis (GA)	Rush
Clayton	Manton	Schumer
Clyburn	McDermott	Scott
Collins (MI)	McKinney	Serrano
Conyers	Menendez	Smith (IA)
de Lugo (VI)	Mfume	Stark
Deutsch	Mink	Stokes
Diaz-Balart	Mollohan	Tejeda
Engel	Murphy	Thompson
Faleomavaega	Nadler	Torres
(AS)	Norton (DC)	Underwood (GU)
Fazio	Obey	Unsoeld
Fields (LA)	Oliver	Velazquez
Filner	Ortiz	Vento
Flake	Owens	Waters
Foglietta	Pallone	Watt
Frank (MA)	Pastor	Wheat
Gekas	Payne (NJ)	Woolsey
Gonzalez	Pelosi	Wynn
Gutierrez	Rangel	Young (AK)

NOES—340

Allard	Chapman	Frost
Applegate	Clement	Furse
Archer	Clinger	Gallegly
Army	Coble	Gedjenson
Bacchus (FL)	Coleman	Gephardt
Bachus (AL)	Collins (GA)	Geren
Baesler	Combest	Gibbons
Baker (CA)	Condit	Gilchrest
Baker (LA)	Cooper	Gillmor
Ballenger	Coppersmith	Gilman
Barca	Costello	Gingrich
Barcia	Cox	Glickman
Barlow	Coyne	Goodlatte
Barrett (NE)	Cramer	Goodling
Barrett (WI)	Crane	Gordon
Bartlett	Cunningham	Goss
Barton	Danner	Grams
Bateman	Darden	Grandy
Beilenson	Deal	Greenwood
Bentley	DeFazio	Gunderson
Bereuter	DeLauro	Hall (OH)
Berman	DeLay	Hall (TX)
Bevill	Derrick	Hamilton
Bilbray	Dickey	Hancock
Bilirakis	Dicks	Hansen
Bliley	Dingell	Harman
Blute	Dixon	Hastert
Boehlert	Dooley	Hayes
Boehner	Doolittle	Hefley
Bonilla	Dorman	Hefner
Borski	Dreier	Herger
Boucher	Duncan	Hinchey
Brewster	Dunn	Hoagland
Brooks	Durbin	Hobson
Browder	Edwards (CA)	Hochbrueckner
Brown (CA)	Edwards (TX)	Hoekstra
Brown (FL)	Ehlers	Hoke
Brown (OH)	Emerson	Holden
Bryant	English	Horn
Bunning	Eshoo	Hoyer
Burton	Evans	Huffington
Buyer	Everett	Hughes
Byrne	Ewing	Hunter
Callahan	Farr	Hutchinson
Calvert	Fawell	Hutto
Camp	Fields (TX)	Hyde
Canady	Fish	Inglis
Cantwell	Ford (MI)	Inhofe
Cardin	Fowler	Inslee
Carr	Franks (CT)	Istook
Castle	Franks (NJ)	Jacobs

Johnson (CT)	Meyers	Schenk
Johnson (GA)	Mica	Schroeder
Johnson (SD)	Michel	Sensenbrenner
Johnson, Sam	Miller (CA)	Shaw
Johnston	Miller (FL)	Shays
Kanjorski	Mineta	Shepherd
Kaptur	Minge	Shuster
Kasich	Moakley	Sisisky
Kildee	Molinari	Skaggs
Kim	Montgomery	Skeen
King	Moorhead	Skelton
Kingsston	Moran	Slattery
Kleccka	Morella	Slaughter
Klein	Murtha	Smith (MI)
Klink	Myers	Smith (NJ)
Klug	Neal (MA)	Smith (OR)
Knollenberg	Neal (NC)	Smith (TX)
Kolbe	Nussle	Snowe
Kopetski	Oberstar	Solomon
Kreidler	Orton	Spence
Kyl	Oxley	Spratt
LaFalce	Packard	Stearns
Lambert	Parker	Stenholm
Lancaster	Paxon	Strickland
Lantos	Payne (VA)	Studds
LaRocco	Penny	Stump
Laughlin	Peterson (FL)	Stupak
Lazio	Peterson (MN)	Sundquist
Leach	Petri	Swett
Lehman	Pickett	Swift
Levin	Pickle	Synar
Levy	Pombo	Talent
Lewis (CA)	Pomeroy	Tanner
Lewis (FL)	Porter	Tauzin
Lightfoot	Portman	Taylor (MS)
Linder	Poshard	Taylor (NC)
Lipinski	Price (NC)	Thomas (CA)
Livingston	Pryce (OH)	Thomas (WY)
Lloyd	Quillen	Thurman
Long	Quinn	Torkildsen
Lowey	Rahall	Torricelli
Machtley	Ramstad	Trafficant
Maloney	Ravenel	Tucker
Mann	Reed	Upton
Manzullo	Regula	Valentine
Margolies-	Ridge	Visclosky
Mezvinsky	Roberts	Volkmer
Markey	Roemer	Vucanovich
Matsui	Rogers	Walker
Mazzoli	Rohrabacher	Walsh
McCandless	Rose	Waxman
McCloskey	Roth	Weldon
McCollum	Roukema	Whitten
McCrery	Rowland	Williams
McCurdy	Royce	Wilson
McHale	Sabo	Wise
McHugh	Sanders	Wolf
McInnis	Sangmeister	Wyden
McKeon	Santorum	Yates
McMillan	Sarpalius	Young (FL)
McNulty	Sawyer	Zeliff
Meehan	Saxton	Zimmer
Meek	Schaefer	

NOT VOTING—22

Andrews (NJ)	Ford (TN)	Rostenkowski
Andrews (TX)	Gallo	Schiff
Bonior	Green	Sharp
Collins (IL)	Hastings	Thornton
Crapo	Houghton	Towns
de la Garza	Martinez	Washington
Dellums	McDade	
Fingerhut	Natcher	

□ 1313

The Clerk announced the following pairs:

On this vote:

Mrs. Collins of Illinois for, with Mr. Bonior against.

Messrs. HERGER, NEAL of Massachusetts, KLEIN, HUFFINGTON, GORDON, and ROWLAND changed their vote from "aye" to "no."

Mr. JEFFERSON and Mr. FIELDS of Louisiana changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FINGERHUT. Mr. Chairman, due to official business with constituents visiting Washington, DC, I was away from the House of Representatives at 12:43 p.m., March 3, when the vote was taken on the Romero-Barceló amendment to H.R. 6. Unfortunately my pager malfunctioned and failed to indicate that a vote was being taken. As a result, I was not present to cast my vote on this occasion. Had I been present at 12:43 p.m., I would have voted "no" on the Romero-Barceló amendment.

AMENDMENT OFFERED BY MR. BOEHNER

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

The Clerk read as follows:

Amendment offered by Mr. BOEHNER: Beginning on page 190, strike line 1 and all that follows through line 13 on page 194 (and redesignate the subsequent sections accordingly).

Mr. BOEHNER. Mr. Chairman, I rise today to offer an amendment to eliminate the Elementary School Innovative Transitional Projects Program. But before I speak directly on this program, I would like to outline what Mr. MILLER from Florida and myself will try to do throughout the consideration of this bill.

We will be offering amendments to streamline the ESEA by eliminating several programs. Some of them have been recommended for elimination by President Clinton, not only in his proposal for the reauthorization of ESEA, but also in his recent budget. Some of them are so targeted in their focus that they can't possibly address broad, national educational concerns. Some of them can be funded by other larger programs and don't require their own separate authorization. And still others have the Federal Government getting into areas traditionally left to the States.

As the ESEA stands today, there are 61 programs. Some with large authorizations and many others with small authorizations and even smaller appropriations. There is no focus and priorities are lost. That is why many of us on the Education and Labor Committee started on a path to consolidate all of these programs into a set which not only was focused, but also made clear our priorities. Instead of having a large number of small pots of money, we would have a small number of large pots. These programs would in turn be focused and give school districts the flexibility to use the funding for their needs.

Even the Clinton administration got into the act with their initial proposal which consolidated some programs and eliminated others. Their proposal recommended the authorization of 26 programs. However, as the bill now stands, there are almost 48.

Unfortunately, some of these programs will end up taking funding away

from larger ones, such as title I and chapter 2. What is going to happen when the Appropriations Committee looks at this potpourri of programs and can't figure out our priorities? They will try to fund all of the programs in amounts too small to carry out their various objectives.

Mr. MILLER and I want to return focus to this bill and make for a more efficient use of taxpayer money. If these amendments are accepted, our schools will be better served, and ultimately, our children will be better served.

Which brings me to the present amendment. Since 1967, there has been a program called Follow Through, which is intended to sustain the gains made in Head Start and other preschool programs. But, as President Clinton described in his budget, "It was intended as a short-term experimental effort. Successful models have now been designed, refined, and disseminated for more than 25 years. The reauthorized title I grants to LEA programs will provide a more appropriate vehicle for funding implementation of these models."

The program before us is an extension of the Follow Through Program. While supporters of the program advocate that it is different, I submit that it is similar enough to Follow Through that it should be eliminated. In addition, the Secretary of Education will have to spend at least \$10 million on this program. In short, we are taking away the flexibility of title I and splitting that particular pot of money.

The administration proposed to eliminate Follow Through, and, frankly, this is nothing more than a backdoor attempt to ensure that the program continues. That is why we have a new title to the program.

Under the current Follow Through Program, approximately one-half of the grantees have had their grants for 20 years or more. This program started out as a demonstration project. However, there has been little growth in the program due to the fact that many of the original grantees still receive Federal support. There are no assurances that the same grantees will not receive funds under this new program in the bill.

In fiscal year 1991, the Department of Education funded 42 projects, 10 for sponsors, 30 for LEA's, and 2 research grants. The program gave priority to LEA projects operating in chapter 1 schools operating as schoolwide programs, and, as a result, 20 of the LEA grants were awarded to districts serving children in schoolwide projects.

The point we are trying to make here is that this is nothing more than a demonstration program that has gone on and on and on, and it is time to say "no." We can change the name. We can call a pig a cow, but that will not make it oink. The fact is, this is Follow

Through under disguise, and it ought to be eliminated from ESEA.

Mrs. UNSOELD. Mr. Chairman, I move to strike the last word.

I rise in opposition to the Boehner amendment, striking the Innovative Elementary School Projects. In response to the question of the gentleman from Ohio [Mr. BOEHNER] as to what our priorities are, in my view there is nothing more vital to our national security than how we educate our children.

This is part of the work that has been done in H.R. 6, particularly in title I, to ensure that our children are going to have the best education possible and that they are going to be able to succeed.

This program allows schools receiving title I funds to create and implement innovative transition projects to help at risk preschool children in Head Start, Even Start, and other preschool programs come to school prepared to learn.

It provides \$10 million in assistance under this section of the bill that deals with Federal evaluations and demonstrations under title I.

Now, we all know the importance of intervening early with our at-risk children. That is the entire purpose behind such programs as Head Start and Even Start. But we know by now that 1 year of preschool is just not enough. We have got to continue to support those children and their families as they move from one system to another. This is one important way we can encourage schools to focus their energy and their resources on helping Head Start and Even Start children to enter school ready to learn and to stay ready to learn.

This is not a Follow Through Program. This is a new authority that provides grants to LEA's for innovative transition projects. In order to be funded under this authority, projects must enter into formal transition agreements with Head Start, Even Start, and other local preschool programs, and they must involve parents in the planning, operation, and evaluation of transition projects.

We need to support these young children early in their education. Research indicates that without this support in those early years, we can expect increased school failure, higher drop-out rates, all of which are far more costly in the long run. This is a means of saving money in the long run, by keeping these children in school so that they can contribute to society rather than out of school and become dependent upon society.

One of the ways to reform welfare is to help children succeed in school. I urge my colleagues to vote "no" on the Boehner amendment to title I.

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

Mr. Chairman, I rise today in opposition to Representative BOEHNER's amendment to H.R. 6, Improving America's Schools Act of 1994. The Boehner amendment would eliminate funding for the innovative elementary school transitional projects.

The elementary school transitional projects are extremely important in helping children from low-income families who were part of a Head Start, Even Start, or a similar preschool program make a smooth transition to kindergarten and the early elementary grades.

Let us bear in mind that more than \$20 billion is being spent on Head Start and Even Start. The innovative elementary school transitional projects ensure that investment and its effectiveness.

Mr. Chairman, many gains have been made for children enrolled in Head Start and Even Start, but studies have shown that if we don't follow through with these children they fall behind. That is why the innovative elementary school transitional program is so essential.

I have introduced an amendment to this bill which would allow the use of mentors who are high school or college students trained to provide tutoring to elementary and secondary students formerly enrolled in Head Start or Even Start programs. Mentoring is just one example of the different types of transitional projects that can be initiated under this program.

Accordingly, I urge my colleagues to oppose the Boehner amendment.

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

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

If we truly expect to meet our first national education goal, that all children shall enter school ready to learn, then preschool transition programs are absolutely essential.

Study after study has shown that the early school years are crucial in setting the stage for future academic success. We have all seen the benefits of Head Start and other early childhood programs that help low-income children start elementary school on an equal footing with their more economically advantaged peers.

However, Mr. Chairman, research indicates that the advantages of Head Start fade around third grade. Mr. Chairman, we must support these students during their first years of elementary school if we want them to maintain the gains they made during their preschool years.

The preschool transition program in H.R. 6 is designed to target children who are most educationally at risk. If we are concerned about school failure; if we want to lower the school drop-out rate; and if we want to increase the number of students who graduate with

the skills we will need for tomorrow's technological workplace; we must support the preschool transition program.

I urge my colleagues to vote "no" on the Boehner amendment.

Mr. REED. Mr. Chairman, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentleman from Rhode Island.

Mr. REED. Mr. Chairman, I thank the gentlewoman for yielding to me. I rise in opposition to this amendment. I think the whole amendment fundamentally misperceives the nature of our reauthorization.

What we are trying to do is take what we have learned over the last several years and incorporate it into this legislation. One thing we have learned is that young people who have been exposed to preschool programs like Head Start lose their advantage over the years, unless adequate comprehensive and thorough transition programs, all of the money that is being spent, as the gentleman from New York [Mr. GILMAN] indicated, is really dissipated, because we cannot sustain that level of performance.

At the heart of the amendment of the gentlewoman from Washington [Mrs. UNSOELD] is a very sensible and very pragmatic approach, which is to invest in the types of transitional programs which will sustain what we have achieved through Head Start. We are going to once again, I hope, vigorously support Head Start. But to do so without this transitional mechanism is, I think, to be somewhat misplaced in our priorities. So we have to, I think, support this amendment.

The gentlewoman from Washington is right. We have to sustain the progress we have made through Head Start.

Also this program is not antagonistic to the administration's proposals. It is part and, indeed, complements the demonstrations of innovative practices programs which have been proposed by the administration.

□ 1330

On policy grounds, on commonsense grounds, this amendment should be defeated. We should retain the program of the gentlewoman from Washington [Mrs. UNSOELD].

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

Mr. Chairman, reluctantly, because I have such respect for the gentleman from Ohio [Mr. BOEHNER], I rise to oppose the amendment which would eliminate title I transition projects. Over the past year the Subcommittee on Labor-Health and Human Services-Education of the Committee on Appropriations has demanded of the administration greater accountability for the education programs we fund.

We know that Head Start dollars, for instance, are simply being lost because

in the transition to elementary school, children lose the gains they have made in Head Start by the third grade.

Mr. Chairman, I know that transition programs can work. I have seen it in my own district at the Carmen school, in Waukegan where children get transition assistance. They do not have the Head Start fade. Their students maintain high achievement throughout the elementary grades. I invite anyone who questions the value of transition programs to look at the letters I get from these kids. Their ability to write as well as they do is eloquent testimony to their transition program.

Normally, I would be down here with Mr. BOEHNER, supporting a consolidation or termination of these programs. But, Mr. Chairman, I have been a strong supporter of transition programs from the beginning because they have proven their effectiveness. They work.

Congress allocates over \$3 billion a year on Head Start to give economically disadvantaged students the opportunity to start school ready to learn. Transition programs ensure the Head Start money is not wasted and that students continue to achieve at higher levels throughout elementary school.

I want to make an important point. This is an authorization bill and will not add to the deficit. The bill will not raise spending caps. But it will give the Appropriations Subcommittee the opportunity, without adding more money to total spending, to strike the proper balance between preschool and transitional assistance to ensure that billions of taxpayer dollars are not wasted on an ineffective program.

Mr. Chairman, I urge Members to allow the Appropriations Subcommittee the flexibility of working between Head Start and transitional assistance, to fund children able to start school ready and able to learn.

Without the transitional programs, much of the Head Start money will simply not do the job. I urge Members to oppose the amendment.

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

Mr. Chairman, it is not my purpose to take the full time. There is so much of what was needed to be said that has been said.

Let me just suggest, however, that I understand the motive of the gentleman from Ohio. I think it is well-motivated. If this in fact were a follow-through program, we would not want to sustain cash cows that simply went back to the same programs year after year, if that were what we were doing.

I do not believe that that is the case in this instance. Rather, this is a case of having learned the lessons of 23 years and more of programs as widely and highly regarded as Head Start, and innovative programs as essential to

sustaining that effort as Even Start, and to put them together in a way that lets them sustain the effort that they have begun, not only through a child's early school years, but from generation to generation.

The truth is that much of what we say about Head Start is absolutely true, but the program is not without its faults. It does not have the longevity we all would like to see. It does not have the sustainability we all would like to see.

However, we have learned lessons in recent years from the best of the follow-through programs and from others, like one in my district, the Decker Family Care Center, in which programs across school boundary lines bridge together Even Start, Head Start, health care programs from a variety of different kinds of settings, and sustain the strength of a family at the point where it is most fragile.

In fact, this was a program, the Decker Family Care Center, that was one of only a handful which, under the successful literacy demonstration programs in this country, was recognized by the First Lady. I hasten to add, it was not the current First Lady who recognized this, but the previous First Lady, who brought this program to national attention.

We need to be able to learn from this kind of effort. We need to be able to take those lessons and sustain them where they can grow. That is what this particular effort does. The title I transition projects do not represent an enormous amount of money, but they do represent the glue, the mortar, to hold together some solid bricks, some real building blocks that can build an edifice of a kind we care deeply about.

In that sense, while it is a matter of sympathy for me, that I understand the motive in making sure that we do not dissipate and diffuse already scarce dollars in the programs that we have, I stand here in opposition to the so-called Boehner amendment on the grounds that this is not the diffusion of dollars, these dollars represent the glue to hold together much larger programs that need the sustainability that it offers.

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

Mr. Chairman, let me just add a few remarks to what has been said, the words that have been said by some of my colleagues who are in opposition to the amendment before us.

In California we spend about \$4,200 per year to keep a child in school. We spend \$32,000 to keep a youth the same age locked up in a youth facility if he or she has committed a crime. When we consider that 80 percent of all the prisoners in our jails and prisons are school dropouts, it becomes very, very easy to understand why we want to have programs like Head Start, and

then have the transition programs once the child is no longer in Head Start but has moved on to school.

What we want to try to do is provide this child not just with the initial step to help any child who may be at risk with the opportunity to really learn and be productive once he or she becomes an adult, but really, once they are in school, to provide them with the assistance and that support that explains to them in very graphic terms that we are not going to let them fall between the cracks.

We do not want them to become part of the 80 percent that goes on to or is in prison. We also do not want them to become part of those that are costing us, as taxpayers, \$32,000 per year to keep them behind bars.

We have to do some things and we have to do them early so they do not cost us that much. We have to do what we can to use prevention methods and not remedial methods with kids who are starting to show signs of not being able to succeed in school.

I would hope that we would take a close look at these, particular projects that are funded by the transition projects under title I and understand that what we are doing is, we are paying pennies to keep these kids from becoming part of the 80 percent that are behind bars right now. Therefore, I would urge all my colleagues to please oppose this amendment and let us move on.

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

Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, at the beginning of the reauthorization process last year, there was a bipartisan effort to target scarce Federal dollars on title I and other programs focusing on broad national education concerns, rather than on specific constituencies.

We hoped to eliminate or consolidate numerous categorical programs and use the savings to create better education opportunities for all students.

During committee markup that concept was forgotten. Programs were reinstated which were originally eliminated not only in the President's reauthorization proposal, but also in his recent budget proposal. President Clinton called many of the programs worthy of termination or unneeded.

Rather than follow the President's recommendations, the committee added many brandnew programs. We believe that the House should return to the original intention and eliminate the \$1.8 billion of new programs as well as the \$62 million of programs targeted for elimination by the President.

We must begin eliminating and consolidating somewhere. The Innovative Elementary School Transition Project, formerly referred to as the Follow Through Program, should be eliminated.

I agree with my colleague from Ohio, Mr. BOEHNER, and the President in this case.

The Follow Through Program, in theory, is a noble idea, but the time has come to set priorities on Federal spending.

President Clinton and Secretary Riley have set priorities and I believe we need to do the same.

Authorizing \$10 million for a program targeted for elimination doesn't make sense. That's \$10 million to be divided over 15,000 school districts. I question the impact that so few dollars have?

The President called this program a short term experimental effort and pointed out that title I grants "will provide a more appropriate vehicle for funding implementation." I think we should show our support of the President and eliminate this program.

I would also like to point out the irony that today, we're marking up the 1995 budget in the Budget Committee. Our goal is to eliminate 115 programs targeted by the President. Meanwhile, this bill adds \$10 million here and another \$350 million in title II and \$200 million in title XI. The list goes on reaching \$1.86 billion of unwarranted spending.

We have got to start eliminating and consolidating somewhere.

We have got to draw the line.

The President drew the line when he targeted this program for elimination. I implore the Members to join the President and Mr. BOEHNER and pick up a piece of chalk and let us draw the line.

□ 1340

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

Mr. MILLER of Florida. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I thank the gentleman from Florida for speaking and for yielding on this important issue. The gentleman and I do not have any beef with the program, and if Members want to do the program in their districts, more power to them, because obviously in some cases it has worked, although with Even Start the statistics are in and children are not falling behind as a result. So we have no beef about the program.

What the beef is is about a program that is so narrowly targeted that only 30 school districts in America receive benefit for it. All of this talk we heard on the floor this afternoon would lead one to believe this was a large nationwide project. But the fact is that what we have heard from today are Members who happen to have a grantee, one of these 30 grantees in their districts. I do not blame them for standing up on the floor here defending the program, trying to keep that money coming into their districts.

We are all familiar with pork in Congress. We all think it all happens in the

appropriations bills, but it does not. This is nothing more than educational pork that ends up in 30 school districts in America. When we are trying to focus some attention on how to help disadvantaged children in title I, this is the last thing that we ought to be doing—taking out an authorization for \$10 million in order to benefit just 30 school districts in America. That is my problem. It is not the program in general. I think districts and communities can afford to fund this program on their own. But for the Federal Government to do this for 30 districts is wrong, because what it does is it does this: It reduces the pie for all other school districts in America. And so for the 30 Members of Congress who have a grantee in their district, it may be great. But for the other 405 Members of Congress who receive nothing out of this, their districts end up getting less for their schools as a result of these types of very targeted programs.

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

Mr. Chairman, I rise in opposition to this amendment. All of us who have followed the progress of education in America realize how important it is to begin the educational process in the earliest possible years. And because that has become almost a universally accepted educational policy in America, we have given in the Congress and throughout this country extraordinary support to Head Start programs and other preschool programs, because we realize that in particular for those communities that are at risk, have a tremendous percentage of poor children or poor families who are in some way economically disadvantaged, that if we are to help the children in these communities we have to start at the earliest possible age.

So we have embarked upon Head Start programs and we continue to insist that the goal of this country be to fully fund Head Start and to have it not only a half-day program but a full-day program as well as throughout the 12-month year.

In concert with our commitment to support the youngest of our children in Head Start programs and Even Start programs and others, we also believe that the gains that are made through Head Start and through early childhood education must have a transition process into the regular school program. And if we do not have this transition process much of what is gained in the preschool years will be lost.

So, my colleagues, this is an important part of the total concept of elementary and secondary education for children that are in the poverty area.

Mrs. UNSOELD. Mr. Chairman, will the gentleman yield?

Mrs. MINK. I am glad to yield to my colleague, the gentlewoman from Washington.

Mrs. UNSOELD. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I fear that the sponsor of this amendment is not desiring to respond to his own colleagues about the need to not waste the \$20 billion that is already being spent on Head Start and Even Start by failing to sustain the progress of these students and has unfortunately resorted to calling this pork. It is an insurant and an investment that we are already making in at-risk children so that they will be able to succeed in school.

Mr. BOEHNER. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, if this was such an important program, why would not President Clinton have proposed in his recent budget that this program continue? And why would he, when he proposed the reauthorization of the elementary and secondary and vocational education, why would he not then have proposed that this program continue? The fact is that he did not propose in either his budget or in his reauthorization bill that this program continue.

Mrs. MINK. I have to respond to the gentleman that he has directed the question to someone who is not in full agreement with the President on many of his education initiatives, and in this particular one I think grievous error and failure of recognizing the importance of such programs that did provide a transition from early childhood education into the regular school. There may have been programs with followthrough, but this is not followthrough. This is a new program which attempts to enlarge upon and expand the opportunities for at-risk children, and in fact I believe concurs with the President's Goals 2000 which says the No. 1 goal is that all children shall enter school ready to learn.

That is really what this is all about. Why spend billions of dollars on Head Start with a comprehensive approach to education and then not have a program which affords extra support for transition in the at-risk school? We are not dictating policy. This is a voluntary approach which school districts are going to have the opportunity to avail themselves of. Only some of them may not like it, but I am sure in the gentleman's district as well as mine this opportunity to continue the advances and advantages of Head Start will be a very welcomed approach.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment, and I do so for two reasons.

First of all, I think that in an effort to save us \$10 million, this will ultimately cost us more money, both in terms of complementing, first, the Head Start Program, and second, crime preventing. And let me address both of those.

The Committee on Education and Labor will shortly reauthorize the Head Start Program. We have already conducted many thorough studies about where Head Start, a bipartisan-supported program, is good and strong, and where it might have some weaknesses. One of its perceived weaknesses is in following up on the knowledge that we give these children in Head Start Programs through preschool programs and entering into elementary school.

This program is designed to complement and provide a transition for those at-risk children and for those children that need, through a paucity or some weaknesses in the Head Start Program, some supplemental education and followup. So this will complement our Head Start Program, and hopefully keep children in school.

Second, many Members in this body are going to vote for a tough crime bill. Three strikes and you are out is going to be considered, reforms in habeas corpus and the exclusionary rule, and death penalty provisions expanded. I intend to vote for many of those provisions.

□ 1350

But we will be remiss in this body if we do not provide crime prevention programs as well, and invest in our children.

When I was in Indiana looking at our State budget for new prisons and new prison cells, I asked the director of prisons, "How do we calculate how many new prisons and prison cells we are going to build in the State of Indiana?" He said, "Mr. ROEMER, hold on to the seat of your pants. The single biggest variable, the barometer we look at, is the number of at-risk children in the second grade."

If we do not do enough on the crime bill or in this very important education bill, we will really be letting our taxpayers down. We will be telling them it is OK to spend \$30,000 to incarcerate and imprison people, but we do not want to spend some money on keeping our children in school and from the danger of dropping out.

I think that this amendment should be defeated. I think this will save us money both in terms of a crime bill, in terms of preventive education, and in terms of saving money for special services education, and I strongly encourage my colleagues to defeat this amendment.

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

Mr. ROEMER. I am happy to yield to the gentleman from Ohio.

Mr. BOEHNER. As I said earlier, I do not have any problem with the objectives that the Members who put this language in here are trying to accomplish. The problem is that it is only \$10 million. It is not a problem that is going to help in transition for all peo-

ple involved in Head Start, or Even Start, across the country. It is not anywhere near enough money.

Mr. Chairman, it would take hundreds and hundreds of millions of dollars to accomplish that.

Second, it looks like the old Follow Through Program. There are no guarantees in the legislation that those grantees, those 30 grantees—20 of which who have been receiving money for over 20 years as part of the demonstration project—there is no grant or guarantees that they will not in fact continue to receive the same amounts of money that they have in the past.

So I understand your concern. But I say this to you: This is a very targeted program to help 30 school districts in America, and that is not why we are here reauthorizing this bill.

Mr. ROEMER. Reclaiming my time, which I do not have a lot of left, I would say this needs to be targeted. This need to be targeted to at-risk children who will drop out if not provided with the Follow Through assurances in this kind of transition program, who will cost us \$30,000 as opposed to several hundred dollars invested in children early on.

As the gentleman from Ohio knows, we are going to spend several billion dollars on crime prevention or on crime and on prisons and on putting more police on the streets, which we should be doing.

We have an obligation to future generations to invest in the crime prevention part, and that is what this transition program does.

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

Mr. Chairman, as chairman of the subcommittee, I feel very much like an orchestra leader.

All of the Members opposing this amendment have presented a very good concern against it.

I urge its defeat.

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

Mr. KILDEE. I am happy to yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I sit on your subcommittee, and you do a wonderful job. I have to ask you this question: Do you currently have a school district in your congressional district that receives funding under the Follow Through Program?

Mr. KILDEE. Yes, I do.

Mr. BOEHNER. Would you think that with this new authorization that that school district would continue to receive funding?

Mr. KILDEE. I have no idea. They will have to compete with every other school district applying. The gentleman knows that.

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

Mr. Chairman, I do this only to point out that our great flaw in Head Start

over a 20-year period, and at a cost of approximately \$20 billion, has been the fact that we have done nothing until the last reauthorization to deal with the family literacy problem.

The whole idea in Head Start, unfortunately, was to involve parents in everything other than learning about parenting, other than improving their literacy skills. The unfortunate part about this is that there is then no one at home to be the first and most important teacher that a child ever has.

That is why, when they get to third grade, contrary to what those who support Head Start usually like to say—that it is the school district's fault—the reason these children have problems is that we did not design the program well and did not insist that family literacy was a part of that program.

A second problem is that over the years since Head Start began, we have never recomputed a Head Start Program. I mean, even though the reports were such that we should have been doing something, we did not. We just allowed the same group to continue and continue and continue, and it became an employment program for them. It was their employment program, and they did not want us to mess with them. And so I think we really have to, as we go through this whole exercise, really zero in on the whole idea of family literacy, or we can spend \$20 billion more on Head Start, and those disadvantaged youngsters are still going to be disadvantaged, more disadvantaged, or at least not any better than those that went through the Head Start Program before them.

I will do anything I can do to make sure we do not come back with this argument against Head Start in the future. The chairman knows I have made this criticism about Head Start over and over again. We have to make very, very sure the same people do not constantly receive the grants year after year unless they are doing a good job.

Mr. ENGEL. Mr. Chairman, I rise in opposition to Mr. BOEHNER's amendment to strike "Title I—Transition Projects" which are currently authorized under H.R. 6, the Improving America's Schools Act.

The legislation authorizes Federal assistance for comprehensive projects that provide for a smooth transition for children from preschool through the early elementary school grades. The projects target poor children, assisting them in reaching high academic standards.

These transition programs are vital in continuing the social and educational successes of those children participating in Head Start, Even Start, and other quality preschool programs through the early grade levels. The fade-out effect, seen in former Head Start participants, may be alleviated through the continuation of effective services for at-risk children during the elementary school grades.

Certainly, the continuation of innovative and successful preschool transition programs will prove to be a cost-effective and practical ap-

proach in the long run. If the educational and social needs of our youngest students are permitted to be neglected, the costs to society in the future through added demands on our education, justice, and social service programs will be enormous.

Therefore, I urge my colleagues to defeat the Boehner amendment and support the "Title I—Transition Program."

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

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

RECORDED VOTE

Mr. BOEHNER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 292, not voting 18, as follows:

[Roll No. 40]

AYES—128

Allard	Fowler	Mica
Archer	Franks (CT)	Miller (FL)
Armey	Franks (NJ)	Minge
Bachus (AL)	Galleghy	Moorhead
Baker (CA)	Gekas	Myers
Baker (LA)	Geren	Nussle
Ballenger	Gingrich	Oxley
Barrett (NE)	Glickman	Packard
Bartlett	Goodlatte	Paxon
Barton	Goss	Penny
Bateman	Grams	Peterson (MN)
Bilbray	Greenwood	Petri
Billey	Hall (TX)	Pombo
Boehner	Hancock	Portman
Bonilla	Hansen	Pryce (OH)
Bunning	Hastert	Quillen
Burton	Hefley	Ramstad
Buyer	Herger	Ravenel
Callahan	Hobson	Roberts
Canady	Hoekstra	Rohrabacher
Cardin	Hoke	Roth
Castle	Hunter	Roukema
Clinger	Hutchinson	Royce
Coble	Hyde	Santorum
Collins (GA)	Inglis	Schaefer
Combest	Inhofe	Sensenbrenner
Condit	Johnson, Sam	Shaw
Cox	Kanjorski	Shuster
Crane	King	Smith (MI)
Crapo	Kingston	Smith (OR)
Cunningham	Knollenberg	Smith (TX)
Deal	Kolbe	Solomon
DeLay	Kyl	Stearns
Dickey	Lehman	Stenholm
Doolittle	Lewis (FL)	Stump
Dornan	Linder	Talent
Dreier	Livingston	Thomas (CA)
Duncan	McCollum	Thomas (WY)
Dunn	McCrary	Walker
Emerson	McHugh	Weldon
Fawell	McInnis	Zeliff
Fields (TX)	McKeon	Zimmer
Fingerhut	McMillan	

NOES—287

Abercrombie	Blackwell	Clayton
Ackerman	Blute	Clement
Andrews (ME)	Boehlert	Clyburn
Andrews (NJ)	Borski	Coleman
Applegate	Boucher	Collins (MI)
Bacchus (FL)	Brewster	Conyers
Baesler	Brooks	Cooper
Barca	Browder	Coppersmith
Barcia	Brown (CA)	Costello
Barlow	Brown (FL)	Coyne
Barrett (WI)	Brown (OH)	Cramer
Becerra	Bryant	Danner
Beilenson	Byrne	Darden
Bentley	Calvert	de Lugo (VI)
Bereuter	Camp	DeFazio
Berman	Cantwell	DeLauro
Bevill	Carr	Dellums
Bilirakis	Chapman	Derrick
Bishop	Clay	Deutsch

Diaz-Balart	LaRocco	Romero-Barcelo
Dicks	Lazio	(PR)
Dingell	Leach	Ros-Lehtinen
Dixon	Levin	Rose
Dooley	Levy	Rowland
Durbin	Lewis (CA)	Roybal-Allard
Edwards (CA)	Lewis (GA)	Rush
Edwards (TX)	Lightfoot	Sabo
Ehlers	Lipinski	Sanders
Engel	Lloyd	Sangmeister
English	Long	Sarpalius
Eshoo	Lowey	Sawyer
Evans	Machtley	Saxton
Everett	Maloney	Schenk
Ewing	Mann	Schroeder
Faleomavaega	Manton	Schumer
(AS)	Manzullo	Scott
Farr	Margolies-	Serrano
Fazio	Mezvinsky	Sharp
Fields (LA)	Markey	Shays
Filner	Martinez	Shepherd
Fish	Matsui	Sisisky
Flake	Mazzoli	Skaggs
Foglietta	McCandless	Skeen
Ford (MI)	McCloskey	Skelton
Ford (TN)	McCurdy	Slattery
Frank (MA)	McDermott	Slaughter
Frost	McHale	Smith (IA)
Furse	McKinney	Smith (NJ)
Gejdenson	McNulty	Snowe
Gephardt	Meehan	Spence
Gibbons	Meek	Spratt
Gichrest	Menendez	Stark
Gillmor	Meyers	Stokes
Gilman	Mfume	Strickland
Gonzalez	Miller (CA)	Studds
Goodling	Mineta	Stupak
Gordon	Mink	Sundquist
Grandy	Moakley	Swett
Gunderson	Molinari	Swift
Gutierrez	Mollohan	Synar
Hall (OH)	Montgomery	Tanner
Hamburg	Moran	Tauzin
Hamilton	Morella	Taylor (MS)
Harman	Murphy	Tejeda
Hayes	Murtha	Thompson
Hefner	Nadler	Thornton
Hilliard	Neal (MA)	Thurman
Hinchee	Neal (NC)	Torkildsen
Hoagland	Norton	Torres
Hochbrueckner	Oberstar	Torricelli
Holden	Obey	Towns
Horn	Olver	Trafficant
Houghton	Ortiz	Tucker
Hoyer	Orton	Underwood (GU)
Huffington	Owens	Unsoeld
Hughes	Pallone	Upton
Hutto	Parker	Valentine
Inlee	Pastor	Velazquez
Istook	Payne (NJ)	Vento
Jacobs	Payne (VA)	Visclosky
Johnson (CT)	Pelosi	Volkmer
Johnson (GA)	Peterson (FL)	Vucanovich
Johnson (SD)	Pickett	Walsh
Johnson, E.B.	Pickle	Waters
Kasich	Pomeroy	Watt
Kennedy	Porter	Waxman
Kennelly	Poshard	Wheat
Kildee	Price (NC)	Whitten
Kim	Quinn	Williams
Kleczka	Rahall	Wilson
Klein	Rangel	Wise
Klink	Reed	Wolf
Klug	Regula	Woolsey
Kopetski	Reynolds	Wyden
Kreidler	Richardson	Wynn
LaFalce	Ridge	Yates
Lambert	Roemer	Young (AK)
Lancaster	Rogers	Young (FL)
Lantos		

NOT VOTING—18

Andrews (TX)	Hastings	Michel
Bonior	Jefferson	Natcher
Collins (IL)	Johnston	Rostenkowski
de la Garza	Kaptur	Schiff
Gallo	Laughlin	Taylor (NC)
Green	McDade	Washington

□ 1417

The Clerk announced the following pair:

On this vote:

Mr. Taylor of North Carolina for, with Mr. Gene Green of Texas against.

Mr. MANZULLO, Mr. LEVIN, Mrs. MEYERS of Kansas, and Mr. RIDGE changed their vote from "aye" to "no."

Mr. EMERSON, Mrs. ROUKEMA and Messrs. THOMAS of California, BILBRAY, LEHMAN, and HALL of Texas changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GUNDERSON

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

The Clerk read as follows:

Amendment offered by Mr. GUNDERSON: Page 127, after line 21 insert:

"Subpart 3—Presidential Awards Program
"SEC. 1131. PRESIDENTIAL AWARDS PROGRAM.

"(a) DEVELOPMENT.—The Secretary shall, in consultation with the chairpersons and ranking minority members of the Committee on Education and Labor for the House of Representatives and the Committee on Labor and Human Resources of the Senate and educational leaders, develop a Presidential awards program that will recognize and provide a cash award to schools that excel in educating their students to high levels as defined by the National Education Goals and the standards certified by the National Education Standards and Improvement Council established under the Goals 2000: Educate America Act.

"(b) NOMINATIONS.—Schools recognized under this program will be selected by the Secretary from a list of nominees. Each State shall select a nominee to be submitted to the Secretary from among schools designated as distinguished schools under section 1119.

"(c) SELECTION.—The Secretary shall annually convene a panel of experts who will review nominated schools and select those who will receive awards. In addition to Presidential recognition, selected schools will receive a cash award which may be applied without restriction to enhance the educational programs in those schools or to provide cash awards to personnel in the school.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for each of fiscal years 1995, 1996, 1997, 1998, and 1999.

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

The CHAIRMAN pro tempore (Mr. SHARP). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERFECTING AMENDMENT OFFERED BY MR. GOODLING TO THE AMENDMENT OFFERED BY MR. GUNDERSON

Mr. GOODLING. Mr. Chairman, I offer a perfecting amendment to the amendment offered by the gentleman from Wisconsin [Mr. GUNDERSON].

The Clerk read as follows:

Perfecting amendment offered by Mr. GOODLING to the amendment offered by Mr. GUNDERSON: In the amendment to page 127, after line 21—add the following:
In section 1131, subsection (a)—

(1) strike "shall in consultation" and all that follows through "America Act" and insert "may develop a Presidential awards program that will recognize the person or corporation producing the best education game of the year."

(2) in subsection (b)—

Strike "Schools" and all that follows through "section 1119" and insert the following: "Games recognized under this program shall be selected by the Secretary from a list of nominees or applicants submitted by a panel of experts who convene annually at the request of the Secretary."

(3) in subsection (c) strike "nominated" and all that follows through "1999" and insert the following: "nominations and applicants in selecting recipients who will receive awards under this section. Games selected for awards under this section may be eligible to receive other awards."

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN pro tempore. For what purpose does the gentleman from Michigan [Mr. KILDEE] rise?

Mr. KILDEE. Mr. Chairman, we accept the amendment.

The CHAIRMAN pro tempore. The question is on the perfecting amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] to the amendment offered by the gentleman from Wisconsin [Mr. GUNDERSON].

The perfecting amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Wisconsin [Mr. GUNDERSON].

The amendment, as amended, was agreed to.

The CHAIRMAN pro tempore. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. ROHRBACHER

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

The Clerk read as follows:

Amendment offered by Mr. ROHRBACHER: Page 25, after line 18, insert the following:

"SEC. 1003. REPORTING REQUIREMENTS.

"None of the funds authorized in section 1002 shall be made available to a local educational agency unless—

"(1) such agency, beginning on October 1, 1994, and continuing on or before such date in each subsequent year, submits to the Assistant Secretary of Education for Elementary and Secondary Education, a statement regarding the total number of students enrolled in its school system, the number of students enrolled who are not lawfully in the United States, the number of students who are lawfully in the United States who do not have at least 1 parent or legal guardian who is lawfully in the United States, and the average per pupil expenditure of the local educational agency.

"(2) The data submitted under paragraph (1) shall be current as of any date in the 30-day period prior to the date that the Assistant Secretary requires."

□ 1420

Mr. ROHRABACHER. Mr. Chairman, my amendment is simple, straightforward, and it ought to be noncontroversial. It simply requires schools receiving funding under title I of ESEA to count their students who are in this country illegally or those who have parents who are in this country illegally. This information, taken together with the information about the cost of education at the schools, will allow all levels of Government to determine the cost of illegal education to our country's school systems.

The reason I believe this amendment should be noncontroversial is that regardless of how one stands on the issue of Government benefits to illegal aliens, the debate should be based on the most accurate information possible about the cost to all levels of Government of the current policy, which is the policy of giving educational benefits to anyone who makes his or her way into this country, legally or illegally.

To those who believe that the Federal Government should provide such compensation to school districts with high levels of illegal immigrants, this amendment will provide them the data they need to determine the amount of money that is needed to be reimbursed. Those who believe, as I do, that Government should not provide education for illegal aliens and their children will also find it valuable to have these costs and the figures available. Whichever side one is on of the illegal issue, it is essential for Congress to know how much it is costing to educate illegal aliens and their children in this country.

Let me also explain, Mr. Chairman, what my amendment does not do. It does not create any great or unprecedented burden on the schools, although I am sure that is what my opponents will suggest. There is not a school in this country which does not have information for every student enrolled in its system. It is very easy to determine if the birth certificate comes from the United States or not, and those presenting birth certificates from other countries would simply be asked a further question about their legal status.

Under a number of Federal laws, the schools are already required to determine the occupation of the students' parents for impact purposes and the incomes of their parents for school lunch purposes. It is not out of line to ask, with very little expense, just an additional question about legal status.

Some Members of this House who are themselves responsible for imposing billions of dollars' worth of unfunded mandates on local school districts have decided to attack this minor requirement which would have very little cost to impact and attack it as an unfunded mandate. That is absolutely ridiculous, and just to remove any doubt, I will be

accepting an amendment to my amendment brought by the cochairs of the Congressional Unfunded Mandates Caucus, of which I am an original member. The gentleman from California [Mr. CONDIT] and the gentleman from Kansas [Mr. ROBERTS] will be proposing an amendment that will take care of that particular problem, if it ever was a problem.

My amendment also does a couple of other things, and it does not do a couple of other things also. It does not require the reporting of any names of students or parents to the INS, although we will hear people making that charge. It does not require that, or that these names be transmitted to any other Federal agency. All we are asking for in this amendment is that we need the numbers, not the names. Nor does this amendment cut off any funds for educating illegal aliens. That is not what this amendment is about. I will be proposing an amendment like that separately later on, but that is not the point of this amendment.

Let me make note of the fact that asking for information does not violate in any way the Supreme Court's Plyer versus Doe decision. That decision deals with providing education, not with asking questions, so there is no prohibition on whether or not we can in some way come to grips with the illegal alien problem, with the numbers of illegal aliens that are in our schools and how much they cost us.

Mr. Chairman, this amendment is merely an attempt to quantify these costs, the costs of educating illegal aliens and their children, something that everyone should agree is needed.

Let me say this very clearly. Those people who oppose this amendment and say that we should not even be able to count the number of illegal aliens in our schools should not come back to this body and expect that any money be provided by the Federal Government to finance the education of illegal aliens, if they themselves have refused to provide the data that is necessary to find out how many illegal aliens are needed to be financed. Any small burden that this amendment would require, that it would add in terms of the informational requirements that the schools already face, is just absolutely minimal, it far outweighs the benefits of knowing the information that we have to have. There is a huge unfunded mandate right now, and the number of illegal aliens, especially in the Southwest and California, that is providing a burden to the taxpayers to the point that the level of our schooling or the quality of our schooling is being stretched to the breaking point is such that we cannot permit this to go on and just ignore the issue. Let us quantify it, find out how much it is costing, and then we can determine what the solution should be.

AMENDMENT OFFERED BY MR. ROBERTS TO THE AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROBERTS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTS to the amendment offered by Mr. ROHRABACHER:

At the end of the amendment proposed to be added to page 25, after line 18, add the following:

"(3) The direct costs incurred by States, local educational agencies, and schools in complying with this section shall be reimbursed by the Federal Government.

Mr. ROBERTS. Mr. Chairman, I offer this amendment on behalf of the gentleman from California [Mr. CONDIT] and other members of the Congressional Caucus on Unfunded Mandates.

After consulting with various Members on the language and the intent of the amendment offered by the gentleman from California [Mr. ROHRABACHER], it was agreed that this correcting amendment to his language should be and would be offered.

I wish to recognize the efforts of the gentleman from California [Mr. ROHRABACHER] to amend H.R. 6 in a way that hopefully would reduce costs to American taxpayers.

The simple language we are offering is intended to remove an additional unfunded mandate that would be created if the Rohrabacher language were adopted. Simply put, this language would require that the Federal Government fund the cost of this requirement if it were enacted.

Mr. Chairman, I now yield to the chairman of the Unfunded Mandates Caucus, the gentleman from California [Mr. CONDIT].

Mr. CONDIT. Mr. Chairman, I thank the gentleman very much for yielding.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kansas [Mr. ROBERTS]. I think it is imperative that when we in Congress determine that there is an unfunded mandate attached to a piece of legislation, or as in this case, an amendment, we find a way to pay for it. That is what we are trying to do with this amendment. We are trying to state clearly that if it costs local school districts money, the Federal Government is obligated and responsible to pay for that.

That is basically what we are doing today. I am in support of that, and I urge my colleagues to support the amendment offered by the gentleman from Kansas [Mr. ROBERTS] that would ask us to do that.

In addition to that, I would advise Members that we will be offering this amendment to other parts of H.R. 6. This is not something new. It is something we have debated, and it is something we will continue to do.

Mr. Chairman, I ask for an aye vote.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for his contribution.

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

Mr. ROBERTS. I yield very briefly to the gentleman from California.

□ 1430

Mr. MILLER of California. I thank the gentleman for yielding. My understanding is that his amendment is to say that the Federal Government shall pay for this program.

I have two questions. One is, how are we going to pay for that program, and the second one is if we do not pay for that program because we have passed a series of laws around here, unfortunately, where we have told local government we would pay for the program, and it has never happened, and yet they are still mandated to carry out the program.

We do that for education of the handicapped. We told them we would pay a percentage of excess costs. We never did that. They still have to educate handicapped children. What is going to happen here when this part is not funded?

Mr. ROBERTS. I think the gentleman is pointing out exactly why we are making this perfecting amendment. We are extremely concerned that, regardless of what we pass in this body, we are passing the costs on to the States and local government. If the Rohrabacher amendment is passed, if that does actually represent a de minimis kind of unfunded mandated cost, we are simply saying the Federal Government shall pay for it.

Mr. MILLER of California. We all know that is subject to appropriations.

Mr. ROBERTS. I would tell the gentleman that it comes under section 502 of the bill as it stands, it is subject to the provisions of the Committee on Appropriations. So the appropriations process would take care of it. I cannot tell you exactly where the money would come from.

Mr. MILLER of California. If they do not fund it, does the Rohrabacher provision drop out?

Mr. ROBERTS. I cannot answer that question.

Mr. MILLER of California. If they do not fund it, we are back to an unfunded mandate.

Mr. ROHRABACHER. If the gentleman would yield, this whole question about cost is obviously a maneuver in order to defeat the purpose of the bill, rather than what I consider to be a substantial argument.

Mr. MILLER of California. It is talking about the merits. Somebody is going to have to talk about the costs.

Mr. ROBERTS. Mr. Chairman, I have the time. While I have great respect for the gentleman from California [Mr. MILLER] and the gentleman from California [Mr. ROHRABACHER], they can continue this debate under their own time.

I yield back the balance of my time. Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have discussed this amendment with the gentleman from Kansas [Mr. ROBERTS]. The gentleman from California [Mr. MILLER] raises a very good question. When I first heard about the amendment, I put the gentleman on notice that I would have to make a point of order against the amendment because it would be establishing an entitlement. The gentleman went and checked, as I checked, and found out that indeed this is an entitlement. There is no guarantee that the States and local governments will ever get a nickel out of this language. It is mainly an authorization to appropriate money for that purpose. And if we never appropriate a nickel, the States and local communities will still have to put their money out, because if they do not put their money out to do this, they will not get money under this bill to educate the at-risk children in their school district from the Federal Government.

Mr. Chairman, there is a cutoff if they fail to gather the information, but there is no cutoff of the requirement to gather the information if they fail to get the money. And that is the very strange situation.

The gentleman from California [Mr. ROHRABACHER] can refer to it as a gimmick to oppose your amendment. I am opposed to the gentleman's amendment because it is insane to suggest that after what we learned about Nazi Germany in the period before World War II, that we would turn little children into informers on their parents as to their nationality status in schools in this country and expect that they would still go to school with trust in their eyes and trust in their hearts, when it was time for them to go to school.

It is insane in your attempt to make whatever point you wanted to make about illegal aliens. And I do not know what is going on in your part of California. I have never been able to figure it out. But I wanted to tell you something, it is not just going to affect them.

In the city of Detroit, there are tens of thousands of people who are in the school system and in surrounding suburbs who are Canadian citizens, and they never saw a green card. They do not know about those things, because they are not a different color and they do not speak a different language.

Where you have a population that is coming in that has a different skin coloration or a different language, it is easy to pick them out and identify the problem and demagog on that issue. I am not saying that the gentleman is doing that, but some have in the past.

What I want to tell the gentleman is that you are causing trouble for every school district in the country. You go into Miami and try to find out how you are going to get anybody to come to school, when the school has to turn in

the number of children who are illegal. Not only that, if the child is born in the United States and is legal, they have to bring information about mommy and daddy. And not since Adolf Hitler has any government asked little school children to tell on mommy and daddy.

Your amendment should be defeated with or without the amendment correcting it. And the amendment correcting it does not really do any good, because it does not guarantee that the school districts will ever get paid a dime.

Mr. MILLER of California. Mr. Chairman, I rise in opposition to the Roberts amendment, because I think it is a subterfuge. If in fact what they were concerned about is unfunded mandates, what they would say is unless Federal moneys are provided for this activity, the activity shall not be required.

That is not what it does. In fact, what we do is, we say the Federal Government shall fund this, as we do throughout the entire bill. We know that we have the right as the Federal Government to pick and choose where we will spend taxpayers' dollars and where we do not, and that happens in the appropriations process.

But, in fact, the school district will be left with this charge in this legislation without the money. That is the history of unfunded mandates. So this amendment does not cure that problem.

I think it is a subterfuge to suggest that it does or that it takes somebody off the hook. Because let us read what the California school board's association says about this, a State that the gentleman from California [Mr. ROHRABACHER] and I both represent.

They say, "It is with great frustration that we find the Federal Government attempting to address illegal immigration by further burdening the schools. Immigration policies and enforcement are strictly under the domain of the Federal Government, and yet schools have direct constitutional mandates to provide the educational services, regardless of whether or not the Federal Government has enforced those policies."

That is the law. That is what the constitutional case the gentleman from California [Mr. ROHRABACHER] pointed out said. And yet now we are telling them that whether or not we are effective in controlling immigration and enforcing the laws of this country, they will suffer another burden.

I would say to the gentleman from California [Mr. ROHRABACHER], that our governor was just back here in Washington explaining to us that is exactly what he did not want to have continue to happen. That is how he has added up a \$3 billion bill, saying that this is the unfunded cost of illegal immigration to the State of California. Now what the gentleman is suggesting is he is going to add to that.

So, the Roberts amendment is not a big enough fig leaf to cover the flaws in this amendment. There are other flaws that we will address when we get back to the Rohrabacher amendment. But to suggest that somehow the Roberts amendment takes care of unfunded mandates, the chairman of the caucus better go back to legislative counsel and draft one that in fact does that.

Mr. ROBERTS. Mr. Chairman, if the gentleman will yield, I am wondering if the gentleman would accept a request on my part, a unanimous consent request, that would say something to the effect that requirements of this title, however, would be suspended if such reimbursement is not authorized by the Congress.

Mr. MILLER of California. Mr. Chairman, the gentleman will have to work that out with the committee, the language. It has to be language that works, but that, in effect, says that when the Committee on Appropriations comes here, you can have that fight. But do not do this to the school districts that do not have the money. You have got to make that kind of link. And I do not know if that does it or not, and I am not objecting to it.

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

Mr. MILLER of California. I yield to the gentleman from Wisconsin.

Mr. GUNDERSON. Mr. Chairman, is not the problem the gentleman is trying to articulate is that the money is actually appropriated under title I, and the net effect of the two amendments together will be that the first requirement of every State is to use their limited chapter 1 dollars to do a survey before they use any of the money for anything else, which is clearly not the intent of the amendment.

Mr. MILLER of California. Mr. Chairman, it is a condition of the funding. What they point out is you are reducing the educational dollars to take care of now another problem you want local government to solve, which is not of their making. They do not create the immigration laws nor the enforcement policies in this country. The gentleman from Wisconsin is quite correct.

Mr. FORD of Michigan. If the gentleman will yield, what you are doing now is identifying another facet of the problem. If the gentleman from California [Mr. ROHRBACHER] has an objective here, he should attain that objective by amending the immigration laws and putting obligations on local police departments, school districts, whoever he wants to, providing that the money that we appropriate to enforce our immigration laws pay for it.

Do not take money that is so thinly spread now that we cannot do the job away from children who are being taught to read and compute math and use it for recordkeeping to do the INS's job for it. If they are going to work for the INS, let the INS pay for it. If you

want to do something about tightening up on immigration, let us do it with immigration legislation. Let us not try to use scarce school dollars to do that.

□ 1440

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

Mr. Chairman, it never ceases to amaze me how these debates get distorted, at least in my view. They have to get a lot of this information when students enroll in school anyhow. They have to provide birth certificates. They have to provide other information. They have to provide health information.

This is not a large additional cost. Yet they are using this, in my view, as a red herring to stop finding out what the real problem is.

In 1992 we spent \$13.2 billion on primary and secondary education for illegal aliens. In 1992, the estimated cost for illegal immigrants, for the period 1992 to 2002, will be \$221.5 billion. Yet every single time we come to this floor to try to get a handle on the illegal immigration problem, the liberal mentality says we cannot do that. Yet people across this country are concerned about their tax dollars being used wisely. They are concerned about the national debt. And yet one of the biggest expenditures we have that is adding to this deficit is taking care of illegal aliens coming across this border for health care purposes, educational purposes, and social purposes.

We will not even address the problem, because the liberals in this body continue to say, "Oh, my gosh, we cannot do that."

Let me give my colleagues some statistics that we will not address in this body. There are 2.3 million illegal aliens coming across the Mexican-American border alone every year, and about 1 million go back. That means we are getting 1.3 million new illegal aliens in this country that we are taking care of every single year with American taxpayers' dollars.

They are not paying taxes. They come in to get phony Social Security cards, phony drivers' licenses so they do not have to do that. And yet, we are picking up the tab. But we cannot deal with it, because the liberals in this body continue to say, "Oh, my gosh, that is something we can't do. You are going to hurt the children. You are going to hurt these poor people."

That is insane. The taxpayers who are paying the bill in this country ought to have some accountability from this Congress, and that means when illegal aliens come into this country, we ought to know how many of them there are. We ought to know where they are. We ought to know what benefits they are getting, and we ought to send them back where they came from, unless they are legally in this country.

Let me give my colleagues some other statistical data. Illegal aliens constitute one out of four people that are inmates in our Federal prisons. Each one of those inmates costs about \$85,000 a year that the taxpayers have to pay for, one-fourth of our prison population, but we cannot deal with that. We ought to talk to them about that.

There were 1,064 illegal aliens in the Los Angeles riots that did billions of dollars worth of damage. Those were not American citizens. They were illegal aliens breaking into those stores, carrying out television sets and everything else, 1,064 of them.

Two-thirds of the births in Los Angeles County last year or 37,000 births were illegal alien births, and the AFDC payments per month is \$26 million just to take care of those children and take care of their families. That did not include other forms of health care, education, or anything else. Yet we cannot get at the problem, because the liberals say we cannot do that.

If we look at every single bill that came before this body, the immigration bill, everything else, there is always a reason to say no, we cannot do that.

I say we ought to be accountable to the U.S. taxpayer that is footing the bill. These people are not American citizens. If they wanted to come through the normal immigration process, fine. But when they come into this country illegally, we have no obligation to take care of their health, their welfare, or their education. Yet we cannot talk to these Members. They say one is a Nazi, if they talk about that. Give me a break. Give me a break.

We ought to start thinking about the American taxpayer who is footing the bill. I could go on and on and on, because I have reams of statistical data to show we are spending billions and billions and billions of dollars, when we cannot afford it, when the national debt has grown from \$1 trillion 10 years ago, after 200 years, to \$4.5 trillion in 10 years.

We are taking care of the rest of the world, and we are neglecting the Americans that are paying the bill. I think that is wrong.

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

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I was just going to point out that, as I understand it, the debate that has gone on here, we are trying to stop the sins of the past. There is no question we asked for a huge amount of information from school districts today, school lunch programs and others. We are also working overtime with school districts to try to reduce that paperwork, to reduce those costs so we can take that money and put it into lunches or services or teaching.

We cannot just say, because we are already doing that, we can just add a little bit more. I think that is the purpose of the debate that is going on here.

From this reauthorization, which has been 5 years since we have done it, if Members do not want unfunded mandates, then they have to come up with ways to provide that funding. We cannot just say this is additive. We are asking the questions anyway. This is an entirely different set of questions about citizenship than about whether the school lunch applies to a person or not.

I just say, let us cure the sin here, if that is what we are serious about doing.

The CHAIRMAN pro tempore (Mr. SHARP). The time of the gentleman from Indiana [Mr. BURTON] has expired.

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

Mr. BURTON of Indiana. Mr. Chairman, Governor Wilson, to whom the gentleman alluded a few minutes ago, has talked about the tremendous burden that has been placed upon him and his State, the State of California, the gentleman's State, in taking care of illegal aliens in every single area: health care, education, and so forth.

I submit to my colleagues that one of the ways to get to the bottom of the problem is to find out how many illegal aliens are in the schools and being taught. If we found that out, then they could find a way to address this problem through the educational system as well as health care, welfare, and everything else.

Mr. MILLER of California. Mr. Chairman, if the gentleman will continue to yield, apparently Governor Wilson knows, because he keeps sending us the bill here.

Mr. BURTON of Indiana. And he keeps complaining, and I think with justification. This Congress needs to take responsibility for not dealing with the illegal alien problem.

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

Part of my problem is, I agree in large part with the side on the committee and part of me agrees with the problem that we have in illegal immigration in the State of California.

I took a look at this thing on both sides of it, and I still do not know, although I am in support of the amendment of the gentleman from California [Mr. ROHRBACHER]. I do not know if it is going to do any good. I do not know what it is going to cost.

I have those same concerns on the other side. I also feel that the real problem needs to be solved at the border, not in the field of education.

I have a real hard time with it. But as was discussed a minute ago, Governor Wilson has asked for \$3.7 billion

because of the illegal immigration impact. It is a Federal mandate. We mandate on the States that they pay for it, just like we are trying to legislate that we mandate a payment to cover the cost of this paperwork.

The problem is, \$3.7 billion a year, if we can stop illegal immigration, we do not have to worry about doing it here in the field of education. We can take \$3.7 billion and apply it to those areas into education and law enforcement and the rest of it by stopping it at the border.

I think that is the real area that we need to take a look at. I want to stop all illegal immigration coming in, whether it is the Chinese boat people, whether it is the Irish, which I am a member of, or whether it is across the border of Mexico. The only way to do that, I think, is to stop totally those services, but that should not rest in the education field.

However, all the other areas, law enforcement, where we have, as the gentleman from Indiana [Mr. BURTON] said, about 25 percent, it is actually about 132 percent of our felons are illegal aliens, but we do not fund that. We know that number. It is a hard number. And we can ask the Government for funds.

In the field of AFDC, we know that number. And we can do it.

But in the field of education, when the State asks for help because of the impact, just like impact aid in military, when the State asks for the numbers of illegals so that we can get the funding out of the Federal Government for that impact on the States, we cannot give them an accurate number.

My problem with the Rohrabacher amendment, one, it is an unfunded mandate, which I would like to see it funded. But we cannot appropriate it unless we authorize it first, or they will call for a point of order later on. So it is "darned if you do and darned if you don't."

The whole point is, my wife is a principal. We take a birth certificate. We take an address, and we take a phone number. And we do not ask the kids. The parents fill that out.

□ 1450

When the parent fills that out, you put block No. 4 on there, "Are you a legal resident of the United States?" That does not take a whole lot of paperwork or a whole lot of dollars to do. You cannot use that information by law with the INS, so you cannot verify it. I do not know if it is going to do any good or not.

That is what my problem is on both sides of this, trying to weigh in my own mind whether it is a good thing to do. I do not know if we are going to get accurate funds, but I think we need to stand up in all the committees and make a point. First of all, we are dealing with illegal immigration—illegal

immigration that impacts us, \$27 billion across the United States. We can do a lot with that money. If we stop that type of immigration, we are going to not only help taxpayers, but we are going to help the programs that we are so deficient in the money, in education, in law enforcement, in health care, and the rest of it.

The perfecting amendment I would hope that the Members would support. The gentleman from California [Mr. HUNTER] has 600 new border patrolmen at the border. They have lights, they have roads. That is where we need to stop illegal immigration.

My friend, the gentleman from California [Mr. BECERRA] and I will sit down and talk. They will support those kinds of initiatives. Do we do it in education?

The second amendment of the gentleman from California [Mr. ROHRBACHER] I oppose. Why? Because he is going to ask that the Federal Government not give the schools money, but yet, the school counts it by the number of faces there, and if they do not get the number of faces there, they cannot get the money. Again, Governor Wilson is going to have to pay for it, and he does not have the money to do that, so I would oppose the second amendment of the gentleman from California [Mr. ROHRBACHER].

This amendment in essence, I think the point is just trying to identify the numbers. I think my friend, the gentleman from California [Mr. BECERRA] would agree. We need to identify the numbers so we can get the money for it. I do not know if this is going to do it. I hope it does. That is one of the reasons I would support it.

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

Mr. Chairman, I have represented an awful lot of migrant workers in the 24 years I have served in this House. I just have this observation. Local school districts do not set immigration policy, the Federal Government does. Local school districts do not have the responsibility to police America's borders, the Federal Government does.

National politicians for years have expressed concerns about the inability of local school districts to produce quality education. How many speeches have we heard from national politicians bemoaning the fact that schools spend so much on administration in comparison to how much they actually deliver in the classroom. Yet this amendment would add to the very problem those people bemoan. It tells local educational institutions that they ought to take precious resources which ought to be focused on educating children and instead divert those resources to producing more paper which they can send to the Federal Government and other administrative agencies of Government.

This amendment will not do anything to stop illegal immigration. It will simply impose added data-gathering burdens to no real positive purpose. It will probably discourage some immi-

grants from sending their kids to school out of fear of being reported.

Let me tell you what I resent as much as anything. In my home town, I have thousands of refugees. They place a great new burden on the local school district in my home county, but my home city and my home county did not establish the immigration policy under which they came to the United States, the Federal Government did. Yet the local districts are being left holding the bag in terms of costs. The Federal Government has wretched on its responsibility to provide support for those immigrants, and the Federal Government is certainly not meeting its responsibilities to local districts if they are asking local districts to turn schools into policing agencies because a Federal agency has not done its own job.

To me, the only real result of this amendment will be that it diverts needed resources from the classroom to administrative procedures, and it will, in the process, I think, help to increase polarization in local communities. I do not think either one of those developments would be constructive.

I would ask, what is the purpose of this amendment. Because if the purpose is today to provide data on the number of children in those districts, what is the next step going to be? Is the next step then going to be to withdraw Federal support from the school districts who happen to be teaching these kids. Is that going to be the next step? Does that not in turn leave the local district holding the bag?

It just seems to me that if we want to deal with immigration policy, do it on an immigration bill, do not do it on an education bill. We already demand far too much of our schools, besides providing an education. This is just another one of those demands. I do not believe it is constructive. I think Members ought to vote the amendment down.

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

Mr. Chairman, we are hearing all kinds of arguments coming at this issue from all kinds of different directions. First we hear people say how terrible it is we are going to divert all sorts of resources at the local level away from education. Then we have people on the other side who are trying their darndest to prevent us from authorizing, which is exactly what we are trying to do with the so-called Roberts amendment, the money that is necessary to pay for this added cost, which is a minimal, minimal cost of people asking two more questions. Of all the other questions that they ask when a student has to register for class, we just ask two more questions.

As far as I am concerned, we have to be really up front right now about what we are talking about. We are talking about, in this language, the Roberts language, an authorization of the money. We just hear people on the floor saying that they are concerned that the local governments will have to spend. That is what this is, an authorization.

We also hear that we cannot, for example, by authorizing this money really be assured that the money is going to get there, because it is not appropriated. Come on. That means nothing in this bill has any meaning at all, because we do rely on the appropriators to appropriate the money. This is exactly where this kind of stand should be made. This is exactly

where the policy is made. We are stating the policy. We are making the authorization.

As I say, Mr. Chairman, the end cost is minimal, even to the Federal Government. I think the public, when they are listening to this debate, will understand we are being told, "You cannot do anything about the illegal immigration problem. Leave it to the Immigration and Naturalization Service." In my State, we know by providing tens of thousands of dollars worth of benefits, education, health benefits, housing benefits to illegal aliens, what we have done is enticed a flood of illegal immigration from all over the world into California, and it is breaking our bank.

Again, if Members defeat my amendment and this amendment, no one from California, from the Southwest, should come back to this body and say, "We need money to help take care of the education or health needs of illegal immigrants," because they have refused to permit us to set up a system where we can quantify the problem.

By the way, leaving it up to Immigration, we know it has not worked in California. We know it has not worked. They can build a wall 10 feet high, dig a trench 20 feet deep, and if we are giving a package of benefits to people to come here illegally, especially if it is aimed at helping their families, and these are good and decent people, we are not saying that the people who are coming here illegally, whether it is from Canada, as was suggested, in Michigan, or whether it is from Mexico, as many of the people from California are from Mexico, or from Asia, or from Europe, or from Ireland, these are not bad people coming here. We just cannot afford to spend tens of millions, hundreds of millions, billions of dollars educating people from other countries who are here illegally.

The bottom line is when we hear the other side of this argument, talking with all sorts of compassion about "we cannot waste the money to even determine the problem," the American people can understand what is going on. The American people are going to see that what we are being told is we cannot do anything about a problem that is draining billions of dollars out of our system, draining billions of dollars that should be going to provide education for our own kids, meaning kids of legal residents and U.S. citizens, and giving this money to provide benefits for the children of illegal aliens.

That is not to say that we do not like these children or that they are bad people. We have to care about our own people first.

Now, you can talk about all kinds of parliamentary maneuvers and things of why it cannot be done and use all of these words. The people back home will just know that what is happening is an attempt to prevent at least a first step of coming to grips with this problem. And that is, we have got to take down the welcome sign that says, "If you can get across this border, we are going to give you all kinds of benefits, the same benefits package that any American has," because we are inviting people to come, and the Immigration Service that you are talking about, you are saying let the Immigration Service do

it. I will tell Members, if we are providing this benefit, they are never going to be able to do that job, and you know they will never be able to do that job because we are giving people an incentive to break the law and come here.

I have supported legal immigration. This is not an anti-immigrant bill. This is an anti-illegal-alien move to try to stem this flow that is coming into our country and dissipating all of the funds that our people have saved up, whether it is retirement or whether it is health care, those people who come from our own country who have been here for a long time, legal residents and U.S. citizens and have contributed to the pot. We are about them. It is not that we are heartless.

For us to hear these words, "Nazi Germany," the American people do not buy that kind of name-calling anymore. They know it is a serious problem. It deserves serious discussion, and that is what this is all about.

Mr. KILDEE. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Missouri [Mr. GEPHARDT], the majority leader.

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

Mr. Chairman, I urge Members to vote against this amendment, and I say that with an understanding of the gravity and importance of this problem.

The first duty of Government is to protect the safety of its citizens, and probably right along with that is the duty to protect the borders of the United States and to see that illegal immigration does not take place.

Like many of my colleagues in the chamber, I have been on the border many times, the Canadian border, and I have been to places like Miami, where illegal immigration occurs, and I have been on the border with Mexico. The truth is that we are not making a sufficient effort with the Immigration Service to make sure that illegal immigration does not take place.

Perhaps we need to bring the Immigration Service bill back up on this floor. Hopefully, it will come later in the year and we can have this discussion. I am prepared, and I think a lot of Members are prepared, to appropriate additional moneys to make sure that our borders are secure. I am convinced that we can do a far better job than we are doing.

I stood at the border at Tiajuana not long ago, and I watched illegal immigration take place. I talked to the immigration officers who were there, and they said, "Yes, we could do a much better job, but we are not prepared today to do it because we do not have the commitment of the U.S. Congress through funding sources to make possible what needs to be done."

I think this amendment is ill-advised. We are seeing this kind of amendment on a whole series of bills

before this House. Let us check on people that want to get into a training program, let us check on people that want to get into a school, let us check on people who want to do all manner of things that Government agencies that are outside the Immigration Service are not prepared to do. It does not make sense to turn every school and every school official in the country into an immigration officer. That is not their job. They are not prepared to do it. They do not have the equipment to do it, they do not have the personnel to do it, they do not have the time to do it, they do not have the ability to do it correctly? So let us please not burden every piece of legislation that comes through here with an added responsibility to enforce the immigration laws of this country. Let us get the immigration laws enforced by the Immigration Service and by the Border Patrol.

I was told by our immigration officers that earlier last year, when the Mexican Government and our Government got more serious about illegal immigration for about a 2-month period, illegal immigration dropped precipitously. It can be done. But let us do it in the right place, and let us have this discussion on an immigration bill that comes before this House, and let us keep the responsibility where it belongs, not in the schools and not in the training programs of this country, but in the Immigration Service, which has that responsibility.

I urge Members to vote against this amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the Roberts amendment because it really does not solve the problem of unfunded Federal mandates. It is merely a cosmetic cover.

There are presently not enough Federal funds to cover all of the programs that are being implemented.

Now, the Rohrabacher amendment creates a further requirement, and the Roberts amendment says, "Well, don't worry about it; the Feds will cover the cost." Oh, yeah, and the check is in the mail.

But, Mr. Chairman, I rise today mainly in opposition to the two Rohrabacher amendments which would require schools to identify and collect data on the residency status of students, and would withhold Federal funds for any district which does not comply with this bureaucracy.

As a certified teacher, I am sensitive to the education ramifications of such a damaging amendment, and as someone who came to the United States at an early age and learned English through a bilingual program, I cannot stress to my colleagues enough that we cannot allow this and other harmful amendments to pass today.

I am extremely concerned over the constitutional question raised by these amendments, which violate the Supreme Court mandate that public schools must provide education to all children regardless of their immigration status. The sponsors believe that the constitutional questions have been resolved. But I do not believe that this is so.

In addition to my opposition from a legal standpoint, I am also worried about the implications to blameless children and families who are citizens of the United States but who do not look like an antiquated version of what an "average American" may be, and who, therefore, may be susceptible to discrimination.

This amendment would cause an enormous paperwork burden for teachers and would require them to determine the INS status of their students. The administrative costs of this needless bureaucracy could very well be high.

Additionally, this notification serves no immigration policy because restricting students from education will not prevent illegal immigration. This amendment would provide bilingual programs in some districts which have proven to be powerful tools in helping limited-English-proficient students learn English. This increases the danger of students dropping out and not graduating. Hispanics have one of the highest drop-out rates in this country, and this legislation would only worsen the problem. We should not critically restrict the schools' capability to provide services to limited-English-proficient students to areas such as Miami, with a great number of such students.

The U.S. Department of Education and the U.S. Immigration and Naturalization Services also oppose these amendments, and I urge my colleagues to do the same.

Mr. ROBERTS. Mr. Chairman, will the gentlewoman yield?

Ms. ROS-LEHTINEN. I am happy to yield to the gentlewoman from Kansas.

Mr. ROBERTS. Mr. Chairman, I appreciate the gentlewoman's cosmetic reference to my amendment. However, I think the cosmetics are in error as far as my personal intent.

The gentlewoman indicated the check is not in the mail, and that is precisely the reason that I introduced this amendment. On behalf of the unfunded mandates caucus, it was determined when Mr. FORD went to Mr. CONDIT and said will you please help us here because the Rohrabacher amendment has an unfunded mandate, as to why he is on the floor is because it is precisely because Mr. ROHRBACHER came to me and said it might be an unfunded mandate, would you come to the floor. I have not really indicated my prejudice for or against the Rohrabacher amendment. I appreciate

what he is trying to do, but the fact the check is not in the mail is the reason why I introduced this amendment.

It is not cosmetic, and the intent of the amendment is to solve the unfunded mandate problem. We are going to come every time there is an unfunded mandate, and Members may want to vote for it or against it. They may want to make a speech for or against whatever bill. But if it does saddle our local governments and our States and others with costs, our Members will hear about it.

Ms. ROS-LEHTINEN. Reclaiming my time, the gentleman must understand that all the amendment says is that the Federal Government will cover these costs. There are countless programs that are now on the books, they sound really great, and all we say is, and, gee, local government, local school district, if you do not have enough money, do not worry, we will cover those costs. And it is not happening. The check is not in the mail, and merely saying that the Federal Government will pick up the costs will not make it happen.

My children believe in the Easter Bunny, but I, I say to the gentleman from Kansas [Mr. ROBERTS] do not.

Mr. ROBERTS. Mr. Chairman, will the gentlewoman continue to yield?

Ms. ROS-LEHTINEN. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, we will hop down the Easter trail together opposed to unfunded mandates. The point I am trying to make is the gentleman from California will soon try to ask consent to change the amendment, saying if there is no money, then of course there is no requirement.

□ 1510

We are on the same side. It was just that the gentlewoman tried to change my intent.

Ms. ROS-LEHTINEN. Reclaiming my time, the gentleman must know that there is no money. It is not if there is no money or if there is no Easter Bunny. There is no money, and there is no Easter Bunny.

Mr. ROBERTS. Then vote against the gentleman from California [Mr. ROHRBACHER] and quit picking on me.

Ms. ROS-LEHTINEN. I plan on voting against it. I do not think your amendment is going to satisfy the concerns, if they truly are serious concerns about unfunded mandates. This does not cover it. Do not fool the people into thinking that it does.

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

Mr. Chairman, I would like unanimous consent, if I could, to add language—

Mr. SERRANO. Mr. Chairman, I object.

The CHAIRMAN pro tempore (Mr. VALENTINE). The Chair hears an objection.

Would you like to hear what the proposition is, or do you just object, period?

Mr. SERRANO. I object, and in anticipation—

The CHAIRMAN pro tempore. The objection is heard.

Mr. CONDIT. Mr. Chairman, may I make my point on what I would have done had there not been an objection?

The CHAIRMAN pro tempore. Well, the gentleman is recognized for 5 minutes, and the gentleman may propound his request for the record.

Mr. CONDIT. Mr. Chairman and Members, the amendment offered by the gentleman from Kansas [Mr. ROBERTS] is an honorable amendment. His intentions were clearly to deal with the unfunded-mandate issue.

We did not want to get into the debate of my colleague from California. We clearly wanted to talk about unfunded mandates, and we have a consistent position on this, and that is that if the Federal Government requires local governments, States, and counties and school districts to do something that they think is a good idea, we are asking the Federal Government to reimburse them for those good ideas, because it costs them money.

This amendment from my colleague, the gentleman from California, by my colleague from California, will cost somebody some money. Make no mistake about it, it will cost somebody some money. Somebody will have to pay to calculate those numbers and take the time to take the surveys. There will be personnel costs and so on and so forth.

We clearly wanted to simply ask that if you are going to mandate this on schools, please, reimburse them for the costs. We did not take a position on the amendment. That was not our intent. Our intent was to say it is unfunded mandate, and, please, recognize that and pay for it.

What I wanted to do to the amendment offered by the gentleman from Kansas [Mr. ROBERTS] was just add language that the requirement of this title shall, however, be suspended if such reimbursement is not authorized by Congress. That is real clear, real clear. If you do not give them money for this mandate, then it is voluntary.

In my opinion, that is the way mandates here ought to be. It ought to be simply if you believe in something enough around here and it costs money, you ought to believe in it enough that you are willing to pay for it, and this is what the gentleman from Kansas [Mr. ROBERTS] was trying to do with his amendment.

It is an honorable amendment, and his intentions were right. I am sorry that we were not able to add this language that we think would have improved his amendment.

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

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

Mr. ROHRABACHER. Let the American people who are watching this debate fully understand exactly what maneuvers are going on here. An attempt is being made to authorize money.

The cochairman of the Unfunded Mandates Caucus, and I am a founding member of the Unfunded Mandates Caucus, are doing everything that they can to find language that will in some way be acceptable to people who are claiming that this is an unfunded mandate. That was the purpose of the original Roberts language.

Now we have an amendment to that trying to bend over backward to find the language in which the whole argument that this is an unfunded mandate can actually be addressed. Instead, what we have are the people who are using that argument against us to try to defeat this bill are defeating the attempt to make it or to address the problem, and the reason why this is happening is because they do not want the Federal Government to address the issue.

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

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

Mr. FORD of Michigan. Mr. Chairman, the gentleman pointed over here and said that people are making the unfunded argument, but you have not heard that from the committee. No one on the committee has said anything about that. No one on the committee has made an argument against this amendment because of who is going to pay for it or not. We do not believe it is right to have little children in public schools enlisted to be spies against other members of their families, no matter who pays for it. We do not care whether it is funded or unfunded. It is immoral. It is wrong.

Mr. ROHRABACHER. I am glad the gentleman made that point. He does not care either way whether it is funded or unfunded.

Mr. CONDIT. Reclaiming my time, I will simply say there have been a number of Members in this House on both sides of the aisle that have approached members of the Unfunded Mandates Caucus and pointed out that this is an unfunded mandate. We tried real hard to accommodate them. We tried to come up with language that was fair, and I want to commend the gentleman from Kansas [Mr. ROBERTS] for his honorable efforts to try to do that.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words. I wanted to first of all comment on the good intentions of the Unfunded Mandates Caucus. I understand, in our discussion, what they are trying to do to not place a burden on local school systems.

However, I have a concern that if we were to vote and accept that particular

amendment which says that there is no mandate, that we do not have to go along with this recording program, that, therefore, the program does not exist. This makes it more palatable perhaps in the minds of some people, and I, quite frankly, think that we should just vote down the Rohrabacher amendment on its own lack of merits and not because it is not something that is funded.

Mr. Chairman, I believe that we, in Congress, must be committed to the education of all of our children. For this reason, I rise in opposition to the Rohrabacher amendment, which would require the more than 14,000 school districts across the country to report the number of undocumented students in their school systems. This amendment also would prohibit funds under the Elementary and Secondary Education Act to serve students who are not lawfully in the United States. The Rohrabacher provisions are unwise, unworkable, and unfair for a number of reasons.

Keeping track of undocumented students would create a paper nightmare for school districts. The public schools in our country are not equipped to handle the enormous burden of gathering data regarding which students are not lawfully in the United States. The Rohrabacher amendment would turn local school districts into mini-immigration services, and every teacher, school principal, and school administrator would be an agent of the Immigration and Naturalization Service [INS]. These school officials would have to determine the citizenship status of every student and their parents.

If the purpose of the Rohrabacher amendment is to address the problem of illegal immigration, there is no evidence that links illegal immigration to the right of public schooling. The Rohrabacher amendment simply would not work. Moreover, further inspection of the amendment raises concerns that, besides denying Federal funds for services to undocumented children, the provisions also would deny federally funded services to children who are in the United States legally.

Most immigrants, whether or not they are documented, most likely will remain in the United States. The Rohrabacher amendment would create a subclass of uneducated individuals who most likely would end up on the streets. Instead of contributing to the tax base of our society, these children would only add to the long-term problems of homelessness and crime.

The Rohrabacher amendment is punitive, mean-spirited, and unconstitutional. Why should we punish children for the actions of their parents? Our students represent the future of our Nation. We must educate all of our children, for they are the citizens of tomorrow and our future workers. In 1982, the Supreme Court handed down a

decision that all undocumented children have a right to a public education in the case, *Plyler versus Doe*. The Rohrabacher amendment clearly contradicts this Supreme Court decision which affirms that basic education cannot be denied to any child.

Mr. Chairman, I recognize and uphold the right of the United States to protect its borders and regulate immigration. The Rohrabacher amendment would do nothing to address concerns regarding illegal immigration. Instead, it would have a detrimental effect on children, and ultimately on the future of our Nation. I urge my colleagues not to allow immigration concerns to permeate education by voting against the Rohrabacher amendment.

Mr. BAKER of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Roberts amendment.

We should begin paying for these things. That is what the debate on the balanced budget amendment was, and this is going to be one of those small items that we are asking local governments to fulfill that ought to be paid for.

Now, should we ask schools to ask their students, "Are you a citizen?" There is tremendous cost involved here.

Second question: "Are either of your parents a U.S. citizen?" Tremendous expense here. People come here to have their babies, it is charged. We give free hospitalization, we print in Medicare—Medical, in California—in several languages, "We won't turn you in. We will give you free service if you want to have your baby here. We will pay for it." Where would you, if you lived in Latin America, want to have your child? Free delivery, free health care, free schooling on the U.S. taxpayer.

Folks, enough is enough. It is time we not only pay for the government we are having today, it is time to say we limit that service to the U.S. citizens and to those aliens who have waited patiently for 5 years to become citizens of the United States.

Instead, we say to anybody that can hobble, crawl, or swim or get over the border, "We will open up the treasury for you." And then we go home and talk how conservative we are and how we are going to balance the budget.

Who are we fooling?

Free education. UNESCO just said we spend more on education than any other country in the world. That was printed in *USA Today*.

Where would you go to have your child if you knew those facts? Right here. And they are doing it by the tens of thousands.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BAKER of California. I yield to the gentleman from Indiana.

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

I would just like to say: In 1992 we spent \$13.2 billion, that is 13,200 million dollars, on primary and secondary education for illegal aliens; \$8.5 billion in Medicaid; \$7.8 billion for local health and welfare services; \$2.9 billion for bilingual education; and \$2.8 billion for AFDC, and over the next 10 years it is going to cost at least another 225,000 million dollars—that is \$225 billion.

Now, the majority leader said on this floor a little bit ago if we are going to deal with the illegal aliens problem, we ought to appropriate more money for the Immigration Service. And I agree with that. But that alone will not solve the problem. We need a full court press.

From Mexico alone we are getting a new 1.3 million illegal aliens staying in this country every single year. That is just Mexico. That is not coming across the Canadian border or through Miami or anyplace else. We have a virtual tidal wave of illegal aliens. We need a full court press through the health agencies, education agencies, and everything else to deal with this problem; otherwise we are going to be drowning in a sea of red ink caused, in large part, by illegal aliens coming into this country.

Mr. ROHRBACHER's amendment may not be the panacea for the problem, but it is a step in the right direction. I urge my colleagues to support it.

Mr. BAKER of California. Mr. Chairman, two last points on my time. We are asking, through this act, 900 pages of regulations on the local school district. We say, "If you ask them if they are citizens," that is going to overburden the school districts. We have nationalized, in this act, the school system with Goals 2000.

Twenty percent of our prison population in California is illegal aliens. We say America is for opportunity; some come here for crime, free medical care, free education. Let us draw the line, let us accept the Rohrabacher amendment now.

The CHAIRMAN pro tempore (Mr. VALENTINE). The question is on the amendment offered by the gentleman from Kansas [Mr. ROBERTS] to the amendment offered by the gentleman from California [Mr. ROHRBACHER].

The amendment to the amendment was rejected.

Mr. RICHARDSON. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, first let me say that I am very proud of Chairman FORD, the gentleman from Michigan, and the Representative from Florida; the opposition to this legislation, along with the Representative from Maryland, is bipartisan, and it is heartening to see that the House of Representatives is reacting negatively to an assault that seems to be taking place not just on undocumented workers but on legal immigrants and later, next week, on eliminating bilingual education programs that benefit Hispanic children,

Asian children, and native American children.

While the debate on the restriction is an unfunded mandate debate, I want to speak here briefly on behalf of people who are part of the American dream. What I am pleased with is that it is not just members of the Congressional Hispanic Caucus, all of whom are opposed to the Rohrabacher amendment on a bipartisan basis, but it is Americans who, for whatever their ethnicity or ancestry, are strongly opposed to what is happening here.

Forget the fact that this amendment turns every educator in this country into an INS agent. Schools would have to determine the citizenship status of every student and every parent. Talk about paperwork on teachers, on administrators. First of all, this does not sound like a Republican amendment: more paperwork, more cost, unfunded mandates; with all due respect, the rhetoric we have heard over the years.

Our schools are overburdened with costs and redtape. We would be adding another layer.

This amendment would also cause discrimination against all nonwhite students and their parents. Why? Do you know why? Do you know who would be asked to produce their little card or would be asked to register and come to the principal's office? It is not going to be the American who looks like Robert Redford or Mr. ROHRBACHER; it is going to be the Hispanic, it is going to be the Asian, it is going to be the native American, the doesn't-look-quite-like-an-American.

That is not right to do that to students and to parents.

Families are going to be wrongly identified, and irreparable damage is going to be done to American citizens and other people who are legally entitled to be in this country, not to mention the fact that you are going to make thousands of kids and parents feel not like Americans. They, their families, may have served in every war, they may have given blood for this country; but somehow because they do not look American, they're going to be unfairly singled out.

This is not the proper context to discuss this issue. Let us have a national immigration bill, a new one which deals with the issues of undocumented workers, of legal immigrants, that deals with the issue of the earthquake. But as immigrants, that deals with the issue of the earthquake. But as somebody of Hispanic ancestry, I cannot help but see that every bill—and now I understand that in the budget resolution there is another amendment that singles out a group of people. We know who it is, we know who you are talking about. That is not what America is all about.

So, I say let us start today with a rejection of the Rohrabacher amendment. Let us go next week also and say

"no" to two amendments that deal with bilingual education. In other words, they eliminate bilingual education, which, in districts all around this country, affect not just Hispanics, not just native American children, but affect children who are perhaps not that typical American.

So, once again to my colleagues, reach down and do the right thing. And the right thing is, yes, to cast a vote against unfunded mandates, which this bill does; yes, vote against more paperwork and more bureaucracy, which this amendment does; but also in terms of the humanity of this House, so that every American who is legally here—a nation of immigrants—can feel that they are not unfairly treated. This is what this amendment will do, and I ask for a "no" vote on the Rohrabacher amendment.

Mr. Chairman, I rise today to express my strong opposition to the Rohrabacher amendment. This amendment, not only discriminates against innocent children, but it also adds an overwhelming burden on our own local schools which will effect the education of all children nationwide. The amendment is an unfunded Federal mandate which requires local schools to report on the immigration status of innocent children and their parents without giving any money to help schools with the enormous costs of conducting these investigations.

Under this amendment, school administrators and teachers who are already overwhelmed with the educational system would have to enforce complex immigration laws. Those in favor of the amendment may try to argue that its passage will prevent illegal immigration. Mr. Chairman, that is simply untrue. Instead, if this amendment passes, teachers will be overwhelmed with administrative burdens and costs and will be unable to give their full attention to educating our children. The result will be poorly educated individuals unable to contribute to the future work force of our country.

The Rohrabacher amendment would also expose innocent individuals who are U.S. citizens or otherwise legally admitted into this country to widespread discrimination. By requiring untrained State and local officials to make complex determinations on immigration status, it is likely that only those who appear foreign will be asked to produce proof of citizenship when they are detained or questioned. In fact, innocent individuals have been mistakenly deported, and under this amendment, cases of mistaken identity will be enormously increased. Mr. Chairman, this amendment will force teachers to single out and discriminate against students in order to receive the funds they desperately need. Such an idea is unthinkable and unfair to every child in this country.

This amendment also undercuts the Supreme Court decision mandating that States provide a public education to all children by potentially discouraging children from attending school. Without a good education, these individuals will be unable to contribute to the progress of our Nation.

Mr. Chairman, school boards as well as the immigration and naturalization service oppose

this amendment. They do so because they understand that our focus needs to be on the enhancement of our educational system for all children. By discriminating against our children and by adding more burdens and costs to our local schools, we would be harming all Americans. The education of innocent children is at stake, and education is essential for all children in order to keep our Nation strong. I therefore urge my colleagues to vote "no" on the Rohrabacher amendment.

OPPONENTS OF THE ROHRABACHER AND ROTH AMENDMENTS

Department of Education.
Immigration and Naturalization Service.
Office of Management and Budget.
Asian Law Caucus.
ASPIRA Association, Inc.
American Association of School Administrators.
American Federation of Teachers.
Asian-Pacific American Labor Alliance.
AFL-CIO.
Chinese for Affirmative Action.
Council of Chief State School Officers.
Council of Great City Schools.
California School Boards Association.
California State Department of Education.
Cuban-American National Council.
Hispanic Association of Colleges and Universities.
International Reading Association.
Japanese American Citizens League.
Mexican American Legal Defense and Educational Fund.
Multicultural Education, Training and Advocacy.
National Association for Bilingual Education.
National Association of Elementary School Principals.
National Association of Federally Impacted Schools.
National Association of State Boards of Education.
National Conference of State Legislatures.
National Education Association.
National HEP-CAMP Association.
National Hispanic Leadership Agenda.
National School Boards Association.
National Council of Educational Opportunity Associations.
National Council of La Raza.
National Council of Social Studies.
National Council of Teachers of English.
National Council of Teachers of Mathematics.
National Parent Teacher Association.
National Puerto Rican Coalition.
The Navajo Nation.
Organization of Chinese Americans.
Puerto Rican Legal Defense and Educational Fund.
State of New York.
Texas Education Agency.
U.S. Catholic Conference.
U.S. Conference of Mayors.

[From the Executive Office of the President, Office of Management and Budget, Mar. 1, 1994]

STATEMENT OF ADMINISTRATION POLICY
H.R. 6—IMPROVING AMERICA'S SCHOOLS ACT OF 1993

The Administration supports House passage of H.R. 6. The bill would: (1) reauthorize and restructure the elementary and secondary education programs of the Department of Education to make them better vehicles for helping all children achieve high standards; (2) direct greater Federal resources to the poorest schools and communities; (3)

support education reforms under way in the States; (4) support sustained intensive professional development in the core academic subjects for educators; (5) assist efforts to make our schools safe and drug-free; and (6) provide increased State and local administrative flexibility, in return for greater accountability for successful education results.

Although H.R. 6 contains provisions that the Administration does not support, it is consistent with Administration objectives and, in most respects, would substantially improve current law. The Administration looks forward to working with Congress to strengthen the bill further as it moves through the legislative process.

Of the amendments that may be offered on the House floor, the Administration strongly opposes the following:

(1) The Rohrabacher amendments that would affect undocumented students and children of undocumented parents. These amendments would impose an enormous data-gathering burden on schools and conflict with the Administration's goal of holding all children to the same challenging standards. States and local school systems would continue to have the constitutional responsibility to educate undocumented children, but public schools would be denied the Federal resources available to assist them in meeting their responsibility. Finally, these amendments would likely subject citizen and legal resident children of certain ethnic backgrounds to discrimination and humiliation.

(2) Any amendments that would restrict the ability of local communities to make their own decision about school-based health education and health services programs compatible with the needs of their children.

U.S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE,

Washington, DC, February 28, 1994.

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

DEAR MR. SPEAKER: This is to express the strong opposition of the Immigration and Naturalization Service (INS) to the amendments to H.R. 6, the "Improving America's Schools Act of 1994," which have been proposed by Congressman Dana Rohrabacher. The first amendment would require local school districts to provide annually to the Department of Education the number of students who are not lawfully in the United States, and the number unlawfully here who do not have at least one parent or legal guardian who is lawfully in the United States. The second amendment would bar the use of Federal funds for assistance to any individual who was not a citizen or national of the United States, a permanent resident alien, or an alien who is a parolee, asylee or refugee.

As a practical matter, school districts cannot by themselves make immigration status determinations about students or their parents and therefore would have to work with INS to implement these amendments, which would be extremely difficult and enormously burdensome for the INS. INS would have to divert scarce resources from other enforcement priorities, including border enforcement and the removal of criminal aliens, to check both our automated and other records of aliens in the United States. The local educational authorities could not be directly linked to our automated databases without creating vast opportunity for privacy violations. Finally, the labor-intensive require-

ments contemplated by these amendments could not be assumed without extensive new resources.

In addition, the first amendment would require the local educational agency to count students who are not lawfully in the United States, which is a category that does not correlate with the one used in the second amendment to define alien students who could benefit from the Federal funds—"permanent resident aliens, parolees, asylees, and refugees." Certain other aliens are deemed by statute, regulation and court decision to be "lawfully in the United States."

I urge you and your colleagues to oppose this amendment. We share a concern that illegal aliens not be allowed to remain in the United States, but INS believes that these amendments will not further that end.

Thank you for your consideration of our views. The Office of Management and Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

DORIS MEISSNER,
Commissioner.

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

□ 1530

Mr. Chairman, representing the districts I do, it would be very simple to get up and say I support the amendment. I do not support the amendment. I do not support the amendment for numerous reasons. But, No. 1, I do not support the amendment simply because I agree with what the majority leader says, which I will summarize in just one or two sentences. I think what the majority leader said was that he would hope that we would look at the issue, which certainly needs fixing. I do not think there is anyone in here who does not believe it needs fixing. But let us let the committees of jurisdiction act, and act promptly, so that we have a cohesive approach, rather than a piecemeal approach, which is what we will do if we keep adding pieces of other legislation that is before us.

I have a second concern. Every youngster that is born in this country is a citizen in this country. I have said over and over again that, if we are ever going to make the grade in dealing with illiteracy in the country and helping all people become productive citizens, there has to be a family effort to do that. So, Mr. Chairman, we cannot say on one hand that we support a family approach to the literacy problem and on the other hand say, "Well, the child was born here, so you can deal with him, but you can't deal with the parent." It would be my hope that we do have this comprehensive approach that will come later.

I do have to just jab a little at the Californians however. We lost two seats in Pennsylvania. We did not lose two seats in Pennsylvania because we lost population in Pennsylvania. We lost two seats in Pennsylvania because we did not have any illegal aliens to count, and we are allowed to do that

when we are talking about redistricting. So, I have to jab just a little at the Californians who are up here crying.

But again we need a comprehensive approach. That should come from the committees of jurisdiction. The youngsters that are here should be educated, and we should, in turn, make sure that their parents can become their first and most important teacher.

Mr. CONDIT. Mr. Chairman, today we are considering an amendment offered by my colleague, Congressman ROHRBACHER, that would require school districts receiving funds under the Elementary and Secondary Education Act to survey and report to the Department of Education the number of children in their schools who are undocumented residents or are the children of undocumented residents. Many Members have observed that this amendment is an unfunded Federal mandate because it would impose requirements on local school districts without providing them the funds necessary to implement the mandate. My colleagues who have labeled the amendment as an unfunded Federal mandate are correct. The Rohrabacher amendment, as drafted, would require local school districts to use their own resources in order to meet its requirements. Thus, it is an unfunded mandate.

As the cochair of the congressional caucus on unfunded mandates and as the primary sponsor of legislation addressing unfunded mandates, I am adamantly opposed to enacting further unfunded mandates. I have taken it as a personal responsibility to amend bills or amendments that impose unfunded mandates so that our local jurisdictions will not be saddled with financing further Federal dictates. Therefore, I, along with Congressman ROBERTS, attempted to amend Mr. ROHRBACHER's amendment so that it would not result in an unfunded mandate. That was our sole purpose—to prevent another unfunded Federal mandate from being passed onto our local governments. It should be understood that by attempting to amend Mr. ROHRBACHER's amendment we were in no way endorsing his proposal. In fact, I believe that the reauthorization of the Elementary and Secondary Education Act is the wrong forum to address our Nation's immigration policy. I say that even though I believe that our immigration policy is failing and States, such as California, are being made to suffer because of our inadequate immigration policy.

The Roberts amendment to the Rohrabacher amendment was defeated by the House. So the Rohrabacher amendment remains an unfunded mandate. Because it imposes costs on local schools without Federal reimbursement and because I believe that H.R. 6 is the wrong vehicle in which to address the shortcomings of our immigration policy, I will be opposing the amendment offered by Mr. ROHRBACHER.

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

Mr. Chairman, I rise today to state my strong opposition to this amendment. This amendment is a bad idea whose time should never come.

Have we come to a time in our history when we want our school children

spying on their mothers and fathers. Is it the role of our schools to teach our children to be spies and informants. Does this amendment foster trust—trust between parents and their children, trust between teachers and their students. I say the answer is "no."

Rather than nurturing an atmosphere of trust, the Rohrabacher amendment would breed an atmosphere of suspicion and division.

Do we really want our little boys and girls to become little CIA agents or, in this case, INS agents. This is not what our schools are for. Our schools are for teaching and for learning.

This amendment was conceived in darkness and born of intolerance and division. It should not be the law of the land. I say let us defeat it now.

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

The CHAIRMAN pro tempore (Mr. VALENTINE). The Chair recognizes the gentleman from Hawaii [Mr. ABERCROMBIE] for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. BAKER of California. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. VALENTINE). The gentleman will state his parliamentary inquiry.

Mr. BAKER of California. Mr. Chairman, pardon me, but do we go back and forth?

The CHAIRMAN pro tempore. The Chair will say that the gentleman from California [Mr. BAKER] has already spoken on this amendment.

Mr. BAKER of California. On the Roberts amendment, Mr. Chairman, I have not spoken on this, and there are two others waiting behind me, so we are not short of Republicans here.

The CHAIRMAN pro tempore. If it is satisfactory, the Chair will recognize the gentleman next.

The Chair recognizes the gentleman from Hawaii [Mr. ABERCROMBIE] for 5 minutes.

Mr. ABERCROMBIE. Mr. Chairman, I consider the gentleman from California [Mr. ROHRBACHER] to be my good friend. Now that is said on this floor probably more often than not, and maybe it is thought to be a rhetorical flourish, but in this instance I think the gentleman from California [Mr. ROHRBACHER] would agree that indeed we are friends and that I urged him today, again and again as a friend, because I know him as someone who has stood up for civil rights, as someone who has stood up for human rights and someone who values a single standard of conduct across this world where human rights are concerned, but I urged him to withdraw this amendment because it is not worthy of the person that I know as DANA ROHRBACHER.

This is not the time to start a contemporary Schindler's List, and that is what this amendment is. This says, "Is

your mother or father Jewish? Is your mother or father a Bohunk?"

Mr. Chairman, when I grew up in Buffalo, NY, I knew what that was:

"Are you a Dutchie?"

"Are they a Wop?"

"Are they a Dego?"

"Are they a Kike?"

"Are they a Spic?"

And, my colleagues, do not think that is not what people think it is, and do not think we are going to get away with it, and do not sit there and frown on the other side while saying, "Oh, no."

And do not think it does not shame me to stand here with the countenance that I have, elected from a district that is three-quarters different color than I am, knowing that my ancestors were Scottish and driven out of Scotland by people who enclosed their land and said they were sheep thieves. I ask, "starting down this trail of telling people that how they look, and where they come from, and who they are is going to determine whether they can learn, whether they can pick up a school book?"

Mr. Chairman, a child is to be treasured, and a child is innocent.

Now I have heard words on this floor about building walls 20 feet high and digging ditches 20 feet deep. Well, if that is what it takes for human beings or adults in this world to address their problems with one another, then I say, "Go to it, but do not take their children and cause them to be the foundation of this kind of sin against their innocence."

Mr. Chairman, I say, "Vote down this amendment, and vote down all similar amendments. If we cannot have a world such as I come from, where I have the honor to be able to hold up my hand, as virtually everybody else has had that opportunity, to say that we honor a man like Mr. NATCHER today for voting for 40 years, to say that we hold up and defend the Constitution of the United States, to come from a place that is multiracial, multicultural, multiethnic, and we believe in having a rainbow of people in the United States of America, and to say to them, 'I'm sorry your parents are not legal, you're not allowed in this school, you have to prove whether you have a chance to be here to pick up that book to learn?'"

Mr. Chairman, people were put in detention camps in this country less than half a century ago because they were Japanese-Americans, and they were Americans. They were already citizens, and they were put into detention camps because of who they were. I ask my colleagues, "Do you think that this kind of mentality is any less than that mentality?"

I thought we learned something. This Congress actually compensated those people for that wrong that was committed, and yet today we stand here and say we are going to do it.

I say to my colleague, DANA, my friend, please withdraw this amendment. If you want to bring up the other, we can debate it about whether to mandate it or not mandate it. If you want to talk about bilingual education, we can discuss that. That's a matter of policy. That's a matter of philosophy. But this is a fundamental matter of humanity. DANA, please withdraw this amendment.

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

Mr. Chairman, I know this is boring, but I would like to get back to the amendment.

This bill says that H.R. 6 funds cannot be used by any agency unless they report the number of students enrolled who are not lawfully in the United States. Has nothing to do with bilingual education. Has nothing to do with anything we have just heard. It has to do with how many people are being subsidized by the U.S. taxpayers who are not here legally.

I tried to make this point when we created the new National Standards Act and we had 4 hours of debate just like this. It was emotional, heart-wrenching, but not to the point.

The taxpayers are fed up because we will not balance our budget, they are fed up because we are living and rolling in debt, and they are fed up because more and more people are coming here illegally. We already accept more people legally each year than the rest of the world combined, and now we say, "Come have your child. We'll pay for the delivery. We'll pay the medical costs. We won't turn you in to INS."

I ask, "What if you're an employer? What has this same Congress said? What have the people that have been making these heart-wrenching speeches said to the employers who feed these families?"

"If you don't ask, if you don't fill out your forms correctly, we will fine you \$5,000, and if you don't report every illegal alien, we will put you out of business."

□ 1540

That is what we tell employers. What do we tell government agents? It is discriminatory if they ask if they are here legally. That is a burden in costs. It is going to destroy public education. It is going to punish children. Yet we flog employers in the United States if they do not ask.

Where do the INS agents go? Do they patrol the border? They try. They go to the farms, they go to the restaurants, they go out and find the people who are productive. Do they go to the welfare offices? Do they go to the unemployment offices? Do they go to the schools? No. They flog those people who come here for opportunity.

If we want to balance this budget, we should send the INS agents to the pris-

ons and take all the 20 percent of California, 16,000 strong, and return them to sender.

Let us not be emotional. Let us read the amendment. No school district receives funds unless they report the number of students enrolled who are not lawfully in the United States.

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

Mr. BAKER of California. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I think it is important for us to describe to the people who are watching and listening to this debate exactly what has happened in the debate so far.

There was an attempt to authorize the funds, which I would say would be a minimal cost, of just asking those two questions about whether someone was here legally or was a U.S. citizen, and that was voted down by Members who are now opposed to those claiming it is an unfunded mandate. We have a quote from Chairman FORD, who suggested he does not care if it is funded or not, he would be opposed to it whether or not it was funded.

So if the public is listening or if the public who are reading the transcript will understand, that is where it is really at. This whole argument about whether it is funded or not funded is kind of a vehicle to oppose the substance of the amendment. The substance we are talking about is an attempt to get control of a flood of illegal aliens who are coming into our country and basically taking resources that they, as illegal aliens from whatever country they come from, should not be entitled to because we do not have enough money to provide medical care and education and housing benefits and all the other benefits for everyone in the world who can get here illegally.

I have been in favor of legal immigration. I voted for the last immigration bill, which was a very substantial and positive bill, and I am in favor of legal immigration. But if we just say that anyone who comes here illegally can get the same benefits package and is indeed entitled to the same benefits package as Americans, we are condemning our own people, our seniors, and our younger people, to basically a breakdown in the social services and a breakdown in their educational system.

I know that people are trying to say that those of us on this side are in some way mean spirited, or at least they imply it. We do not have to be mean-spirited to say that we cannot take care of everybody in the world and we have a limited pot to draw from. But that money should be spent for people who are here legally and who are U.S. citizens. That is not mean spirited. I think that is a caring attitude, because if the system breaks down, nobody is going to be helped.

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

Mr. Chairman, I will not take all of my time. For once it is good to be a member of the committee and be able to be recognized ahead of others who are waiting in line.

Let me talk about something a little bit away from the amendment itself, and then I will come back to it in very succinct words.

The majority leader stood up and said he would work in the direction that we need to stop illegal immigration with an immigration bill, and I would ask my colleagues to support that because I think that is the direction all of us want to go instead of attacking each and every one of the bills that come up with different items. The reason is that if we can stop and have the means of stopping illegal immigration into our country from whatever direction, then we would not have two-thirds of our children in Los Angeles who are born to illegals going down and collecting AFDC. There will still be some, but that number will dwindle. And we will not have these same problems with the States not being funded to provide the schools, because those students will not end up in the schools because they are illegal and they are stopped at the border. I think that is the general direction my colleagues on both sides of the aisle would like to go. I think that is what they would like to support. I do not think it is healthy for us to fight on every one of these bills, although I understand the desire to fight on this issue.

Let us take a look at what we can do to stop the illegal immigration in our country. One of the problems we have, especially in the State of California is that a school district that does not get its Federal money does not really cry at not getting the money from the Federal Government for illegal immigrants. They get it from the State. The Federal Government covers only about 5 percent of the total education dollars, a very small portion. So the school district goes to the State budget and says, "We have these many faces sitting in chairs, and we need the money," and they get the money for those students. There is no problem there.

Where the problem exists is when they go back to the Governor or the budget committee at the State level and they ask for dollars for their normal programs and the Governor says, "Sorry, we have no more money. We will have to cut your education programs. It is not fair because we haven't divvied up with the Federal dollars."

I understand the amendment offered by the gentleman from California [Mr. ROHRBACHER]. We need to identify the numbers. I question whether this is the right area to do it. I think if we can get an immigration bill and if our colleagues will support our getting an im-

migration bill on the floor out of the Committee on the Judiciary, which has been a black hole for this subject for a long time, then I think both sides of the aisle can come to some agreement, and maybe we can stop the rhetoric on both sides.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, let me ask the gentleman from California [Mr. CUNNINGHAM], for the benefit of our fellow Members, which State is the gentleman from?

Mr. CUNNINGHAM. California.

Mr. TAYLOR of Mississippi. And Mr. ROHRBACHER?

Mr. CUNNINGHAM. California.

Mr. TAYLOR of Mississippi. The State of California. I guess most of the proponents of this measure are from the State of California?

Mr. CUNNINGHAM. I think primarily the border States of Texas, Arizona, California, and any other States that have been affected.

Mr. TAYLOR of Mississippi. Mr. Chairman, I think the gentleman did an excellent job of explaining to the taxpaying citizens the responsibilities of running a school system and it is pretty much the same throughout our country. The locals pay for the buildings and the administration, and the States pay for the classroom teachers. What this bill does is put a burden on little towns like Kiln, MS, Bay St. Louis, MS, and Biloxi, MS, that do not have immigration problems, requiring them to fill out more forms. They do not have immigration problems. In fact, let us face it, out of 50 States, how many States really have immigration problems? It is mainly California.

If California has a problem, would not that problem be best addressed in the California Legislature rather than the U.S. Congress? I do not solve all of Mississippi's problems here in Congress. They have a wonderful legislature that takes care of Mississippi's problems.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, let me say that I understand what the gentleman is saying. One of the problems is that the taxpayers in California then have to foot the bill for the other States for the education portion, because it is costing us \$3.7 billion a year that we do not have. And it is a national problem. The gentleman from Mississippi said we do not have individual problems, but we do have a problem, and all we are asking is that when it comes time to come on the floor with a bill out of the Committee on the Judiciary on illegal aliens and legal aliens, the gentlemen support us on the House floor. I think in answer to the gentleman's question, speaking to Members on both sides of the aisle, that it would be much better for all concerned if we would focus on that area.

□ 1550

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

Mr. Chairman, during the last few months, we have come to the floor to discuss this issue in a different form almost on a weekly basis, and during that time and each one of those times, the debate has been very emotional, as in fact it has been today. And I have been part of that very emotional debate.

Today I decided I was going to try something new, that I was going to come to the floor and only discuss the numbers and only discuss the issue, and try to stay away from the emotion of this issue, only to realize that I was fooling myself, that indeed this is not a debate about numbers, it is a debate about a cheap political style. And that is to take the suffering of a people and to use it for those people to feel that we in Congress are helping them by turning them against another group of suffering people.

So it is true, as it has been said on this floor, that the American people are complaining about how many dollars they pay in taxes. And it is true, also, as has been said on this floor, that the American people are complaining in many cases about their condition.

What is not true, however, and we have to be clear on it, is that the American people were the ones who thought up this idea of turning on permanent residents, on illegal immigrants, and the children who may be here undocumented. That is not true, and the record should show it is not true. It wasn't the people that started discussing that subject. It was talk show hosts and some elected officials in this country who decided that it was easier to come up with an easy target, rather than to sit down and really try to solve the problem of the economy, of housing, of jobs, of social services.

So now we stand up here and we say that if we really turn on these little children, and we make them spy on their parents, and we try to document every one who is not documented as an undocumented person, that somehow we will be servicing the American people. We are mistaken.

The gentleman from California [Mr. ROHRBACHER] has said that some people have implied that this amendment is mean spirited. I want to be clear in this, one of my two languages. I am not implying. I am stating that it is mean spirited, it is misguided, it is foolish, and it divides our community.

Now, a lot of the people that got up to speak also have no understanding of what a school district goes by. Well, in my other life, before the State legislature and before the Congress, I was a district school administrator. And we had at that time 33,000 students from all over the United States and, for that matter, from all over the world.

What I would have to do today under this amendment, to go and ask every single child to bring proof—to bring proof—that he and his parents are documented, is beyond anything that anyone can imagine here. It would be a burden that I could not carry.

There is the additional problem which I continue to bring up, and I will continue to bring it up all the time, which seems to score no points with very few people who propose these amendments, and it is the fact that there are people in this country who were born citizens, whose ancestors have been born citizens for hundreds of years, but who continue to look different from what Hollywood and other places think Americans should look like, and only they will be asked to produce papers.

Let us face it. A child with my name, looking somewhat un-American, quote—unquote, would be asked to produce papers. I have done it a hundred times and I will do it again.

You see, I carry no proof that I am an American citizen. I was born in Puerto Rico a citizen. I have no proof. Incidentally, if you come up with another amendment to make me carry papers, I will never carry papers to prove I am an American citizen.

Let us understand that this is not a good idea. Let us understand that this is not supported by people who work in the field.

I have and I will submit for the RECORD the names of 40 organizations who have written to you, people like the Department of Education, the INS, the Office of Management and Budget, the School Boards Association, the Elementary School Principals, the Federally Impacted Schools, the Bar Association, all throughout this Nation, saying you cannot do this. Please, let us defeat this amendment.

The CHAIRMAN pro tempore. The time of the gentleman from New York [Mr. SERRANO] has expired.

(At the request of Mr. BURTON of Indiana and by unanimous consent, Mr. SERRANO was allowed to proceed for an additional 30 seconds.)

Mr. SERRANO. I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. As a school administrator, I would like to ask the gentleman, in your school, did the students have to have it certified that they had their measles shots and other shots?

Mr. SERRANO. Unfortunately, when I was an administrator, we did not pass that law yet. They did not have to verify that.

Mr. BURTON of Indiana. That is unusual. Most of the country does.

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

Mr. Chairman, I was not going to speak on this issue today, but I have been sitting and listening to a lot of

the debate, a lot of the rhetoric. I would like to respond to a couple of the comments that have been made and I think that we really need to focus on, which is something that we have not addressed today.

Americans come in all colors. So do illegal aliens. This is not an issue of color. It is not an issue of ethnic background. It is an issue of the law.

In California, and in other States, this is not a small problem, Mr. Chairman. We are not talking about a few hundred or a few thousand. We are talking about several hundred thousand individuals that are in our public schools that have no legal right to be in the United States. That is the issue. It is an issue of the law.

Mr. Chairman, when I was a student in elementary school, I remember that it was a requirement for me when I enrolled in school to present my birth certificate. Somewhere along the line these things have changed. I have raised four children in the public school system, and I can tell you that my children, and hopefully some day grandchildren, when they apply to school, I would have no problem at all if the administrators asked for my children's proof of residency, and I do not think that anybody that is intellectually honest on this would object either.

Mr. Chairman, the folks that are hurt the most by this issue of illegal immigration are those that can afford to be hurt the least, and we do have an obligation to those that have a lawful right to be in this country first.

Mr. Chairman, I would yield the remainder of my time to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I would congratulate the gentleman for underscoring a point that needs to be made, and that is this is not an issue of race. This is an issue of economics and legality. I have had a great outpouring of support from Americans of Mexican descent in California who support this proposal and my basic fundamental position, which is that public services should not be provided for illegal aliens.

Mr. Chairman, they support this position because they themselves depend on many of these government services, and see that the quality of the services are being diluted as they are being stretched to the breaking point. We have to make a choice with limited resources between people who are here legally, whether they are citizens or legal residents, and people who are here illegally, because so many people have come here from other countries it is beginning to break down the public services in many of our urban areas, especially in California.

Mr. Chairman, those on the floor saying this is a matter of race, because it is so terrible they are going to be asked, and obviously they will only be

asking people who look like they are Mexican Americans, or Hispanic-American, will probably be the only ones asked, that is what is being implied, that is not the case at all.

This legislation would require people to present their birth certificate to prove legal status. Everybody. Every child.

By the way, those who are complaining the most about this, and I would hope to be corrected if I am wrong, are the ones who would absolutely mandate this on employers, and not think anything of requiring this horrible, horrible mandate on people, to do what they consider to be something racist. But the fact is, if it was so racist, they would not want to put this on the employers.

What we are doing now basically by the policies we are stating today, is we are making it a crime for an illegal alien to work, but we are giving an incentive for people to come here illegally and to consume government benefits, and many of the times those government benefits are being stretched to the breaking point, to the point our own people who paid for them, of every race and ethnic background, are getting shortchanged.

That is not what this Government is supposed to be about. It is not that we do not care about those people coming here. We have to care about our own people more, because that is the wonderful thing about America.

□ 1600

We come from everywhere. We are part of the great American family, but we cannot just dissipate all the funds on people who come here illegally. The Immigration Service cannot do it on their own.

We have Members saying, "Just let the Immigration Service do it." If we are providing benefits, who is kidding who here? The American people understand that if we are providing huge cash incentives and benefit packages to people who come here illegally, the Immigration Service is never going to be able to get control of the situation.

We are trying an honest, good-faith effort of good will to come to grips with the problem that affects the lives of our people. The people who are watching and reading this RECORD will understand who is thwarting what and who is trying to correct the problem.

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

I would like to build a little bit on what the gentleman from New York said. In this country, I have noticed in the last 30 years we have to have someone to bash.

I remember at one time it was the truckers. If a person was a trucker, we had to bash them. We were popular, if we could be against the truckers.

Then it was the doctors, the doctors were the bad people in this country.

And for a couple of years that was the popular thing to do.

This seems to have started a year ago. I know there are a lot of illegal aliens. We do not know how many. We have tried to count them. I have been down there on the border. I have talked to a number of them that came across.

Some of them come across five times a year. They come over here for one purpose. It is to earn some money to go back home and feed their family.

We ought to be paying attention to the real problem here instead of bashing people all the time and trying to find some way to offset the deficiency in California's State laws.

If California has got deficiencies in their laws, correct them. But do not come down here to the Congress and try to hook something onto every bill.

Last year we had it on an appropriations bill, the one I handled. I opposed it. We defeated it. We finally defeated it.

This year it started right out, the first bill out of the box. Bash the aliens. We will have this all year. This is not the end. If we pass this, we will have it next year. It just whets the appetite.

Let us sit down and be reasonable, try to figure out what some of the problems are, relieve some of the pressures. There are pressures within Mexico. We know that. There are pressures down there. They come over here to get a job. That is what they come for, for no other reason.

We do not know how many there are, but let us try to relieve the problem by getting at the real problem and not bashing somebody on every bill that comes up this year. We are going to have 13 appropriations bills. We are going to have this 13 times, if we do not stop it.

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

I am for dealing with the illegal alien problem. I have been for doing something about it since 1975, when I was vice chairman of the U.S. Commission on Civil Rights and became deeply involved in this subject.

I regret to say, however, that I am opposed to this amendment. I think this amendment is wrongly drafted. I will get into that.

I do not think this is the way to go about solving the illegal alien problem. And my good friend and colleague [Mr. ROHRBACHER], and he is that, I appreciate the interest and the effort, because this is of concern, not only in California but throughout America. And it ought to be.

The gentleman from Pennsylvania [Mr. GOODLING] mentioned that he is well aware of the advantages of illegal aliens in California, because Pennsylvania lost two seats. He is correct. I went around the House, when we secured the additional money for the Border Patrol, and told a number of my

colleagues that their State will again lose additional seats after the next national census in the year 2000.

We need your help or you will lose a lot more seats to California. And you should lose seats to California and the Southwest as well as the Southeast if you do not help us.

I regret that until recently, when President Clinton advocated the counterfeit-proof Social Security card, that is the first time I have seen a President of the United States want to do something about this problem. Since 1975 and in 1980, two of us on the Commission on Civil Rights raised the issue and sought Federal action in doing something about the problem.

What Congress did do has not worked.

I am angered that no President in either party has seen fit to do something about illegal aliens for almost two decades. I hope President Clinton sticks with the promise of a counterfeit-proof Social Security card. That would truly help to implement the Simpson-Mazuzoli act.

As a Californian and a native son, I can recall the 1930's and the 1940's rather well. I can recall the time the teacher went around the room and asked us in what country our parents were born. My father happened to be a legal German immigrant in 1903 and had long been an American citizen. Hitler was at his prime in the late 1930's. I knew that if I answered "Germany", I would have a little trouble on the playground. I was not completely stupid.

He was born in Bavaria, and so I answered "Bavaria." Nobody had ever heard of Bavaria.

I remember rather well early 1942, when one-third of my classmates disappeared from the fifth grade. The shame of America, the shame of California, when Japanese-Americans, most of them citizens of the United States, were forcibly removed from their California homes and put in relocation camps. I still remember the Christmas present that little Eddie Kamomoto had left for me in the fifth grade class exchange. He was not there to finish the year or to graduate from elementary school with his class in 1945—the year that the Second World War ended. I think we all agree that the discrimination against those citizens and legally admitted aliens was shameful. Reparations were made by preceding Congresses. Those monetary awards do not bring back the last years to a generation of children. The actions that were taken were clearly unconstitutional.

There are actions we could take that would be constitutional, and we should take them.

I can also recall 1949, when I was called into the office of the superintendent of the high school. And he said, "I am sorry. You can't win the statewide prize of this nonprofit asso-

ciation because you have to have both of your parents born in America."

My father, a German immigrant and an American citizen, had worked in the United States Patent Office on chemical patents in the First World War. He and other American citizens of German ancestry were hounded by many. Most Americans of German ancestry have heard those experiences, whether they occurred in Nebraska or in California or in Washington, DC.

Now, if the school district would mail the certification to the parents, I would not have a problem with that. But I will tell Members what the school district will do. It will give the form to little Susie and little Johnny or little whoever and ask the child to take home the certification form in order to save the postage out of the school budget. And it will be the talk of this or that child on the playground. Many of these children do not know that they are children of illegal alien parents.

I just do not think that is the way to go about it. If we should do something like this, let us provide the money. Let us make sure the school districts have to mail the forms. And let us also do what counts first, which is learn to control our borders.

We have not done it on the Canadian border. Nobody talks about that. We certainly have not done it on the southern border or on the east coast and the west coast, as we have seen the Chinese loaded ships headed in our direction.

We have a problem. Anybody that had a semialert brain knew we had a problem 20 years ago.

It is about time we quit burying this in committees and get to work on solving the problem.

I shall vote against this amendment. But I am sure for doing something about it. If the Congress does not act responsibly and has more procrastination, Members will find me at the head of the line supporting an amendment like this next time.

In the meantime, let us straighten it out and do it rationally and let us do it constitutionally.

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

Mr. Chairman, I agree with my colleague from California that we cannot solve all of our immigration problems by adding these types of amendments on the bills that come before us either in authorization or appropriation.

Earlier colleagues, as I got to the floor, talked about obeying the law. I wonder if they understand that the reason that we do not ask for birth certificates, and we have not since 1982, has been that the Supreme Court, in the decision of Plyer versus Doe, they said that all children have the right to a public education regardless of the status of their parents. So that is the law of the land today.

I think the Supreme Court, in their judgment, looked at that law for social reasons. They knew that throughout the years, in the past and in the future, we are going to have immigrants, legal and illegal, in this country. And rather than have an underclass of uneducated residents, that it was in good social policy that we educate them, because they will become, whether we like it or not, the work force of the future. We would want them to be competitive in this country.

So we are obeying the law, Mr. Chairman. We are obeying the law of 1982, as set down by the Supreme Court.

I agree with my colleague, the gentleman from California [Mr. HORN], that we are going to have to solve our immigration problem.

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

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

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

There is only one person in this entire Congress that may be pure, and that is Senator CAMPBELL on the other side. No one else is really pure here.

□ 1610

You know, it is the vehicle, not the question of controlling our borders, it is the vehicle that is being proposed.

As a former school board member and the chief financial officer of a school district, it would be impossible to bring in all of the thousands of children in that district one by one, and say to little Jose, "Jose, are you a legal citizen of the United States?" Where do we start? Does it start with everybody? Imagine the cost, imagine the time.

In reality, when school administrators are forced to do this, does it start with, "Anybody who is a Smith is okay," but does my son Bobby at 8 years old, who happens to have the last name Menendez, does he get called in and say, "Bobby, are you a citizen? Are your parents citizens?" Or does his mother, who is Norwegian, Irish, and German, then is she a citizen? Where does it start and where does it end? Or is anyone who is black, is it believed that maybe they might be African, so therefore they are called in; or anyone who is Asian, it is believed that they are not American, so they are called in; or anyone who has a brogue, and in fact maybe they are an illegal person here from Ireland? Where does it begin and where does it end?

It seems to me that many of the names that appear on this board when we vote on this amendment, if this same issue had been here at a different time, we might not be speaking about Menendez and Torres and others, and Serranos, we would be speaking about many other different names, the very names of the proponents of this legislation, this amendment.

The fact of the matter is this is not how to spend our tax dollars on a witch hunt. It is not to ask children, "Your mother and father, are they U.S. Citizens?" We are going to make them experts in immigration, something I practiced law in when I used to practice law. It is simply ridiculous.

The tone and tenor of those who propose these amendments, the venom that you can hear, it just, to me, is not what America is all about. Yes, let us control our borders, but let us not use children against their parents in a Gestapo-like attitude as our police arm of this Congress. What a failure, that we would have to use children against their parents to accomplish this goal.

The CHAIRMAN pro tempore (Mr. VALENTINE). The time of the gentleman from Arizona [Mr. PASTOR] has expired. (By unanimous consent, Mr. PASTOR was allowed to proceed for 3 additional minutes.)

Mr. PASTOR. I yield to the gentleman from New York [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Chairman, the Nazis have invaded Denmark. It is World War II. They have taken the whole place over. The people are very concerned. They were looking for certain people and they could not really identify them. Some of them they could, some of them maybe did not look like they were Danes. It was kind of hard to identify some of the Jews, so the Nazis said, "This is the order. Tomorrow morning every Jew must wear a gold badge saying, 'Jude,' 'I am a Jew,' and if anybody knew one who was not wearing it, they were to be turned in.

When the sun rose over Copenhagen that next morning, we found a very Christian King walking the streets wearing one of those yellow labels, saying that he was a Jew. As people woke up realizing what had happened, they came out of their homes, not just the Jews but everybody in Denmark, wearing yellow badges, saying, "I am a Jew," so that the Nazis could not tell one from the other.

Let us, Mr. Chairman, not hang labels on each other. Let us not divide our society. Let us not turn each other in. Let us address the issues that we as a civilized people should be addressing here in the proper legislation. Do not make piranhas out of each of us. This is not the American way. It is not the human way. Please do not vote for this kind of absurdity in this great Nation of ours.

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

Mr. Chairman, this has been a very emotional debate. I am sorry for some of what has been said, because a few minutes ago, as I was watching the debate, I heard one of our colleagues come to the floor and utter some despicable racial slurs and names in de-

fense of his own policy. I think that that really does not help us here, and I do not think we ought to debate these kinds of things with the kind of hate and venom that I have heard from some people.

I have also noticed that one group that has not been mentioned very much in the course of the debate is the American middle class, who ends up, regardless of what we do, having to pay the bills, and is quite concerned about the direction in which their country is going, too. They have to pay the bills for whatever we decide to do in this regard, and they do so in many cases by working 40, 50, 60 hours a week, sometimes two members of the family working hard to eke out a living for themselves and their children, and hope a little bit about the future.

What they also are concerned about, Mr. Chairman, is the fact that the law does not seem to mean much anymore. Most of them, whether they be black or white, whether they be Hispanic or oriental, regardless of race, creed, or color, work every day and do so in a way that obeys the law. One of the things they are most concerned about is the fact that somehow this Congress does not seem to recognize that that is a sacrifice on their part. There are lots of people around who like to evade the law, who like to find some way to explain away the law, because it gives them some comfort in order to do so.

The vast American middle class suggests that obeying the law is in fact a positive public good, and they think it is important for them to do. Even at a penalty to themselves and their families, they obey the law. They are very confused, then, when their government comes along and suggests that people who do not obey the law ought to be treated in special ways.

As I read the Rohrabacher amendment, the fundamental part of this amendment says obeying the law is a necessity. I do not understand why we would have such an emotional debate on the issue of whether or not the law should be obeyed. This Congress is sending some very bad signals. We sent some very bad signals yesterday when we voted on resolutions which suggested that our own rules were not important, that investigation of unethical conduct was not important. The American people and particularly the American middle class is sitting out there saying, "They expect me to obey the laws that they pass, and yet they say to others, 'Go ahead and break the law and we will look the other way.'"

I am real concerned about that and I think Americans are concerned. If we wonder why there is disrespect for that which we do, it is because they think we disrespect the law. In my view, if we do not approve something, and I do not know whether this is the most artfully drafted language, but we ought to approve something that suggests that the

law is important, and that people who do not obey the law will in fact be punished in our society.

I am hopeful that as we go about debating this issue further, that we will not suggest that somehow the law is something that we can put aside without any consideration at all.

□ 1620

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

Mr. Chairman, I rise in strong opposition to the Rohrabacher amendment. And, frankly, I agree with one statement by the gentleman from Pennsylvania [Mr. WALKER], who preceded me. The law must be obeyed, and the law, as the gentleman from Arizona [Mr. PASTOR] pointed out, says that all children in America have a right to be educated without regard to the status of their parents.

I rise in opposition to this amendment for three reasons as a parent and as a legislator. First of all, the provisions would impose an unaffordable cost on the school systems in our country, and I do not think any parents in America want that.

Second of all, it would have a chilling effect on the education of many undocumented children, all of whom have the right to be educated in our country, as the law indicates, as the gentleman from Arizona pointed out. Children denied an education are not likely to grow up as productive members of our society.

The Rohrabacher amendment would have a negative and costly impact on our entire society. I do not think the parents of this country who want the best for their children want their children in a society where other children are deprived of an education.

Third, I believe that this amendment would serve no legitimate immigration policy purpose. Determining citizenship status of schoolchildren and their parents will not deter undocumented immigrants from entering the country. Indeed, it would impose a burden on teachers and administrators and children to check up on the legal status of parents, and that is a waste of energy and counterproductive to the goal of decreasing the number of illegal immigrants in this country.

Therefore, Mr. Chairman, I believe that this particular provision has no place in the laws which guide and authorize funding for the education of our children. I urge my colleagues to join in casting a no vote against the Rohrabacher amendment.

Mrs. MINK of Hawaii. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to my colleague, the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentlewoman for yielding, and I want to assert my very strong opposition to the Rohrabacher amend-

ment. There have been some very eloquent statements made here today citing the history of this country and the responsibilities that we have as a nation for the children who live here, not to establish punitive measures against them or to place onerous obligations and burdens upon the school systems.

We have been importuned this afternoon to obey the law, and I think each and every one of us stands before this body with a commitment, a sworn commitment to abide by the law. It is this amendment that is an infraction upon what has already been established not only as the philosophy, as the policy, but as the law of this land, and that is we must not discriminate in the education of our children. There have been Supreme Court decisions, lower court decisions. This has been the established policy of this country.

In looking at this amendment one would have to ask what is the purpose of it? The purpose is to try to invoke the other laws that are in effect with reference to immigration and to make it part of the policy of our public school system. This is to impose a new duty upon our schools that have no part whatsoever in the educational improvement or enhancement of the quality of education in our school systems. And, in fact, it is an abrogation of the Supreme Court decisions which say we must educate all of our children.

So without the purpose of this amendment to enhance public education but to force our schools and our teachers and our families to police ourselves in the school systems, I believe it is not only a tragic abrogation of what the policy of this country has been over the years, but should be absolutely turned down by this body.

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

Mr. Chairman, we have been told here this afternoon by our friend, for example, from New Jersey that we are all a nation of immigrants, and of course no one would deny that, because we all are a nation of immigrants. But that is not the issue here. The issue here is one of illegal versus legal.

Yes, no one likes to be pointed out as a group, and I think no one wants to do that. The United States is a nation of individuals, not a nation of groups. And it seems to me we got into this hassle in this country when we began looking at ourselves, as groups rather than as individuals. And, as Woodrow Wilson said, as long as you consider yourself a part of a group rather than a individual, you are not really assimilating into American society.

We have heard a lot of red herrings today, a lot of issues very emotional that have nothing to do with this particular amendment as I see it. You know, if we give additional dollars to illegal aliens, are we not taking money away from the people who are the citizens of this country? And where does

our first obligation lie? With the citizens of this country. I think so. And that is why I think that this particular amendment makes a lot of sense.

We do have problems with illegal aliens. OK. If you do not like the solution, what are your solutions, how would you address the issue? Just to come to the floor here and make a lot of emotional statements is not going to resolve the issue, is not going to get at the problem. What are your solutions?

This Nation of America has been good to all of us. We are all Americans in this Chamber. This Nation has been good to you; this Nation has been good to me. We have an obligation to this country, you and I, and if we have a problem with illegal aliens, then by golly we have to ask ourselves how are we going to address this problem. And just a lot of hot, emotional rhetoric is not going to solve this problem.

I have heard a lot of rhetoric here on the floor this afternoon, but I have not heard any solutions. The only solution we have so far is the Rohrabacher solution. So if you have a better solution, let us hear it. But just to get up and make a lot of emotional statements is not going to get the issue resolved.

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

Before I proceed in my opposition to the Rohrabacher amendment, I yield to the distinguished gentleman from California [Mr. EDWARDS], chairman of the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary.

Mr. EDWARDS of California. Mr. Chairman, I thank the gentleman from Oregon for yielding. I am sorry I was not here earlier. We are working on the crime bill which everybody is looking forward to anxiously I am sure. Week after next, folks.

Mr. Chairman, I have examined this and members of my subcommittee have examined the amendment offered by the gentleman from California [Mr. ROHRABACHER], and it just invites racial discrimination. It is almost frightening what would happen to the children and the parents of the children if this became law.

My colleagues, we cannot turn schoolteachers into Border Patrol agents and have these children harassed by standing up and saying, "What are you? What are you?"

And of course, the cost of all of these statistics is going to be enormous, and especially in my State of California where unfortunately so many of the undocumented persons end up.

Also, these schools are stuck, happily, with a Supreme Court decision which says that they have to be educated no matter who they are, that they are entitled by law to an education.

So Mr. Chairman, I urge a resounding no vote, and again thank the gentleman very much for yielding.

Mr. KOPETSKI. I thank the distinguished gentleman for his comments. I think it is important for Members to look at some of the legal liability issues involved in the Rohrabacher amendment.

Clearly what it says is that school districts are in danger and could lose all of their Federal funding if they adopt as a policy or de facto not enforce the policy enunciated in the Rohrabacher amendment.

Second, they do face losing all of their Federal funds if either a teacher or the district fails to follow up on an accusation made by either a student or a parent that a child in the district is here illegally in this country.

Finally, I think the chairman of the Committee on the Judiciary's subcommittee alluded to this, but it is a question of how quickly will the ACLU or some other group bring a lawsuit against a school district or a teacher where there is a false accusation of a child being illegally in this country or where they are illegally here and dismissed from the school for that reason. This just invites very expensive lawsuits against the school district, and I think it is important just to get to the basic policy. We are not saying here that the respect for law is not important. We are saying here the issue before us is who is to enforce the law.

□ 1630

We have the INS; we have local sheriffs that deal with this. That is where the solution lies. It is not with the children of America.

It is not unfair, inaccurate, or just rhetoric to say that this is modeling the practices of Germany in the 1930's. We are not saying this just for scare tactics. It is a historical comparison as fact and as a comparison that is necessary to be made.

And so I ask my distinguished friends on both sides of the aisle to think through this amendment. We do not want our children to grow up in an atmosphere where they are expected in a learning environment especially to act as police officers. They are not trained, they are not mature enough. And it is not their job in the school building to be acting as police officers. Their job there is to learn to socialize, to learn how to think for themselves, to learn the respect for law in this society, and that is why we must resoundingly defeat the Rohrabacher amendment.

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

Mr. Chairman, I hold in my hand a piece of information that is given out by the Medi-Cal organization. It is the Medicaid of California. It says, "Medi-Cal has good news for pregnant women." This is printed in both Spanish and English, and passed out down along the Mexican-American border in this form. I want to read to my col-

leagues what it says: "Even if you applied for amnesty or are in this country illegally, you can now receive a special kind of Medi-Cal or Medicaid for your health care purposes." It says, "If I am here illegally, will it be reported to Immigration?" And the answer is, "No. Under the new law, Medi-Cal cannot report you to Immigration for applying for or receiving Medi-Cal while you are pregnant."

Federal taxpayers' dollars are being encouraged to be used for the delivery of children by pregnant women in California.

Now, we brought this issue to the floor of the House before, and no action was taken. This body took no action on dealing with the advertising, the advertising of bringing Mexican-Americans across the border to have their babies, and it even goes so far as to say, "We will not report you to Immigration if you applied for these benefits."

Now, today we have got this education bill that deals with reporting whether or not a child is here illegally or legally. Every single time we try to close the loophole that allows illegal aliens into this country, we receive the same argument from the liberals in this body, "Oh, my gosh, that is not humanitarian, it is Nazistic," it is whatever.

My question is: "Who speaks for the American taxpayer? Who speaks for the people who are paying these bills?" As the gentleman from Pennsylvania [Mr. WALKER] said a few moments ago, who speaks for the middle class in this country, the American taxpayer who is paying for all of this? Every single time a measure is brought to this body to deal with the illegal immigration problem, some spurious argument is raised, and it is dealt with in the wrong way. We kill it; no positive things are being done to deal with the illegal immigration problem, and as a result, from Mexico alone, we are getting 1.3 million illegal aliens staying in this country every single year. That does not include those coming from Canada or the east coast or the west coast or through Miami and the Caribbean.

Mr. Chairman, we are being inundated with these people, and every single thing that comes up like the amendment offered by the gentleman from California [Mr. ROHRBACHER] goes right down the toilet, because we do not want to deal with it.

The American taxpayer sits at home and watches us on television and says, "Why in the world are they wasting our taxpayer dollars? Why are we not dealing with this problem?"

I say that if you do not like the Rohrabacher amendment, then come up with something else. We have got to deal with this. There is a virtual tidal wave of illegal aliens coming into this country that the taxpayers are paying for, and we are not doing a darn thing about it.

Now, go home and ask your constituents. Do not listen to me. Ask your constituents what they think about it. They are going to tell you they do not want this thing going on. They do not want their taxpayers' dollars being wasted for this, and they do not want that deficit to increase, because they know down the road we are going to face severe economic problems if we do not deal with it.

I would just like to say to my colleagues, you know, every single time this issue comes up, back home on television and throughout this country people hear us, some of us, making these comments about Nazis, about bigotry, about racism. This is not about any of those things. It is about the law. We are a nation of laws and not of men, and if we wink at the law and let illegal immigration continue unabated, then we are not doing our jobs.

So I say to my colleagues, think about that when you cast votes on these issues. If you do not like this amendment, then come up with ideas of your own to deal with this. Let us deal with it, because the American people demand it.

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

Mr. Chairman, I think it is fairly interesting to note that the gentleman from Pennsylvania stood up here and said, "Well, maybe this is not the most artfully crafted amendment." But what he meant to tell you was the amendment says that we are going to have the middle class, probably the way upper class, lower middle class, lower who or whatever class we want to refer to paying for local educational agencies to determine the number of students enrolled who are not lawfully in the United States. I am quoting from the Rohrabacher amendment.

How do they propose to do that? Well, they do not tell us that, not in this amendment. What do you reckon that your local school district is going to have to do? Well, they are going to have to assign some people, I suppose, to holding due-process hearings to determine the resident legal status of children that attend that school. The child may not even be sure that the child himself or herself is foreign born, may not be, and does not necessarily mean that that individual is a legal resident of the United States.

I suggest to you that it is not only not crafted artfully, as the gentleman from Pennsylvania [Mr. WALKER] put it, I think the amendment is a disaster.

I say to my colleague, the gentleman from Indiana, who says that we need to get away from all of the other kinds of issues and look at the amendment and talk about who pays, that he is right in the sense that we ought to be talking about who pays. We will all pay.

This amendment is not well thought out. It is exactly the kind of amend-

ment that I think is intended to make headlines. It is intended to say you are either for stopping illegal immigration or you are against it, and we are going to put it on the schools this time, or we will put it, as the majority leader pointed out in his earlier statements this afternoon, or we will put it on some agency who is providing assistance or help to the most impoverished and perhaps the least wealthy and the least able to take care of themselves in our society and America.

So I suggest to all of my colleagues that you read the amendment. When you read the amendment, you will know the correct vote is "no."

I know that there will be those that think they have got to worry about the headline back home. Remember what the majority leader said earlier this afternoon; the majority leader said if we want to deal with the immigration issue, let us deal with it through the Immigration Service.

When was the last time a Member on the other side of the aisle, and I am pointing to the Republican Party in this case, came up with an amendment that increased the funding for the INS?

I think that is a part of the problem, because they say, "Well, we are conservative. We do not want to spend money." They also do not want to go back and tell the voters it is going to cost more money, and the truth of the matter is if you are going to enforce the immigration policy in this country, it is going to cost money. It is not free.

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

Mr. COLEMAN. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. The gentleman from California [Mr. HUNTER] last year offered an amendment to increase the amount of money for the INS. How many of you voted for it?

Mr. COLEMAN. I did, and it passed you may remember.

Mr. WALKER. Well, you asked the question, and I am giving you the answer. That was a Republican who sponsored it. It was a Republican who brought it on the floor.

Mr. COLEMAN. That was for more Border Patrol men; that was for more Border Patrol men. I will say to you that what is important here is if you keep on that tack, let us see if you vote for this one this time. We are going to have another amendment out here when we bring the appropriations bill on Justice, Commerce, and State, and we will see if you vote for the amendment and for the appropriations bill; instead of offering a 1 percent across-the-board cut this time, why do you not put your money where your mouth is?

The CHAIRMAN pro tempore (Mr. VALENTINE). The time of the gentleman from Texas has expired.

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

words and yield all my time for closing arguments to the maker of the amendment, the gentleman from California [Mr. ROHRBACHER].

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

Mr. Chairman, this has been a very valuable debate today. I am sorry that every time we discuss an issue that I believe is really important to our country—and I know the people who are watching on C-SPAN and reading the CONGRESSIONAL RECORD, they too know trying to get control of the flow of illegal aliens in to our country is vital to the well-being of themselves and their families.

As far as these people are concerned, they are not racists. I am sorry that every time we discuss this we have to be basically called a bunch of names and implied we are the same as the Nazis and everything like that. The American people have a good spirit, and they are very generous people. They do not mind helping. We provide basically a generous, a very generous immigration law so that people can come here legally from all countries of the world, from all races. And I think it is a wonderful thing. And I voted for the last immigration bill, which was a very generous immigration bill. But the idea that they do not want the millions of people who are coming here illegally to receive the same benefits and thus encouraging even more people to come here and dilute those funds, and that makes them some kind of Nazis or Fascists, this is a disservice to the American people and it is a disservice to the debate on this vital issue.

I believe people of good will can disagree on things like this, and they should disagree in good will and realize that you can talk about a problem that concerns us, that deals with legality—we have heard it constantly said, we have been told that the Supreme Court said that we have to fund education for illegal aliens. The Supreme Court does not say that we cannot count illegal aliens to find out how many illegal aliens are in our schools so we can figure out the cost. The Supreme Court does not say that.

What I need to ask—when people are up there talking about basically implying that we are a bunch of Nazis and Fascists, we are trying to get control of the illegal alien situation, does that mean that no immigration laws are going to be enforced? Is that what you want? Does that mean, for example, that all children of illegal aliens, illegal immigrant children who come here, that they should not be deported with their families? Is that what we are saying, that the immigration law is right out the window? And if you believe in enforcing them, you are some kind of a Nazi? That is obviously not going to help the situation get any better.

By the way, we are making immigration policy here. When we say we are

going to provide a benefit package for people who come here from another country illegally and they are going to get so much money, we are giving them an incentive to come here, that is immigration policy because we are giving them the incentive to come here. It is not a hard thing to understand that concept and who we are supposed to be representing.

This amendment, by the way, just to note for the last gentleman who talked, we did try to authorize the funds that were necessary to implement this, as I repeat again, inconsequential, minimum funds. We already ask kids their health, the history of their health situation, we ask kids about the residency of their parents, we ask kids about the income of their parents. Just to add to that list two questions at minimal cost, yet the bottom line is if we—two of the questions are minimal cost. But if we tried to handle that objection and the other side voted it down, they would not even let us authorize the money if there was not money.

Let me just end with this: The American people are watching, and they are listening. They understand people of good will can be concerned about this, we are not a bunch of racists because we want to control our borders, we want to get control of our borders. And people do not come here and consume the benefit package that they worked their lives to build. Anyone from the southwestern States, especially, where we suffer so much under this, no one who votes against this bill says we cannot even count the number of illegal aliens in our system, no one should come back here and say, "Oh, the Federal Government has to pick up a share of the cost because it is overwhelming our systems." Do not come back—because a vote like that will be betraying the citizens in our part of the country because now we cannot quantify the problem. Thus the Federal Government can never come back and help us.

So, a vote against the Rohrabacher amendment is a vote saying the Federal Government is never going to help us out in the Western and Southwestern States to help pick up the funds.

My own solution is different. My own solution would be that illegal aliens should not be given benefit packages at all. But whether you are for the Federal Government providing some help for the States inundated by illegal aliens, or whether you say that nobody, or the Federal Government should be providing those services, you should be supporting this amendment which will help us come to grips with this problem that threatens the well-being of our people.

Mr. BONIOR. Mr. Chairman, we expect a lot of our teachers in America today.

We expect them to be educators and role models.

Counselors and motivators.

Babysitters and disciplinarians.
And we ask them to do all that in the face of:
Budget cuts and metal detectors.
Turf wars and teenage angst.
Decreasing resources, and increasing diversity.

And even with all that, most of them do a wonderful job.

But the gentleman from California feels like our teachers don't do enough.

That they don't have enough responsibility. So he wants teachers and school districts to get into the Perry Mason business.

He doesn't just want them to be trained in reading, writing, and arithmetic.

He wants them to be trained as agents of the INS.

Instead of spending money on computers and books, he wants to require schools to set up INS offices next to the lunchroom.

And instead of just checking hall passes, he wants every last teacher to spend their days checking immigration papers.

Make no mistake about it, that's what this amendment does.

It not only requires schools to conduct investigations of their own students to make sure they're legal. It requires schools to investigate whether or not their parents are legal as well.

Mr. Chairman, this is not what schools are for.

This amendment not only turns teachers into INS agents. It does so without providing so much as a dime of Federal money to do it.

Let me say that one more time, Mr. Chairman. This amendment requires all of this—the investigations, the background checks, the constant monitoring by teachers—without providing so much as a dime of Federal money to help.

Mr. Chairman, talk about double standards. Talk about red tape.

Talk about unfunded mandates. This amendment is the mother load of all unfunded mandates.

But above everything else, this amendment does one substantial, unforgivable thing.

One thing that no government should ever be a party to:

This amendment codifies discrimination.

Ask yourself this: how are teachers supposed to decide who is legal and who isn't?

How are they supposed to decide who to check and who not to check?

Will it be based strictly on appearances?

Will every student who doesn't have blond hair and blue eyes be forced to line up in the gym and flash their papers?

Will every student who speaks with an accent be forced to go before a review board?

Or will teachers just randomly pick students out of study halls and recess lines who don't look quite right?

Is that how it works?

Mr. Chairman, what kind of message does that send to the other students?

That it's OK to discriminate?

That it's OK to suspect somebody's guilty of wrongdoing just because they look different or sound different?

That it's OK to presume that others are guilty until proven innocent?

Mr. Chairman, maybe I come from the old school.

I believe teachers should focus on report cards, not green cards.

I believe they should prepare all of our students for the future, not just a select few.

Let's be honest: This amendment won't improve our schools or increase our test scores.

It won't drive out the gangs or confiscate the guns.

And it will do nothing to reduce the flow of illegal immigration.

All this amendment will do is divert our teachers away for teaching.

And burden State and local budgets.

With more redtape.

More bureaucracy.

More reports.

And more unfunded mandates that they can't afford.

Above all, it unleashes a kind of scholastic McCarthyism that allows our students to be investigated any time, any place, and anywhere.

Mr. Chairman, a first grade classroom is not the place to interrogate students and enforce immigration laws.

We have other agencies to do that.

We need realistic approaches to solve our immigration problems.

But this amendment is nothing but a cost-shifting, teacher-exploiting, student discriminating amendment, and I urge my colleagues to vote "no."

Mr. TORRES. Mr. Chairman, I rise in strong opposition to the Rohrabacher and Roth amendments to H.R. 6, "Improving America's Schools Act."

None of these proposed amendments would be anything to improve America's schools. In fact, these proposals would impose huge, unfunded Federal mandates on States and local school districts. These amendments would deprive thousands of educationally disadvantaged children of the services they so desperately need.

The first Rohrabacher amendment would require every school, in order to be eligible for Federal education funding, to identify and collect data on the citizenship status of every student and his or her parents. This would not improve our schools. To the contrary it would only impose an unworkable, administrative nightmare on already overburdened school districts.

The second Rohrabacher amendment goes even further by seeking to undermine constitutional principles. The amendment would undercut the 1982 Supreme Court decision in Plyler versus Doe, mandating States to provide public education to all children. The amendment would deny Federal funds to States, but still require States to provide all children with an education.

The Roth amendments seek to severely weaken, and ultimately eliminate the title VII programs, which were passed by the bipartisan leadership of the Education and Labor Committee. These title VII programs are proven to be the best way to teach children with limited English proficiency English language skills.

Every major educational organization in this Nation is opposed to these senseless and unconstitutional amendments.

The Clinton administration and Secretary of Education Richard Riley have stated that these amendments are unfair, unworkable and unwise, and strongly urge us to reject them.

We must remember the most important point of this debate. We are talking about children. Children who want to learn, learn about American history, learn about English, learn about math, about science, about art—all that we can teach them.

We have a chance before us to do the right thing: To ensure that every child in this country is treated fairly and with compassion; to encourage them to grow into productive American citizens that will lead our Nation into the next century; to be competitive global leaders in an increasingly complex global marketplace. By voting against both the Rohrabacher and Roth amendments, we ensure that America will continue to be the leader and that our children, all our children, will be educated to the best of their and our ability.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the Rohrabacher amendment.

The Elementary and Secondary Education Act has been a vital source of Federal funding for our public school systems, particularly for disadvantaged youth.

This politically motivated amendment would effectively defeat the true purpose of the act and impose additional and unnecessary administrative burdens. It is an unfunded Federal mandate that will neither improve our schools nor address Federal immigration policies.

There are those who have argued that a census count of undocumented students is a minor administrative duty. I assure you, however, that in communities such as Los Angeles, it will be very difficult, if not impossible, to verify the immigration status of all students and their parents. Our school districts already lack sufficient resources to meet the educational needs of our children. They are not in a position, nor should they be placed in a position, to do the work of the INS.

The anti-immigrant climate apparently has no boundaries within reason or humanity. This amendment will only harm our schools and should be defeated.

Ms. VELAZQUEZ. Mr. Chairman, I rise in strong opposition to the Rohrabacher amendment. Let's be clear about what we are doing here. This is not a simple effort to account for native born and immigrant children in our schools, as supporters suggest. This is not a benign attempt to count children's heads. No, this is a shameful and mean-spirited attempt to single out and penalize the innocent children of immigrants.

With this amendment, we will transform our Nation's educators into immigration police. We would tell our Nation's teachers, principals, and counselors to put aside their books, their training, and put on a badge. Put aside your commitment to education, and start enforcing our immigration laws.

Mr. Chairman, let's also be clear about who will become suspect. As my friend from Colorado has suggested, it wouldn't be children like those of the sponsor of this amendment who would come under scrutiny. The fair haired and fair skinned could go on with their studies without fear of retribution. For kids who look like me, kids who speak with an accent, as I do, our schools would become something else altogether. This amendment will make suspect Latino, African-American, and Asian American children, and no others. For them, our schools would become a fearful place indeed.

In coming into this Chamber today, I thought that we were here to discuss the improvement of our schools. I thought that we were voting on the hard work and commitment of my colleagues on the Education and Labor Committee. Instead, this amendment drags us through yet another ugly debate on immigration. Here we are again being forced to respond to misperceptions, half truths, and crude generalizations. When will this stop? When will we stop singling out immigrants for all the ills of our Nation? When will we again appreciate the blood, sweat, and tears that immigrants contribute to this country? When will that beautiful statue in the New York harbor again be a source of pride, and not a reminder of how far we have fallen?

This amendment is not only immoral, it directly contradicts one of the most enlightened and humane decisions of the Supreme Court. In *Plyler versus Doe*, the Court concluded that it was abhorrent to our great Constitution to deny an education to innocent children because of their immigration status. All students are entitled to a public education. The Court was right then and it is still right today.

The kids in our schools, immigrant and native born alike, are our future. Denying some immigrant children an education outright, or creating a fearful atmosphere that would keep them from coming to the classroom, denies them their future and in turn denies this country its future. By depriving them of an education, these immigrants will never be able to become tomorrow's hardworking citizens and taxpayers. Instead, they would become tomorrow's unemployed and destitute.

We as a nation cannot afford to squander our human resources. We cannot throw away our immigrant children. I ask my colleagues to defeat this shameful amendment.

Ms. WATERS. Mr. Chairman, I am here today to speak in opposition to the Rohrabacher amendment.

It is interesting that my colleague who often times bemoans Federal mandates as burdensome and intrusive, would create a huge bureaucracy for our Nations schools. Rather than focusing energy and resources for title I programs, my colleague asks school districts to become Federal immigration investigators and data collectors.

It would be wrong to use our school systems as immigration police for the Federal Government. Equally important, we must remember that the U.S. Supreme Court has ruled that school districts may not gather citizenship information from their student population.

I can't imagine that parents and teachers want to divert school districts' resources from students to downtown bureaucracies. In southern California, which has a large title I population, our school districts are working valiantly to get their students, teachers, classrooms, and schools back together following our devastating earthquake. They need support as educators, not as investigators and bureaucrats.

Please allow public schools to do the huge task that is before them: provide education that is challenging and enriching to all of our children. Vote "no" on the Rohrabacher amendment.

Mr. UNDERWOOD. Mr. Chairman, I rise in strong opposition to the amendment offered by

the gentleman from California requiring the reporting of the residency/citizenship status of children and their parents by school districts before receiving title I funds. This new bureaucratic requirement and unfunded mandate would, in effect deputize our schools and educational professionals into service for the Immigration and Naturalization Service. We cannot afford to spend the already scarce resources for education on the enforcement of immigration law.

I've been an educator for most of my life and I can tell you from personal experience that school personnel do not need another Federal mandate taking them away from their primary duty of teaching our children, particularly one which in effect makes them law enforcers. But this amendment not only requires that the legal status of each student be assessed, it also requires a report on the status of their parents. The question is why do we want to continue to overburden the schools with additional activities that are not directly connected to the welfare of children.

And where do we stop with the enforcement of law and policy; do we want to use children and their need to learn and the natural parental desire for educational advancement as the basis for the enforcement of other laws; do we want to start questioning kindergartners about what their parents do or own in the hope of catching adults in an illegal activity; do we want to use the schoolhouse as the basis for the investigation of crimes and the implementation of policies for which enforcement agencies already exist?

Most ominously, this amendment could lead to witch hunts, as schools single out children who do not look typically American, even if they do not require documentation. Such children might include the people I represent and Puerto Ricans and others who are native-born U.S. citizens. It may also single out Hispanics and Asians who have been here for generations. One of the possible effects of this amendment might be that all of us non-typical American looking types may be forced to carry documentation so as not to be misidentified by educational personnel as illegal immigrants.

This is nothing more than lashing out at a population of foreigner; this is allowing emotion to reign in what is a very serious debate; and you know what is most bothersome—is that this is not in the best tradition of what makes America great.

When you look at this debate, you see two great forces which make America stand out among the nations of the world—an immigration history which has been open and welcoming and which has provided opportunities to some Members of this body who are themselves first generation immigrants and to the sons and daughters, grandsons and granddaughters of immigrants who I'm sure make up the majority of the membership of this body.

That legacy in combination with the quest for educational opportunity and the historical record of providing common schooling for children of whatever origin has accounted for much of America's present greatness. Educational opportunity and its expansion for immigrants and the children of immigrants as well as native-born have been the engines of progress in American history.

In seeking to amend an educational opportunity bill for these purposes, we see the two great forces for American progress—immigration and the expansion of educational opportunity—blunted, used and abused, perverted to block the very things which has made America the Nation that it is today.

Clearly what America is today and its historical experiences to date are being ignored and discarded by these amendments.

We need to talk about immigration policy and we need to deal with the issue of controlling the borders, but to use schools as the vehicles and children as the pawns in the process is not right and we know it.

Vote down the Rohrabacher amendment.

Mr. SWETT. Mr. Chairman, I rise today in strong support of the small State title I funding provisions of Mr. Kildee's en bloc amendment to H.R. 6, and I offer my sincere thanks to Chairman FORD, Mr. KILDEE, and Mr. GOODLING for their help in reaching a compromise on this issue. This provision is about equity. Without it, the five smallest States in this country would suffer great losses in crucial title I, funding. While most States receive far more than one-quarter of 1 percent under title I, New Hampshire, Delaware, Vermont, Alaska, and Wyoming do not receive even close to one-quarter of 1 percent to operate the largest Federal program for elementary and secondary education.

This provision will not have a noticeable effect on any of the other States—approximately .11 percent or \$5.8 million of the \$7 billion program—but will mean a great deal to the disadvantaged students in each of these smaller States. This provision will make it possible for these States to continue to offer effective programs for their title I children.

In many States, 1990 census numbers do not accurately reflect the number of disadvantaged students that need to be served under title I. Because of these census figures, New Hampshire and many other States stand to lose title I dollars in the next fiscal year, with further and greater losses in subsequent years. These losses will be completely devastating to title I programs in such States.

The small States provisions of the en bloc amendment will not impact the funding reduction these States will suffer next year, but it will improve their situation in subsequent years. Title I is designed to help economically and scholastically disadvantaged students in poor areas. This modest provision maintains the critical mass of funds necessary if title I is to make a difference in our States. Without it, small States will be unable to carry out the intent of title I programs. This change to H.R. 6 will not equitably distribute moneys to the areas in these small States that so desperately need it.

Mr. Speaker, every student deserves an equal opportunity to learn. I commend Mr. KILDEE, Mr. GOODLING, and Chairman FORD for helping to ensure an equal opportunity to learn for the children in my State. It was a pleasure working with them on this provision, and I thank them for their support.

Ms. LAMBERT. Mr. Chairman, I rise today in strong support of ensuring that parental involvement is a No. 1 priority in all areas of education reform. As we consider H.R. 6, Improving America's Schools Act of 1994, I urge

each and every one of you to vote in favor of amendments that promote parental involvement in the education of their children.

Education is the building block for continued success in our Nation. And that education begins at home. With the support, encouragement, discipline, and love of involved parents, children will easily reach the first national education goal of the administration's Goals 2000 Act, that "all children in America will start school ready to learn."

Today, Congressman ALAN WHEAT is offering an amendment that would give local education agencies the option to use funds, from the 1 percent set-aside of title 1 funds for parental involvement, for the Parents as Teachers Program. In my own First District of Arkansas, we have three parents as teachers programs which, through the instructional materials, group meetings, and home visits provided by this program, have made a great difference in these children's lives. A national 1985 independent evaluation of Parents as Teachers found that participating children were significantly more advanced than other 3-year-olds in language and social development, problem-solving and other intellectual skills. A 1989 follow-up study of these same children found that they were still ahead in first grade, as measured by teacher reports and standardized tests.

Programs such as Parents as Teachers are based on the belief that parents are children's first and most important teachers. Because we must ensure that our children are ready to learn when they enter school, I urge my colleagues to support truly worthwhile programs such as this one which promote the importance of parental involvement in their children's education.

Ms. DUNN. Mr. Chairman, on behalf of the more than 2,000 constituents who took the time to write or place phone calls to my office, I rise in strong support of the Arney amendment to protect home schoolers and private schools. The Arney amendment eliminates any certification requirement for private, religious and home schools. In addition, it precludes interference with continued Catholic and parochial school participation in Elementary and Secondary Education Act programs.

As both President Clinton and Dr. William Bennett have observed, "Governments don't raise children, parents do."

I firmly believe in and support the right of parents to determine the best schooling option for their children, whether that choice be private, religious, home or public school. Thousands of families today have opted out of public schools. Some sought relief from the mandates placed on public education by the Federal Government. Some sought refuge from increasing violence in public schools. All have made the decision that the quality of education they wish to provide for their children cannot be found in the public school system. Such parents are simply exercising their appropriate freedoms in making choices that are rightly reserved for them. This Congress must protect the right of parents to enroll their children in private schools or educate their children in a home school. These parents have the constitutional right as Americans to educate their children in the manner they choose because they are in a better position to know the needs

of their children than are any bureaucrats here in Washington, DC.

As every Member of this body knows, parents are rightly demanding reforms in our education system. Among those reforms are parental choice, local control, better schools, safer schools, and freedom from Federal regulations and Federal money with strings attached. Mr. Chairman, I believe adequate regulations are already in place on the State and local level for private schools and home schools. Parents who care enough to pay the added cost of a private school, or expend countless hours educating their children at home, do not need the Federal Government second-guessing their every move.

While I supported the Ford amendment, it did not go far enough to affirm the rights of parents. The Arney amendment is needed to protect all home schoolers, including those in the 17 States where home schooling is proscribed by State law and defined as private schooling.

I urge my colleagues to ensure the rights of parents, to ensure the rightful independence of home schools and private schools, and to make the record absolutely clear by passing the Arney amendment.

Mr. PACKARD. Mr. Speaker, the children of this country should be a priority. No one in this body would argue against this.

A solid education is a fundamental tool that our children take with them into adulthood, moving into the work force and leading our society.

The amendment before us in no way jeopardizes or undermines the goal of providing a good education to the children of this Nation. Mr. ROHRBACHER's amendment simply seeks to restrict Federal aid from going to those who are in our country illegally.

This is simply an amendment about priorities. Specifically, economic priorities.

The taxpayers already pay for a host of social services available to those who break our laws to enter our country. This is a drain on finite resources that should be spent on the taxpaying citizens and legal residents of this country who live within the boundaries of the law.

The Rohrabacher amendment will simply prevent finite Federal resources from going to those who have chosen to live outside of the boundaries of these laws. The Federal Government should not be in the business of educating children who not only are here illegally, but cannot ever work in this country legally.

Ms. LONG. Mr. Chairman, as chair of the Congressional Rural Caucus, I am opposed to the Boehner amendment which would eliminate much needed assistance for rural schools.

Approximately 60 percent of our country's public school districts are rural. Rural schools face unique challenges to providing adequate educational services including poverty, geographic isolation, and teacher recruitment.

In fact, the General Accounting Office recently reported that the rural school-age poverty rate rose to 20.4 percent in 1990, well above the 1990 urban rate of 16 percent. Rural schools also face logistical difficulties due to geographic isolation. More often than not, rural schools cannot offer the variety and depth of courses commonly available in metro-

politan areas, or target programs to specific groups, furthermore, rural schools have difficulty recruiting and retaining qualified teachers.

However, these problems are not insurmountable; the difficulties rural schools face, can be remedied through additional attention and funding. The Rural and Urban Education Assistance Program would assist rural school districts in undertaking genuine school reform, preparing more rural graduates for higher education and vocational training, and training and recruiting teachers. It would also enable rural school districts to use the most advanced telecommunications technologies for learning.

Title 12 of H.R. 6 is an important and essential step in addressing the education needs of rural America and rural children. For these reasons, I am opposed to the Boehner amendment to strike this program.

The CHAIRMAN pro tempore. For what purpose does the gentleman from Michigan rise?

Mr. KILDEE. Mr. Chairman, I rise just to announce we will probably have three more amendments after this for which there will be no rollcall requested.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. ROHRBACHER].

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

RECORDED VOTE

Mr. ROHRBACHER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 78, noes 329, not voting 31, as follows:

[Roll No. 41]

AYES—78

Archer	Fawell	Miller (FL)
Arney	Fields (TX)	Molinari
Baker (CA)	Fowler	Myers
Baker (LA)	Franks (CT)	Oxley
Ballenger	Franks (NJ)	Packard
Bartlett	Gallely	Paxon
Bereuter	Gingrich	Petri
Boehner	Goodlatte	Pombo
Bunning	Goss	Ravenel
Burton	Grams	Rogers
Buyer	Hancock	Rohrabacher
Callahan	Hastert	Roth
Coble	Herger	Royce
Collins (GA)	Hunter	Schaefer
Combest	Istook	Sensenbrenner
Cox	Johnson, Sam	Shaw
Crapo	Kim	Shuster
Cunningham	Kingston	Smith (OR)
Deal	Linder	Smith (TX)
DeLay	McCandless	Solomon
Doolittle	McCollum	Spence
Dorman	McHugh	Stearns
Dreier	McInnis	Stump
Duncan	Meyers	Walker
Dunn	Mica	Zeliff
Everett	Michel	Zimmer

NOES—329

Abercrombie	Barlow	Bilirakis
Ackerman	Barrett (NE)	Bishop
Allard	Barrett (WI)	Blackwell
Andrews (ME)	Barton	Blute
Andrews (NJ)	Becerra	Boehert
Bacchus (FL)	Bellenson	Bonilla
Bacchus (AL)	Bentley	Bonior
Baessler	Berman	Borski
Barca	Bevill	Boucher
Barcia	Bilbray	Brewster

Brooks	Houghton	Pastor
Browder	Hoyer	Payne (NJ)
Brown (CA)	Huffington	Payne (VA)
Brown (FL)	Hughes	Pelosi
Brown (OH)	Hutchinson	Penny
Bryant	Hutto	Peterson (FL)
Byrne	Hyde	Peterson (MN)
Calvert	Inglis	Pickett
Camp	Inhofe	Pickle
Canady	Inslee	Pomeroy
Cantwell	Jacobs	Porter
Cardin	Johnson (GA)	Portman
Carr	Johnson (SD)	Poshard
Castle	Johnson, E. B.	Price (NC)
Chapman	Johnston	Pryce (OH)
Clay	Kanjorski	Quinn
Clayton	Kaptur	Rahall
Clement	Kasich	Ramstad
Clyburn	Kennedy	Rangel
Coleman	Kennelly	Reed
Collins (MI)	Kildee	Regula
Condit	King	Reynolds
Conyers	Kleczka	Richardson
Cooper	Klein	Ridge
Coppersmith	Klink	Roberts
Costello	Klug	Roemer
Coyne	Knollenberg	Romero-Barcelo
Cramer	Kolbe	(PR)
Crane	Kopetski	Ros-Lehtinen
Danner	Kreidler	Rose
Darden	Kyl	Roukema
de Lugo (VI)	LaFalce	Royland
DeFazio	Lambert	Roybal-Allard
DeLauro	Lancaster	Rush
Derrick	Lantos	Sabo
Deutsch	LaRocco	Sanders
Diaz-Balart	Lazio	Sangmeister
Dickey	Leach	Santorum
Dingell	Lehman	Sarpalius
Dixon	Levin	Sawyer
Dooley	Levy	Saxton
Durbin	Lewis (CA)	Schenk
Edwards (CA)	Lewis (FL)	Schroeder
Edwards (TX)	Lewis (GA)	Schumer
Ehlers	Lightfoot	Scott
Emerson	Lipinski	Serrano
Engel	Livingston	Sharp
English	Lloyd	Shays
Eshoo	Long	Shepherd
Evans	Lowe	Sisisky
Ewing	Machtley	Skaggs
Faleomavaega	Maloney	Skeen
(AS)	Mann	Skelton
Farr	Manton	Slattery
Fazio	Manzullo	Slaughter
Fields (LA)	Margolies-	Smith (IA)
Filner	Mezvinsky	Smith (MI)
Fingerhut	Markey	Smith (NJ)
Fish	Martinez	Snowe
Flake	Matsui	Spratt
Foglietta	Mazzoli	Stark
Ford (MI)	McCloskey	Stenholm
Ford (TN)	McCrery	Stokes
Frank (MA)	McCurdy	Strickland
Frost	McDermott	Studds
Gejdenson	McHale	Stupak
Gekas	McKeon	Sundquist
Gephardt	McKinney	Swett
Geren	McMillan	Swift
Gibbons	Meek	Synar
Gilchrest	Menendez	Talent
Gillmor	Mfume	Tanner
Gilman	Mineta	Tauzin
Glickman	Minge	Taylor (MS)
Gonzalez	Mink	Tejeda
Goodling	Moakley	Thomas (WY)
Gordon	Mollohan	Thompson
Gunderson	Montgomery	Thornton
Gutierrez	Moorhead	Thurman
Hall (OH)	Moran	Torkildsen
Hall (TX)	Morella	Torres
Hamburg	Murphy	Torricelli
Hamilton	Murtha	Towns
Hansen	Nadler	Trafcant
Hayes	Neal (MA)	Tucker
Hefley	Neal (NC)	Underwood (GU)
Hefner	Norton (DC)	Unsoeld
Hilliard	Nussle	Upton
Hinche	Oberstar	Valentine
Hoagland	Obey	Velazquez
Hobson	Oliver	Vento
Hochbrueckner	Ortiz	Vislosky
Hoekstra	Orton	Volkmer
Hoke	Owens	Walsh
Holden	Pallone	Waters
Horn	Parker	Watt

Waxman	Wilson	Wynn
Weldon	Wise	Yates
Wheat	Wolf	Young (AK)
Whitten	Woolsey	Young (FL)
Williams	Wyden	

NOT VOTING—31

Andrews (TX)	Grandy	Miller (CA)
Applegate	Green	Natcher
Bateman	Greenwood	Quillen
Bliley	Harman	Rostenkowski
Clinger	Hastings	Schiff
Collins (IL)	Jefferson	Taylor (NC)
de la Garza	Johnson (CT)	Thomas (CA)
Dellums	Laughlin	Vucanovich
Dicks	McDade	Washington
Furse	McNulty	
Gallo	Meehan	

□ 1709

The Clerk announced the following pairs:

On this vote:
Mr. Taylor of North Carolina for, with Mr. Miller against.
Mr. Thomas of California for, with Mr. Gene Green of Texas against.

Ms. CANTWELL and Messrs. WALSH, CHAPMAN, and THOMAS of Wyoming changed their vote from "aye" to "no."

Mr. MILLER of Florida changed his vote from "no" to "aye."
So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1710

LEGISLATIVE PROGRAM

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

Mr. GINGRICH. Mr. Chairman, I would like to just address the gentleman from Missouri [Mr. GEPHARDT] for the purpose of dealing with the schedule for next week and for a colloquy with the distinguished majority leader.

If I might have the Members' attention, there has been at least one change in the schedule, and the error was on my part. I apologize to all the Members, so they will not be mad at the majority.

Mr. GEPHARDT. Will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Missouri.

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

Mr. Chairman, there will not be further votes this evening. Votes are finished for today. There will be a discussion of a few other amendments, but there will not be votes.

There will not be votes on Friday, and on Monday, March 7, the House will meet at noon. There will be no Morning Business, no legislative business.

On Tuesday, March 8, the House will meet at 10:30 a.m. for Morning Business. It is my understanding that there will then be a recess, and there will then be one bill on suspension. The recorded vote on that bill, which is the Federal Work Force Restructuring Act of 1993, H.R. 3345, will not be held on

Tuesday but will be derailed until Wednesday. However, it is my understanding there may be the possibility of a procedural vote or votes later in the day on Tuesday.

Mr. FROST. Will the gentleman yield, Mr. Chairman?

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

Mr. FROST. Mr. Chairman, Tuesday is the date of the Texas primary. There are 30 Members of Congress from Texas, both Democrats and Republicans. In the past, it has been customary, when there is a large State primary, and this is just the first of many large State primaries this year, for the leadership on both sides to attempt to accommodate those Members and not have votes of any kind on those days.

I would ask the gentleman, do I understand that will not be the case this time?

Mr. GEPHARDT. If the gentleman will continue to yield, obviously, that is our attempt. We do not always accomplish that, and we have attempted to accommodate every primary. It is impossible to do all of them. Obviously, there is not the ability, without a complete agreement, to save people from every possible procedural vote or quorum call. I can assure the Members that there will not be a legislative day on that day. There may be a quorum call. There may be an adjournment vote. We can never guarantee Members that that will not happen.

Mr. FROST. If the gentleman will continue to yield, do I understand, and I am trying to make sure that I have a clear picture, that our side of the aisle, the Democratic side of the aisle, is not going to ask for any votes, even procedural votes, on Tuesday?

Mr. GEPHARDT. That is correct.

Mr. FROST. If there are any votes, the request would be made on the other side, on the Republican side?

Mr. GINGRICH. I might say to my friend, the gentleman from Texas [Mr. FROST], I tried to make that clear when I said there had been a miscommunication earlier about this particular day, and that I take the responsibility for having made an error. I apologize to those Members who I have made an error. I apologize to those Members who I have miscommunicated with.

I would also point out there are many States that have primaries. All those States are as important as Texas to themselves, hard to believe, and on a number of occasions we actually have votes on days we have primaries, but we are agreeable to meeting late and trying to have any votes which do occur as late in the day as possible for those Members who do have to come back from Texas and are inconvenienced.

Mr. SAM JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I am glad to yield to my friend, the other gentleman from Texas [Mr. SAM JOHNSON], who also wants to express umbrage, I believe.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Texas [Mr. FROST] and tell the Members that I am not happy with this decision, either. I thought that we always protected the rights of our individuals in this Chamber when it was voting day. I would hope that we could continue to do it in the future. I am disappointed if we cannot do it in the case of Texas.

Mr. GEPHARDT. If the gentleman will continue to yield, on Wednesday, March 9, we will meet at 2 p.m. We will be taking up H.R. 3345, the Federal Work Force Restructuring Act of 1993, the vote on that, although it will be debated on Tuesday.

We will be taking up again H.R. 6, the Elementary and Secondary Education Amendments of 1993, to complete consideration; S. 636, the motion to go to conference on Freedom of Access to Clinic Entrances Act, subject to a rule; and the resolution on the budget for fiscal year 1995, subject to a rule. Conference reports can be brought up at any time.

It is our hope that we will not need to be here or have votes on Friday, but I cannot give an iron-clad assurance, because we do want to get these matters finished.

Mr. GINGRICH. If I might, just to remind Members, as I understand it, we would go in on Tuesday at 10:30, have the morning hour, recess, and probably come back in at about 3 o'clock for the legislative business, and any procedural votes that might occur would probably be rolled until after that 3 o'clock coming back in?

Mr. GEPHARDT. I would say to the gentleman, if there is a procedural or a quorum call vote, it would be in the 4 to 5 o'clock period before it would start.

Mr. GINGRICH. I thank the majority leader.

AMENDMENT OFFERED BY MR. HOAGLAND

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

The Clerk read as follows:

Amendment offered by Mr. HOAGLAND:

Page 49, line 24, strike "and".

Page 50, line 12, strike the period and insert "; and".

Page 50, line 13, strike "Notwithstanding" and insert "notwithstanding".

Page 50, line 19, strike the period and insert "; and" and add after that line the following:

"(4) to the extent feasible, use funds received under this part to serve educationally deprived children who reside in school attendance areas having high concentrations of children from low-income families or who are under a school desegregation plan and who otherwise meet the eligibility requirements of this part and who attend schools in noneligible attendance areas.

Mr. HOAGLAND (during the reading). Mr. Chairman, I ask unanimous

consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

MODIFICATION TO AMENDMENT OFFERED BY MR. HOAGLAND

Mr. HOAGLAND. Mr. Chairman, I ask unanimous consent that the amendment be modified.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment, as modified, offered by Mr. HOAGLAND:

Page 50, after line 19, insert:

"(4) use funds received under this part to serve eligible children who reside in school attendance areas served under the part and who attend schools in other school attendance areas in accordance with a court-ordered school desegregation plan or a plan which continues to be implemented in accordance with a district-wide, court-ordered desegregation plan."

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The CHAIRMAN pro tempore. Is there objection to the modification?

There was no objection.

Mr. HOAGLAND. Mr. Chairman, the amendment I am offering today is intended to correct an important flaw in the new approach to distributing chapter 1 funds that is provided for in H.R. 6, the elementary and secondary education amendments.

The administration has decided on a policy change to concentrate chapter 1 funding to those schools with the most deserving and needy students. But the administration's bill fails to give any consideration to school districts operating under a school desegregation plan, and the result is that the proposal will penalize the very students chapter 1 is designed to help.

In Omaha, NB, there will be 1,000 public school students and 350 private school students—currently receiving chapter 1 services—who will no longer receive assistance because these students are attending a noneligible chapter 1 school because of a desegregation plan.

This is simply not fair.

In Omaha, students from low-income areas of the city who attend Dundee Elementary School or Washington Elementary School or Belle Ryan or Western Hills Elementary School may very well need the extra boost a remedial reading program would provide them. They should not get left behind just because the school districts in their city operate under a desegregation plan and so do not fit into the administration's criteria for concentrated help.

I think we should not prejudice those students.

Last, if we do not correct this policy in the bill, it may discourage further integration of our schools, and that would not make any sense. Our community has made great strides toward integration and we are quite proud of our efforts. It does not make any sense to penalize school districts and students in their efforts to integrate our schools.

In closing, I want to reiterate my concern for the 1,350 students in my congressional district who would not receive chapter 1 services without the adoption of this amendment. I think it is essential that it be adopted for the sake of those students and their families.

□ 1720

Mr. GOODLING. Mr. Chairman, if the gentleman will yield, we accept the amendment.

The CHAIRMAN pro tempore (Mr. VALENTINE). The question is on the amendment offered by the gentleman from Nebraska [Mr. HOAGLAND], as modified.

The amendment, as modified, was agreed to.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. HOAGLAND:

Page 49, line 24, strike "and".

Page 50, line 12, strike the period and insert "and".

Page 50 line 13, strike "Notwithstanding" and insert "notwithstanding".

Page 50, after line 19, insert:

"(4) use funds received under this part to serve eligible children who reside in school attendance areas served under the part and who attend schools in other school attendance areas in accordance with a court-ordered school desegregation plan or a plan which continues to be implemented in accordance with a district-wide, court-ordered desegregation plan."

AMENDMENT OFFERED BY MR. ACKERMAN

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

The Clerk read as follows:

Amendment offered by Mr. ACKERMAN:

Page 49, line 24, strike "and".

Page 50, line 12, strike the period and insert "; and".

Page 50, line 13, strike "Notwithstanding" and insert "notwithstanding".

Page 50, line 19, strike the period and insert "; and" and add after that line the following:

"(4) to the extent feasible, use funds received under this part to serve educationally deprived children who reside in school attendance areas having high concentrations of children from low-income families and who otherwise meet the eligibility requirements of this part and who attend schools in noneligible attendance areas.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

MODIFICATION TO AMENDMENT OFFERED BY MR. ACKERMAN

Mr. ACKERMAN. Mr. Chairman, I ask unanimous consent to modify the amendment with the language at the desk.

The CHAIRMAN pro tempore. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment, as modified, offered by Mr. ACKERMAN: Page 49, line 24, strike "and".

Page 50, line 12, strike the period and insert "; and".

Page 50, line 13, strike "Notwithstanding" and insert "notwithstanding".

Page 50, line 19, strike the period and insert "; and" and add after that line the following:

"(4) in LEA's that have over 900,000 students, to the extent feasible, use funds received under this part to serve educationally deprived children who reside in school attendance areas having high concentrations of children from low-income families and who otherwise meet the eligibility requirements of this part and who attend schools in noneligible attendance areas.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. Is there objection to the modification?

There was no objection.

Mr. ACKERMAN. Mr. Chairman, this amendment further modifies the bill to accommodate some of the inequities that some of us feel are in the bill, and I believe that we have the cooperation of the majority and the minority.

Mr. KILDEE. Mr. Chairman, if the gentleman will yield, the gentleman from Pennsylvania [Mr. GOODLING] and I have looked at this amendment and we have no problem with it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. ACKERMAN], as modified.

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. WHEAT

Mr. WHEAT. Mr. Chairman, I offer an amendment, and I ask unanimous consent for its immediate consideration.

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

There was no objection.

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

The Clerk read as follows:

Amendment offered by Mr. WHEAT:

Page 406, after line 18, insert the following:

"PART J—PARENTS AS TEACHERS

"SEC. 3941. SHORT TITLE.

"This part may be cited as the 'Parents as Teachers: the Family Involvement in Education Act of 1994'.

"SEC. 3942. FINDINGS.

"The Congress finds—

"(1) increased parental involvement in the education of their children appears to be the key to long-term gains for youngsters;

"(2) providing seed money is an appropriate role for the Federal Government to play in education;

"(3) children participating in the parents as teachers program in Missouri are found to have increased cognitive or intellectual skills, language ability, social skills and other predictors of school success;

"(4) most early childhood programs begin at age 3 or 4 when remediation may already be necessary; and

"(5) many children receive no health screening between birth and the time they enter school, thus such children miss the opportunity of having developmental delays detected early.

"SEC. 3943. STATEMENT OF PURPOSE.

"It is the purpose of this part to encourage States to develop and expand parent and early childhood education programs in an effort to—

"(1) increase parents' knowledge of and confidence in child-rearing activities, such as teaching and nurturing their young children;

"(2) strengthen partnerships between parents and schools; and

"(3) enhance the developmental progress of participating children.

"SEC. 3944. DEFINITIONS.

"For the purposes of this part—

"(1) the term 'developmental screening' means the process of measuring the progress of children to determine if there are problems or potential problems or advanced abilities in the areas of understanding and use of language, perception through sight, perception through hearing, motor development and hand-eye coordination, health, and physical development;

"(2) the term 'eligible family' means any parent with one or more children between birth and 3 years of age, or any parent expecting a child;

"(3) the term 'lead agency' means the office or agency in a State designated by the Governor to administer the parents as teachers program authorized by this part;

"(4) the term 'parent education' includes parent support activities, the provision of resource materials on child development and parent-child learning activities, private and group educational guidance, individual and group learning experiences for the parent and child, and other activities that enable the parent to improve learning in the home;

"(5) the term 'parent educator' means a person hired by the lead agency of a State or designated by local entities who administers group meetings, home visits and developmental screening for eligible families, and is trained by the Parents As Teachers National Center established under section 3948; and

"(6) the term 'Secretary' means the Secretary of Education.

"SEC. 3945. PROGRAM ESTABLISHED.

"(a) IN GENERAL.—

"(1) The Secretary is authorized to make grants to States to pay the Federal share of the cost of establishing, expanding, and operating parents as teachers programs.

"(2) In awarding grants under paragraph (1), the Secretary shall give special consideration to applicants whose programs primarily serve hard-to-serve populations, including—

- "(A) teenaged parents,
- "(B) illiterate parents,

"(C) economically disadvantaged parents,

"(D) offenders and their families,

"(E) unemployed parents,

"(F) learning disabled parents, and

"(G) non-English speaking parents.

"(3) In determining the amount of a grant under paragraph (1), the Secretary shall take into consideration the size of the population to be served, the size of the area to be served, and the financial resources of such population and area.

"(b) SPECIAL RULE.—Any State operating a parents as teachers program which is associated with the Parents As Teachers National Center located in St. Louis, Missouri, shall be eligible to receive a grant under this part.

"SEC. 3946. PROGRAM REQUIREMENTS.

"(a) IN GENERAL.—(1) Each State receiving a grant under section 3945(a) shall conduct a parents as teachers program which—

"(A) establishes and operates parent education programs including programs of developmental screening of children; and

"(B) designates a lead State agency which shall—

"(i) hire parent educators who have had supervised experience in the care and education of children;

"(ii) establish the number of group meetings and home visits required to be provided each year for each participating family, with a minimum of 4 group meetings and 8 home visits for each participating family;

"(iii) be responsible for administering the periodic screening of participating children's educational, hearing and visual development, using the Denver Developmental Test, Zimmerman Preschool Language Scale, or other approved screening instruments; and

"(iv) develop recruitment and retention programs for hard-to-reach populations.

"(2) Grants awarded section 3945(a) shall only be used for parents as teachers programs which serve families during the period of time beginning with the last 3 months of a mother's pregnancy and ending when a child attains the age of 3.

"SEC. 3947. PARENTS AS TEACHERS NATIONAL CENTER.

"The Secretary shall establish a Parents As Teachers National Center to disseminate information to, and provide technical and training assistance to, States establishing and operating parents as teachers programs.

"SEC. 3948. EVALUATIONS.

"The Secretary shall complete an evaluation of the State parents as teachers programs within 4 years from the date of enactment of this part.

"SEC. 3949. APPLICATION.

"Each State desiring a grant under section 3945(a) shall submit an application to the Secretary at such time, in such manner and accompanied by such information as the Secretary may reasonably require. Each such application shall describe the activities and services for which assistance is sought.

"SEC. 3950. PAYMENTS AND FEDERAL SHARE.

"(a) PAYMENTS.—The Secretary shall pay to each State having an application approved under section 3949 the Federal share of the cost of the activities described in the application.

"(b) FEDERAL SHARE.—(1) The Federal share—

"(A) for the first year for which a State receives assistance under this part shall be 100 percent;

"(B) for the second such year shall be 100 percent;

"(C) for the third such year shall be 75 percent;

"(D) for the fourth such year shall be 50 percent; and

"(E) for the fifth such year 25 percent.

"(2) The non-Federal share of payments under this part may be in cash or in kind fairly evaluated, including planned equipment or services.

"SEC. 3951. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$20,000,000 for each of the fiscal years 1995, 1996, 1997, 1998, and 1999 to carry out this part."

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

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

There was no objection.

MODIFICATION TO AMENDMENT OFFERED BY MR. WHEAT

Mr. WHEAT. Mr. Chairman, I ask unanimous consent to modify the amendment with an amendment at the desk.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modifications to amendment offered by Mr. WHEAT: Page 81, line 7, after "Even Start," insert "Parents As Teachers,"

Page 85, line 16, strike "and"

Page 85, line 19, after "systems;" insert "and"

Page 85, line 20, insert new subparagraph:

"(C) in the case of a school using funds under this part to operate a preschool program, opportunities for parents to learn about child development and child rearing issues beginning at birth."

Page 87, line 5, after "Even Start," insert "Parents As Teachers."

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

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

There was no objection.

The CHAIRMAN pro tempore. Is there objection to the modifications?

There was no objection.

Mr. WHEAT. Mr. Chairman, very briefly, I would like to thank Chairman FORD and Chairman KILDEE and Ranking Member GOODLING for their commitment to improving the quality of education in this country and for their hard work in crafting this landmark bill, and I think them for their support on this amendment.

This is the Parents as Teachers amendment that allows title I funds to be used for the very positive Parents as Teachers Programs that assist parents in teaching their children skills that are useful in improving their educational abilities in early childhood.

Mr. KILDEE. If the gentleman will yield, the gentleman from Pennsylvania [Mr. GOODLING] and I have looked at this amendment and we find it acceptable.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Missouri [Mr. WHEAT], as modified.

The amendment, as modified, was agreed to.

Mr. THOMAS of Wyoming. Mr. Chairman, I move to strike the last word.

First of all, Mr. Chairman, I want to thank my ranking member and the chairman for this opportunity. I had an amendment, but I am going to withdraw the amendment. It had to do with modifying the opportunities for schools to move to schoolwide programs with Chapter One funds.

Under the present circumstances I understand that it takes a school that has 75 percent of their students in the low income category. This bill moves it to 60 percent, and I would by my amendment have moved it to 50 percent. I think that is the proper thing to do.

It seems to me that the biggest step we could take to improve student performance would be to give schools flexibility. The present stratification of Federal money is cumbersome and inefficient. In Wyoming we had a number of meetings with educators to discuss the Chapter One Program and how to improve it for student benefits, and their basic feeling was shared in this statement:

Many factors now used to define and monitor Chapter 1 schools fall short of helping children succeed. Whether the Chapter 1 teacher spends one period a day or two periods a day teaching non-Chapter 1 kids is arbitrary and irrelevant. If Chapter 1 children do well and other children happen to benefit, why place parameters on who teaches whom, when and how? Schools forced by perceived regulatory requirements to use only pull-out models may deny Chapter 1 students the full benefit of the regular school program.

I have been to some schools in Wyoming where chapter 1 facilities, chapter 1 teachers' times and so on were not used to their full benefit because of this restriction. However, I do have assurances from the chairman of the subcommittee, the gentleman from Michigan, [Mr. KILDEE], and I appreciate it, that there would be some consideration, that this revised Chapter Two Program will not be attacked, and so I do believe perhaps I will withdraw the amendment in the hopes that the Senate will take a look at this opportunity to change it.

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

Mr. THOMAS of Wyoming. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding. I want to say that I had an amendment, as the gentleman knows, very similar to his which I have discussed with the committee, and which I have discussed with the gentleman from Pennsylvania [Mr. GOODLING] as well. Like the gentleman from Wyoming, I will not offer that amendment, but like him, I believe we have to look at this alternative.

Mr. Chairman, this amendment deals with an enormously important issue:

namely, expanding eligibility for a whole-school program under title I. Many of us believe that overall school improvement is the single best way to improve achievement by disadvantaged students. An enhanced, challenging curriculum taught by well-prepared teachers is, in fact, the goal of the school reform efforts all over the country. Given that, I think we have to ask ourselves why we continue to rely on pull-out programs as the backbone of the Title I Program.

Although this amendment only drops the percentage of disadvantaged children required for a schoolwide program to 50 percent from 60 percent, it is a key step in the right direction for title I. If a school and a school district are willing to go through the planning process and meet the performance standards—for all children—that are required of a schoolwide program, I say we should encourage them. This is one of the most powerful ways in which Federal funds can encourage school improvement all over the country. I think we should take this opportunity and expand title I schoolwide eligibility, provided it is accompanied by the kind of performance standards and accountability contained in H.R. 6.

As the chairmen and ranking member know, I think we should be offering schools even more flexibility in their use of Federal funds than we do in H.R. 6 overall. This bill's framework for schoolwide title I shows us how this could be done, and I hope by the time the ESEA reauthorization is signed into law, we will have expanded eligibility to all schools that are eager to participate. This amendment takes us toward that goal.

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If a school and a school district are willing to go through the planning process and meet the performance standards for all children that are required of the schoolwide program, I say we should encourage that acceptance of responsibility for all of the children in the school no matter what the percentage of poor children or disadvantaged children in that particular school.

This is one of the most powerful ways in which Federal funds can encourage school improvement all over the country. I think we should take this opportunity and expand title I schoolwide eligibility. It is controversial.

I know the committee has worked hard, and I am not going to offer my amendment. And I understand the gentleman himself is not going to offer it. But I look forward to working with him as this bill passes from here, and I am going to support this bill as it goes to the Senate. I am going to be an advocate of moving in the direction of making sure we utilize these funds for a broader schoolwide improvement which I think inevitably is the answer to making sure all children are lifted

with the expectations and the standards that we expect of our school system dollars that we pay, not mandate. If they do not want to take our dollars, they do not have to do it, but if they take it, then meet those standards for all children.

I thank the gentleman for his efforts, thank him for yielding, and look forward to working with him and with the gentleman from Michigan [Mr. KILDEE], the gentleman from Michigan [Mr. FORD], and the gentleman from Pennsylvania [Mr. GOODLING] on this issue.

I think we have a tremendous opportunity this year to make a dramatic difference. I think the committee has gone in the right direction, and I congratulate them for it.

Mr. THOMAS of Wyoming. Mr. Chairman, I thank the gentleman, and let me get one final shot in for flexibility, making decisions where they count on the ground. Further, it is not often that I agree with the administration, and I did on this one to go to 50, so I appreciate it very much.

Mr. Chairman, I withdraw the amendment.

The CHAIRMAN pro tempore (Mr. VALENTINE). If there are no further amendments to title I, the Clerk will designate title II of the proposed Elementary and Secondary Education Act.

The text of title II is as follows:

"TITLE II—IMPROVING TEACHING AND LEARNING

"PART A—DWIGHT D. EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM

"SEC. 2101. FINDINGS.

"The Congress finds that—

"(1) reaching the National Education Goals requires a comprehensive educational reform strategy that involves parents, schools, government, communities, and other public and private organizations at all levels;

"(2) a crucial component of the strategy for achieving these goals is ensuring, through sustained and intensive high-quality professional development, and through the development and adoption of high quality curriculum, that all teachers are capable of providing challenging learning experiences in the core academic subjects for their students;

"(3) decisionmaking as to what activities a State or local educational agency should undertake to improve teaching and learning are best made by individuals in the schools closest to the classroom and most knowledgeable about the needs of schools and students;

"(4) the potential positive impact of high-quality professional development is underscored by recent research findings that—

"(A) professional development must be focused on teaching and learning in order to change the opportunities of all students to achieve higher standards; and

"(B) effective professional development focuses on discipline-based knowledge and subject-specific pedagogical skills, involves teams of teachers and administrators in a school and, through professional networks of teachers and administrators, is interactive and collaborative, motivates by its intrinsic content and relationship to practice, builds on experience and learning-by-doing, and becomes incorporated into the everyday life of the school;

"(5) engaging teachers in the development of high quality curricula is a powerful professional

development activity that improves teaching and learning;

"(6) special attention must be given in professional development activities to ensure that education professionals are knowledgeable of, and make use of, strategies for serving populations that historically have lacked access to equal opportunities for advanced learning and career advancement;

"(7) States and local educational agencies also need to engage teachers in the development of high quality curricula that are aligned with State or local content and performance standards in order to improve teaching and learning and ensure that students achieve the State standards;

"(8) professional development is often a victim of budget reductions in fiscally difficult times and curricula development is almost nonexistent in many State and local school systems; and

"(9) the Federal Government has a vital role in helping States and local educational agencies to make sustained and intensive high-quality professional development in the core academic subjects become an integral part of the elementary and secondary education system and in providing assistance to such agencies to engage teachers in the development of high quality curricula that are aligned with State or local content and performance standards.

"SEC. 2102. PURPOSES.

"The purposes of this part are to provide assistance to States and local educational agencies and to institutions of higher education with teacher education programs so that such agencies can determine how best to improve the teaching and learning of all students through—

"(1) helping to ensure that teachers, other staff, and administrators have access to sustained and intensive high-quality professional development that is aligned to challenging State content and performance standards in the core academic subjects and that—

"(A) is tied to challenging State and local curriculum content and student performance standards;

"(B) reflects recent research on teaching and learning;

"(C) incorporates effective strategies, techniques, methods, and practices for meeting the educational needs of diverse students, including females, minorities, individuals with disabilities, limited-English proficient individuals, and economically disadvantaged individuals, in order to ensure that all students have the opportunity to achieve challenging performance standards;

"(D) includes strong academic content and pedagogical components;

"(E) is of sufficient intensity and duration to have a positive and lasting impact on the teacher's performance in the classroom; and

"(F) is part of the everyday life of the school and creates an orientation toward continuous improvement throughout the school; and

"(2) assisting States and local educational agencies to engage teachers in the development of high quality curriculum that is aligned with State or local content and performance standards.

"SEC. 2103. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION BETWEEN SUBPARTS.

"(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated \$800,000,000 for fiscal year 1995 and such sums as may be necessary for fiscal years 1996, 1997, 1998, and 1999.

"(b) ALLOCATION BETWEEN SUBPARTS.—Of the funds appropriated to carry out this part for a fiscal year, the Secretary shall use—

"(1) 5 percent to carry out subpart 1; and

"(2) 95 percent to carry out subpart 2.

"Subpart 1—Federal Activities

"SEC. 2111. PROGRAM AUTHORIZED.

"(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to, and enter into contracts and cooperative agreements with, local educational agencies, State educational agencies, State agencies for higher education, educational service agencies, institutions of higher education, and other public and private agencies, other organizations, and institutions to—

"(1) support activities of national significance that will contribute to the development and implementation of high-quality professional development activities in the core academic subject areas;

"(2) support the development of challenging curriculum that is aligned with State or local content and performance standards; and

"(3) evaluate activities carried out under this subpart and under subpart 2.

"(b) COORDINATION WITH OTHER AGENCIES.—In carrying out this program, the Secretary shall consult and coordinate with the National Science Foundation, the National Endowment for the Humanities, the National Endowment for the Arts, and other appropriate Federal agencies and entities.

"SEC. 2112. AUTHORIZED ACTIVITIES.

"(a) The Secretary shall use funds available to carry out this subpart—

"(1) to provide seed money to eligible entities to develop their capacity to offer sustained and intensive high-quality professional development;

"(2) for the development and maintenance of a national clearinghouse for science, mathematics, and technology education materials which shall be administered as an adjunct clearinghouse of the ERIC system of clearinghouses supported by the Office of Educational Research and Improvement;

"(3) to support consortia of educational agencies and organizations in disseminating information and providing assistance regarding curricula, teaching methods, and assessment tools that support national or State content standards in mathematics and science; and

"(4) the evaluation of programs under this subpart and under subpart 2.

"(b) The Secretary may use funds available to carry out this subpart—

"(1) for the development and maintenance of national clearinghouses for core academic subjects as the Secretary determines are needed and which shall be administered as adjunct clearinghouses of the ERIC system of clearinghouses supported by the Office of Educational Research and Improvement;

"(2) to provide grants to entities to develop high quality curricula that are aligned with voluntary national or State content standards;

"(3) to sponsor institutes that provide teachers and administrators with professional development that is based on strong and integrated disciplinary content and pedagogical components;

"(4) for efforts to train teachers in the innovative uses and applications of technology to enhance student learning;

"(5) to encourage the development of local and national professional networks of educators;

"(6) to disseminate standards in the core academic subjects, including information on voluntary national content and performance standards and related models of high-quality professional development;

"(7) for efforts to train teachers in innovative uses of applied learning strategies such as service learning;

"(8) to disseminate models of high-quality professional development activities that train educators in strategies, techniques, methods, and practices for meeting the educational needs of historically underserved populations, including

females, minorities, individuals with disabilities, limited-English proficient individuals, and economically disadvantaged individuals, in order to ensure that all students have the opportunity to achieve challenging performance standards;

"(9) to promote the transferability of licensure and certification of teachers and administrators among State and local jurisdictions; and

"(10) to support the National Board for Professional Teaching Standards.

"(c) In carrying out subsection (a), the Secretary shall ensure that each program, project, and activity contained in such subsection receives an allocation that is no less than the amount that each such program, project, or activity received in fiscal year 1994.

"Subpart 2—State and Local Activities

"SEC. 2121. PROGRAM AUTHORIZED.

"The Secretary is authorized to make grants to State educational agencies for the improvement of teaching and learning through sustained and intensive high-quality professional development activities in the core academic subjects at the State and local levels and the development by teachers and others of high-quality curricula that are aligned with State or local content and performance standards.

"SEC. 2122. ALLOCATION OF FUNDS.

"(a) RESERVATION OF FUNDS.—From the amount made available to carry out this subpart for any fiscal year, the Secretary shall—

"(1) reserve one half of one percent for the outlying areas, to be distributed among them on the basis of relative need, as determined by the Secretary in light of the purposes of this part; and

"(2) reserve one half of one percent for the Secretary of the Interior for programs under this subpart for professional development activities for teachers, other staff, and administrators in schools operated or funded by the Bureau of Indian Affairs.

"(b) STATE ALLOTMENTS.—The Secretary shall allocate the remaining amount to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico as follows, except that no State shall receive less than one-half of one percent of such remaining amount:

"(1) 50 percent shall be allocated among such jurisdictions on the basis of their relative populations of individuals aged 5 through 17, as determined by the Secretary on the basis of the most recent satisfactory data.

"(2) 50 percent shall be allocated among such jurisdictions in accordance with the relative amounts such jurisdictions received under part A of title I of this Act for the preceding fiscal year.

"(c) REALLOCATION.—If any jurisdiction does not apply for its allotment under subsection (b) for any fiscal year, the Secretary shall reallocate such amount to the remaining jurisdictions in accordance with such subsection.

"SEC. 2123. WITHIN-STATE ALLOCATIONS.

"(a) RESERVATIONS.—Of the amounts received by a State under this subpart for a fiscal year—

"(1) not more than 5 percent shall be used for the administrative costs of programs carried out by the State educational agency and the State agency for higher education;

"(2) not more than 5 percent may be used for State-level activities, as described in section 2125; and

"(3) of the remaining amount—

"(A) 87 percent shall be distributed to local educational agencies, to be used in accordance with section 2129, as follows:

"(i) 50 percent of such amount shall be distributed in accordance with the relative enrollments in public and private nonprofit schools within their boundaries.

"(ii) 50 percent of such amount shall be distributed in accordance with the relative amount

such agencies received under part A of title I of this Act for the preceding fiscal year; and

"(B) 13 percent shall be used for competitive grants to institutions of higher education as described in section 2129.

"(b) LIMITATION.—

"(1) GENERAL RULE.—Except as provided in paragraph (2), any local educational agency that receives an allocation of less than \$10,000 under subsection (a) shall, for the purpose of providing services under this subpart, form a consortium with at least 1 other local educational agency or institution of higher education receiving assistance under this section.

"(2) WAIVER.—The State educational agency shall waive the application of paragraph (1) in the case of any local educational agency that demonstrates that the amount of its allocation is sufficient to provide a program of sufficient size, scope, and quality to be effective. In granting waivers under the preceding sentence, the State educational agency shall—

"(A) give special consideration to local educational agencies serving rural areas; and

"(B) consider cash or in-kind contributions provided from State or local sources that may be combined with the local educational agency's allocation for the purpose of providing services under this part.

"SEC. 2124. STATE APPLICATIONS.

"(a) APPLICATIONS REQUIRED.—Each State educational agency that wishes to receive its allotment under this subpart for any fiscal year shall submit an application to the Secretary at such time and in such form as the Secretary may require.

"(b) STATE PLAN TO IMPROVE TEACHING AND LEARNING.—(1) Each application under this section shall include a State plan that—

"(A) is integrated with the State's plan, either approved or being developed, under title III of the Goals 2000: Educate America Act, and satisfies the requirements of this section that are not already addressed by that State plan; or

"(B) if the State does not have an approved plan under title III of the Goals 2000: Educate America Act and is not developing such a plan, is integrated with other State plans under this Act and satisfies the requirements of this section.

"(2) Each such plan shall also—

"(A) be developed in conjunction with the State agency for higher education, institutions of higher education, schools of education, and with the extensive participation of teachers and administrators and members of the public who are interested in improving education in the State and show the role of each in implementation;

"(B) be designed to give teachers and administrators in the State the knowledge and skills to provide all students the opportunity to meet challenging State performance standards;

"(C) include an assessment of State and local needs for professional development and for the development of curricula that are aligned with State or local content and performance standards;

"(D) include a description of how the plan has assessed the needs of local education agencies serving rural areas, and what actions are planned to meet those needs;

"(E) include a description of how the plan has maintained funding for professional development activities in mathematics and science education;

"(F) include a description of how the activities funded under this subpart will address the needs of teachers in schools receiving assistance under part A of title I of this Act;

"(G) a description of how programs in all core academic subjects, but especially in mathematics and science, will take into account the need for greater access to, and participation in, such dis-

ciplines by students from historically underrepresented groups, including females, minorities, individuals with limited-English proficiency, the economically disadvantaged, and the disabled, by incorporating pedagogical strategies and techniques which meet their educational need;

"(H) if the State's needs assessment under subsection (C) demonstrates a need for professional development, describe how the State will—

"(i) work with teachers, including teachers in schools receiving assistance under part A of title I of this Act, administrators, local educational agencies, schools, and institutions of higher education to ensure that they develop the capacity to support sustained and intensive, high-quality professional development programs in all the core academic subject areas, but especially in mathematics and science;

"(ii) take specific steps to review and, if necessary, reform State requirements for licensure of teachers and administrators, including certification and recertification, to align such requirements with challenging State content and performance standards; and

"(iii) address the need for improving teaching and learning through teacher development beginning with recruitment, pre-service, and induction, and continuing throughout the professional teaching career; and

"(I) if the State's needs assessment under subparagraph (C) demonstrates a need for curricula development, describe—

"(i) a strategy for engaging teachers in the development of curricula that are aligned with State or local content and performance standards; and

"(ii) how the State will also work with administrators, parents, school board members, and other members of the community in developing high quality curricula that are aligned with State or local content and performance standards.

"(c) ADDITIONAL MATERIAL.—Each State application shall also include—

"(1) a description of how the activities funded under this subpart will be coordinated, as appropriate, with—

"(A) other activities conducted with Federal funds, especially activities supported under part A of title I of this Act;

"(B) State and local funds;

"(C) resources from business and industry; and

"(D) funds from other Federal agencies, such as the National Science Foundation, the Departments of Commerce, Energy, and Health and Human Services, the National Endowment for the Arts, and the National Endowment for the Humanities; and

"(2) a description of the activities to be sponsored under the State-level activities and the higher education components of its program under this subpart.

"(d) PEER REVIEW AND SECRETARIAL APPROVAL.—(1) The Secretary shall approve the application of a State educational agency if it meets the requirements of this section and holds reasonable promise of achieving the purposes of this part.

"(2) In reviewing applications, the Secretary shall obtain the advice of non-Federal experts on education in the core academic subjects and on teacher education, including teachers and administrators.

"(e) ASSURANCE.—Each State applying for funds under this title shall provide the Secretary with the assurance that after July 1, 1998, it will require each local educational agency within the State to certify that each full time teacher in schools under the jurisdiction of the agency is certified to teach in the subject area to which he or she is assigned. Nothing in this subsection shall be construed to prevent a State

from implementing alternative methods of teacher certification.

"SEC. 2125. STATE-LEVEL ACTIVITIES.

"Each State may use funds reserved under section 2123(a)(2) to carry out activities referred to in section 2124(b), such as—

"(1) reviewing and reforming State requirements for teacher and administrator licensure, including certification and recertification, to align such requirements with the State's content standards and ensure that teachers and administrators have the knowledge and skills necessary to help students meet challenging State performance standards;

"(2) developing performance assessments and peer review procedures, as well as other methods, for licensing teachers and administrators;

"(3) providing technical assistance to schools and local educational agencies especially schools and local educational agencies that receive assistance under part A of title I of this Act, to help such schools and agencies provide effective professional development in the core academic subjects and develop high quality curricula;

"(4) developing or supporting professional development networks, either within a State or in a regional consortium of States, that provide a forum for interaction among teachers and that allow exchange of information on advances in content assessment and pedagogy;

"(5) supporting partnerships between schools, consortia of schools, or local education agencies and institutions of higher education, including but not limited to schools of education, which would encourage teachers to participate in intensive, ongoing professional development programs, both academic and pedagogical, at institutions of higher education, and to encourage students at institutions of higher education studying to become teachers to have direct, practical experience at the schools;

"(6) enhancing the effective use of educational technology as an instructional tool for increasing student understanding of the core academic subject areas including—

"(A) efforts to train teachers in the innovative uses and application of instructional technology;

"(B) utilizing and strengthening existing telecommunications infrastructure dedicated to educational purposes; and

"(C) efforts to train teachers in methods for achieving gender equity both in access to and teaching practices used in the application of educational technology;

"(7) providing incentives for teachers to be involved in curriculum development and technical assistance processes for teachers and students;

"(8) professional development enabling teachers and other school staff to ensure that girls, young women, minorities, limited English proficient students, individuals with disabilities, and economically disadvantaged individuals have the opportunity to achieve challenging State performance standards in the core academic subjects by, for example, encouraging girls, young women, and minorities to pursue advanced courses in mathematics and science;

"(9) designing professional development activities that increase the numbers of members of minority and other underrepresented groups in the teaching force in the core subjects;

"(10) developing high quality curriculum that is aligned with State or local content and performance standards; and

"(11) providing financial or other incentives for teachers to become certified by the National Board for Professional Teaching Standards.

"SEC. 2126. LOCAL PLAN AND APPLICATION FOR IMPROVING TEACHING AND LEARNING.

"(a) LOCAL APPLICATION.—(1) Each local educational agency that wishes to receive a

subgrant under this subpart shall submit an application (singly or as a consortia as described in section 2123(b)) to the State educational agency at such time as the State educational agency shall require, but not less frequently than every 3rd year.

"(2) If the local educational agency has an application approved by the State under title III of the Goals 2000: Educate America Act, the application required by this section shall be a component of (or, if necessary, an addendum to) its Goals 2000 application.

"(3) A local education agency shall set specific performance indicators for improving teaching and learning through professional development and curriculum development.

"(4) A local educational agency shall submit, as part of its application, the results of the needs assessment conducted under subsection (b), and the local educational agency plan developed in accordance with subsection (c).

"(b) NEEDS ASSESSMENT.—(1) A local educational agency that wishes to receive a subgrant under this subpart shall include in its application an assessment of such agency's need for professional development, for the development of high quality curricula that are aligned with State or local content and performance standards.

"(2) Such needs assessment shall be carried out with the involvement of teachers, including teachers in schools receiving assistance under part A of title I of this Act, and shall take into account what activities need to be conducted in order to give teachers and administrators the means, including the knowledge and skills, to provide students with the opportunity to meet challenging State or local performance standards.

"(c) PLAN DEVELOPMENT.—(1) The plan required under this subsection shall be developed jointly by the local educational agency and by teachers from the core academic disciplines.

"(2) Such teachers shall also be representative of the grade spans within schools to be served and of schools which receive assistance under part A of title I of this Act.

"(3) Based on the needs assessment required under subsection (b), the local educational agency's plan shall include the following—

"(A) a description of the local educational agency's strategy to improve teaching and learning in every school;

"(B) a description of how the plan contributes to the local educational agency's overall efforts for school reform and educational improvement;

"(C) a description of the activities the local educational agency intends to undertake under this subpart consistent with such agency's needs assessment conducted under subsection (b);

"(D) a description of how the plan has maintained funding for professional development activities in mathematics and science education;

"(E) a description of how the activities funded under this section will address the needs of teachers in schools receiving assistance under part A of title I of this Act;

"(F) a description of how programs in all core academic subjects, but especially in mathematics and science, will take into account the need for greater access to, and participation in, such disciplines by students from historically underrepresented groups, including females, minorities, individuals with limited-English proficiency, the economically disadvantaged, and the disabled, by incorporating pedagogical strategies and techniques which meet their educational need;

"(G) an assurance that the activities conducted with funds received under this program will be assessed at least every 3 years using the performance indicators; and

"(H) a description of how the program funded under this subpart will be coordinated, as appropriate, with—

"(i) activities conducted under section 2130 and other services of institutions of higher education;

"(ii) similar State and local activities;

"(iii) resources provided under part A of title I and other parts of this Act, particularly part B of title II;

"(iv) resources from business, industry, private nonprofit organizations (including museums, libraries, educational television stations, community-based organizations, professional organizations and associations specializing in, or with a demonstrated expertise in the core academic disciplines);

"(v) funds or programming from other Federal agencies, such as the National Science Foundation, the Department of Energy, the Department of Health and Human Services, the National Endowment for the Humanities, and the National Endowment for the Arts; and

"(vi) an identification of funding that will provide the local educational agency's contribution under section 2127.

"SEC. 2127. LOCAL COST SHARING.

"(a) IN GENERAL.—Each local educational agency shall bear not less than 33 percent of the cost of any program carried out under this subpart, but not including the cost of services provided to private schoolteachers.

"(b) AVAILABLE RESOURCES FOR COST-SHARING.—A local educational agency may meet the requirements of subsection (a) through one or more of the following:

"(1) Cash expenditures from non-Federal sources, including private contributions, directed toward professional development and curriculum development activities.

"(2) Release time for teachers participating in professional development or curricula development funded under this subpart.

"(3) Funds received under one or more of the following programs, if used for professional development or curricula development activities consistent with this subpart and consistent with the statutes under which such funds are provided, then such funds must be used for the benefit of students and teachers in the schools that would otherwise have been served with such funds:

"(A) Part A of title I of this Act.

"(B) The Safe and Drug Free Schools program under title IV of this Act.

"(C) The bilingual education program under title VII of this Act.

"(D) The Women's Educational Equity Program under title III of this Act.

"(E) Title III of the Goals 2000: Educate America Act.

"(F) Programs that are related to the purposes of this Act that are administered by other agencies, including the National Science Foundation, the National Endowment for the Humanities, the National Endowment for the Arts, and the Department of Energy.

"(c) WAIVER.—The State educational agency may approve an application which has not fully met the requirements of subsection (a) and waive the requirements of subsection (a) if a local educational agency can demonstrate that it is unable to meet the requirements of subsection (a) due to economic hardship and that compliance with such requirements would preclude its participation in the program.

"SEC. 2128. LOCAL ALLOCATION OF FUNDS AND ALLOWABLE ACTIVITIES.

"(a) LOCAL ALLOCATION OF FUNDS.—Each local educational agency that receives funds under this subpart for any fiscal year—

"(1) shall use not less than 80 percent of such funds for—

"(A) professional development of teachers, principals, and other instructional staff who work directly with children; and

"(B) engaging teachers and other staff in the development of high quality curricula aligned

with State and local content and performance standards, in a manner that is determined by such teachers and staff and is consistent with the provisions of such local educational agency's application under section 2126, any school plan under part A of title I of this Act, and any other plan for professional development or curricula development carried out with Federal, State, or local funds; and

"(2) may use not more than 20 percent of such funds for district-level professional or curricula development activities, which may include the participation of administrators and policymakers if such activities directly support instructional personnel.

"(b) **AUTHORIZED ACTIVITIES.**—Each local educational agency and school that receives funds under this subpart shall use such funds for activities that give teachers and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local content and performance standards. Funds received by local educational agencies under this subpart only shall be used for the activities specified under subsections (c) and (d). No less than 80 percent of those funds shall be used for activities under subsection (c) and not more than 20 percent for activities under subsection (d).

"(c) **PROFESSIONAL DEVELOPMENT.**—If a needs assessment conducted under section 2126(b) determines that funds under this subpart should be used to provide professional development in the core academic subjects for teachers and other school staff, the local educational agency shall use such funds for professional development for teachers and other staff to support teaching consistent with State, or local content standards, and shall, to the extent practicable, coordinate such activities with institutions of higher education and activities under section 2129:

"(1) Professional development activities funded under this subpart shall—

"(A) be tied to challenging State or local content and student performance standards;

"(B) reflect recent research on teaching and learning;

"(C) incorporate effective strategies, techniques, methods, and practices for meeting the educational needs of diverse students, including females, minorities, individuals with disabilities, limited-English proficient individuals, and economically disadvantaged individuals, in order to ensure that all students have the opportunity to achieve challenging performance standards;

"(D) include strong academic content and pedagogical components;

"(E) be of sufficient intensity and duration to have a positive and lasting impact on the teacher's performance in the classroom; and

"(F) be part of the everyday life of the school and create an orientation toward continuous improvement throughout the school.

"(2) Funds under this subpart may be used for professional development activities such as—

"(A) professional development for teams of teachers, administrators, or other staff from individual schools, to support teaching consistent with State or local content standards;

"(B) support and time for teachers and other school staff to participate in professional development in the core subjects offered through professional associations, universities, community-based organizations, and other providers including museums and educational partnership organizations;

"(C) activities that provide followup for teachers who have participated in professional development activities that are designed to ensure that knowledge and skills learned by the teacher are implemented in the classroom;

"(D) support for partnerships between schools, consortia of schools, or local education

agencies and institutions of higher education, including but not limited to schools of education, which would encourage teachers to participate in intensive, ongoing professional development programs, both academic and pedagogical, at institutions of higher education, and to encourage students at institutions of higher education studying to become teachers to have direct, practical experience at the schools;

"(E) the establishment and maintenance of local professional networks that provide a forum for interaction among teachers and that allow exchange of information on advances in content and pedagogy;

"(F) activities to prepare teachers in the effective use of educational technology as an instructional tool for increasing student understanding of the core academic subject areas;

"(G) activities to enable teachers to ensure that girls, young women, minorities, limited-English proficient students, individuals with disabilities, and economically disadvantaged individuals the opportunity to achieve the challenging State performance standards in the core academic subjects;

"(H) professional development and recruitment activities designed to increase the number of minorities, individuals with disabilities, and females teaching in the core academic subject in which they are underrepresented;

"(I) the development of incentive strategies for rewarding schools where a substantial portion of the teachers achieve certification by the National Board for Professional Teaching Standards; and

"(J) other sustained and intensive high-quality professional development activities in the core academic subjects.

"(d) **CURRICULUM DEVELOPMENT.**—(1) If the needs assessment of a local educational agency determines that funds under this subpart should be used for curriculum development, such agency shall use the funds provided to develop high quality curricula that is aligned with State or local content and performance standards.

"(2) Funds may be used to purchase the curriculum materials to the extent such materials are essential components of the local educational agency's plan to improve teaching and learning in the core academic subjects.

"SEC. 2129. HIGHER EDUCATION ACTIVITIES.

"(a) **GENERAL.**—(1) The State agency for higher education, working in conjunction with the State educational agency (if it is a separate agency), shall make grants to, or enter into contracts or cooperative agreements with, institutions of higher education and nonprofit organizations including museums and educational partnership organizations, which demonstrate consultation and cooperation with a local education agency, consortium of local education agencies, or schools, for—

"(A) professional development activities in the core academic subject areas that contribute to the State plan for professional development;

"(B) engaging teachers in the development of high-quality curricula that are aligned with State or local content and performance standards;

"(C) developing and providing assistance to local education agencies, and the teachers and staff of each such agency, for sustained, high-quality professional development activities; and

"(D) improving teacher education programs in order to promote further innovation in teacher education programs within an institution of higher education and to better meet the needs of the local education agencies for well-prepared teachers;

"(2) All such awards shall be made on a competitive basis.

"(3) No institution of higher education may receive assistance under subsection (a)(1) of this subsection unless the institution enters into an

agreement with a local education agency, or consortium of such agencies, to provide sustained, high-quality professional development for the elementary and secondary school teachers in the schools of each such agency.

"(4) Each project funded under this section shall involve a joint effort of the recipient's school or department of education and the schools or departments in the specific disciplines in which assistance may be provided.

"(b) **ALLOWABLE ACTIVITIES.**—A recipient of funds under this section shall use those funds for—

"(1) sustained and intensive high-quality professional development for teams of teachers, or teachers and administrators from individual schools or districts;

"(2) other sustained and intensive professional development activities related to achievement of the State plan for professional development such as—

"(A) establishment and maintenance of professional networks of teachers that provide a forum for interaction among teachers and that allow exchange of information on advances in content and pedagogy;

"(B) programs that prepare teachers to be effective users of information technology, able to integrate technology into their pedagogy and their instructional practices, and able to enhance their curricular offerings by appropriate applications of technology;

"(C) programs that utilize information technology to deliver sustained and intensive high quality professional development activities for teachers;

"(D) activities to enable teachers to ensure that girls, young women, minorities, limited-English proficient students, individuals with disabilities, and economically disadvantaged individuals have the opportunity to achieve the challenging State performance standards in the core academic subjects;

"(E) professional development and recruitment activities designed to increase the number of minorities, individuals with disabilities, and other underrepresented groups teaching in the core academic subjects, particularly in mathematics and science;

"(F) establishment of professional development academies operated as partnerships between one or more elementary or secondary schools and one or more institutions of higher education to provide school-based teacher training that provides prospective, novice, and experienced teachers with an opportunity to work under the guidance of master teachers and college faculty members; and

"(G) technical assistance to local educational agencies in providing sustained and intensive high quality professional development activities for teachers.

"Subpart 3—General Provisions

"SEC. 2131. REPORTING AND ACCOUNTABILITY.

"(a) **STATES.**—Each State that receives funds under this part shall submit a report to the Secretary every 3 years on the State's progress toward the performance indicator identified in its State plan, as well as on the effectiveness of State and local activities under this part.

"(b) **LOCAL EDUCATIONAL AGENCIES.**—Each local educational agency that receives funds under this part shall submit a report to the State every 3 years on its progress toward the outcome performance indicators in its plan.

"(c) **FEDERAL EVALUATION.**—The Secretary shall report to the President and Congress on the effectiveness of programs and activities funded under this part.

"(d) **PROHIBITION ON FUNDS BEING USED FOR CONSTRUCTION OR RENOVATION.**—Funds received under this part shall not be used for construction or renovation of buildings, rooms, or any other facilities.

"SEC. 2132. DEFINITIONS.

"As used in this part, the following terms have the following meanings:

"(1) The term 'core academic subjects' means those subjects listed in the State plan under title III of the Goals 2000: Educate America Act or under National Education Goal Three as set out in section 102(3) of such Act.

"(2) The term 'performance indicators' means measures of specific outcomes that the State or local educational agency identifies as assessing progress toward the goal of ensuring that all teachers have the knowledge and skills to assist their students to meet challenging State standards in the core academic subject areas. Examples of such indicators include—

"(A) the degree to which licensure requirements are tied to State standards;

"(B) specific increases in the number of elementary and secondary teachers with strong content backgrounds in the core academic subjects;

"(C) incorporates effective strategies, techniques, methods, and practices for meeting the educational needs of diverse students, including females, minorities, individuals with disabilities, limited-English proficient individuals, and economically disadvantaged individuals, in order to ensure that all students have the opportunity to achieve challenging performance standards; and

"(D) specific increases in the number of Board certified teachers licensed in each core subject.

"(3) The term 'sustained and intensive high-quality professional development' means professional development activities that—

"(A) are tied to challenging State or voluntary national content and performance standards;

"(B) reflect up-to-date research in teaching and learning and include integrated content and pedagogical components;

"(C) incorporates effective strategies, techniques, methods, and practices for meeting the educational needs of diverse students, including females, minorities, individuals with disabilities, limited English proficient individuals, and economically disadvantaged individuals, in order to assure that all students have the opportunity to achieve challenging performance standards;

"(D) are of sufficient intensity and duration to have a positive and lasting impact on the teacher's performance in the classroom or the administrator's performance on the job; and

"(E) recognize teachers as an important source of knowledge that should inform and help shape professional development.

"(4) The term 'local standard' means challenging content and performance standards in the core subjects (in addition to State content and performance standards approved by the State for title I).

"PART B—TECHNOLOGY EDUCATION ASSISTANCE**"Subpart 1—Assistance to State and Local Educational Agencies****"SEC. 2201. SHORT TITLE.**

"This title may be cited as the 'Technology Education Assistance Act of 1994'.

"SEC. 2202. FINDINGS.

"The Congress finds that—

"(1) technology can produce far greater opportunities for all students to learn to high standards and promote efficiency and effectiveness in education;

"(2) the use of technology as a tool in the teaching and learning process is essential to the development and maintenance of a technologically literate citizenry and an internationally competitive workforce;

"(3) the acquisition and use of technology in education throughout the United States has been inhibited by the absence of Federal leadership, the inability of many State and local edu-

catinal agencies to invest in and support needed technologies, and the limited availability of appropriate technology-enhanced curriculum, instruction, teacher training, and administrative support resources and services in the educational marketplace;

"(4) educational equalization concerns and school restructuring needs can be addressed through educational telecommunications and technology by offering universal access to high-quality teaching and programs, particularly in urban and rural areas;

"(5) in the absence of appropriate educational technology policies, the disparity between rich and poor students will become even greater in a world where technology and telecommunications increasingly have become an integral part of many households;

"(6) the increasing use of new technologies and telecommunications systems in business and industry has furthered the gap between schooling and work force preparation;

"(7) telecommunications can be a conduit for ongoing teacher training and improved professional development by providing to teachers constant access to updated research in teaching and learning;

"(8) research consistently shows that the planned use of technology combined with teachers who are adequately trained in its use can increase opportunities for more students to develop higher order thinking and technical skills than is possible with traditional instruction;

"(9) technology can engage students in learning through media with which they are comfortable, and prove to be an effective learning tool, particularly when correlated with State and national curriculum standards;

"(10) schools need new ways of financing the acquisition and maintenance of educational technology; and

"(11) the needs for educational technology differ from State to State.

"SEC. 2203. STATEMENT OF PURPOSE.

"The purpose of this Act is to support a comprehensive system for the acquisition and use by elementary and secondary schools in the United States of technology and technology-enhanced curricula, instruction, and administrative support resources and services to improve the delivery of educational services, such system shall include—

"(1) national leadership with respect to the need for, and the provision of, appropriate technology-enhanced curriculum, instruction and administrative programs to improve learning in the United States;

"(2) funding mechanisms which will support the development, interconnection, implementation, improvement and maintenance of an effective educational technology infrastructure;

"(3) information dissemination networks to facilitate access to information on effective learning programs, assessment and evaluation of such programs, research findings, and supporting resources (including instructionally based, technology-enhanced programs, research and resources) by educators throughout the United States;

"(4) an extensive variety of opportunities for teacher, inservice training, and administrative training and technical assistance with respect to effective uses of technologies in education;

"(5) utilizing and strengthening, not duplicating, existing telecommunications infrastructures dedicated to educational purposes;

"(6) development and evaluation of new and emerging educational technologies and telecommunications networks;

"(7) assessment data regarding state-of-the-art uses of technologies in United States education upon which commercial and noncommercial telecommunications entities, and governments can rely on for decisionmaking about the

need for, and provision of, appropriate technologies for education in the United States; and

"(8) authorize grants to States that—

"(A) improve the academic performance of students through technology;

"(B) strengthen the skills of teachers in effectively utilizing technology for student learning;

"(C) promote the planned application of technology in education by those who will use the technology; and

"(D) encourage collaborative relationships between the State agency for higher education, the State library administrative agency and the State telecommunications agency for education and the State educational agency in the area of technology support to strengthen the system of education.

"SEC. 2204. DEFINITIONS.

"For purposes of this title—

"(1) the terms 'library' and 'State library administrative agency' shall have the same meaning given to such terms in section 3 of the Library Services and Construction Act (Public Law 84-579);

"(2) the term 'Regional Education Laboratory' shall have the same meaning given to such term in section 405 of the Department of Education Organization Act (Public Law 96-88);

"(3) the term 'technology' includes closed circuit television systems, public telecommunications entities, cable television, satellite, copper and fiber optic transmission, computer, video and audio laser and CD ROM disc, video and audio tapes or other technologies;

"(4) the term 'credit enhancement' means a financial arrangement that enhances the credit quality of the issuer or the financial instrument being used; and

"(5) the term 'interoperability' means the ability to communicate with operating systems developed nationally and internationally using multiple network media.

"SEC. 2205. IN-STATE APPORTIONMENT.

"(a) AUTHORIZATIONS.—The Secretary is authorized to make grants to States in accordance with the provisions of this title to strengthen the skills of educators and improve learning through the use of technology.

"(b) ELEMENTARY, SECONDARY EDUCATION PROGRAMS.—(1) For each fiscal year, an amount equal to 70 percent of each State's allotment under section 2212(a)(2) shall be used for elementary and secondary education programs by the State educational agency in accordance with section 2206.

"(2) Not less than 90 percent of a State's allotment under this subsection shall be available to local educational agencies including services to adults and families of which not more than 5 percent of the funds available to the local educational agency for any fiscal year may be used for local administration.

"(3) Not more than 10 percent of the amount allocated under subsection (a) may be used by the State educational agency for technical assistance and administrative costs of which not less than 50 percent shall be used for technical assistance.

"(c) HIGHER EDUCATION PROGRAMS.—(1) For each fiscal year 20 percent of each State's allotment under section 2212(a)(2) shall be used by the State higher education agency designated in the State plan for partnership programs between local educational agencies, including educational services to adults and families and higher education institutions in accordance with section 2207.

"(2) Not less than 90 percent of the amount available for this subsection shall be used by the State for grants to institutions of higher education for partnership programs in accordance with the provisions of section 2207.

"(3) Not more than 10 percent of the amount allocated to the State's higher education part-

nership program under this section, may be used for the costs incurred for the evaluation of programs assisted under section 2207; and for administrative costs of the State's higher education agency designated in the State plan.

"(d) **LIBRARY AND LITERACY PROGRAMS.**—(1) For each fiscal year 10 percent of each State's allocation under section 2212(a)(2) shall be used by the State library administrative agency to support collaborative activities among libraries, literacy programs, and local educational agencies in accordance with section 2208.

"(2) Not less than 90 percent of the amount available for this section shall be used by the State for grants to local public libraries and literacy programs in accordance with the provisions of section 2208.

"(3) Not more than 10 percent of the amount available under this section may be used by the State for the costs incurred for evaluation of programs assisted under section 2208 and for administrative costs of the State library administrative agency.

"SEC. 2206. ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.

"(a) **IN GENERAL.**—The amount apportioned under section 2205(b) from each State's allotment shall be used by the State educational agency to strengthen elementary and secondary education programs in accordance with the provisions of this section.

"(b) **LOCAL EDUCATIONAL AGENCIES.**—(1) Each local educational agency, including educational services for adults and families, shall use the educational technology funds available under section 2205(b)(2) for—

"(A) developing, adapting, or expanding existing and new applications of technology to support the school reform effort; and

"(B) funding projects of sufficient size and scope to improve student learning and, as appropriate, support professional development, and provide administrative support.

"(2) To be eligible to receive educational technology funds under this section for school or other school managed alternative learning environment, a local educational agency must submit an application to the State educational agency. If the local educational agency has an application approved by the State under title III of the Goals 2000: Educate America Act, the application required by this section shall be a component of (or if necessary an addendum to) its Goals 2000 application. The local educational agency must also receive State approval of a technology use plan which includes—

"(A) a description of how the local educational agency plans to use the financial assistance received under section 2205(b)(2) to improve the use of technology in instruction, professional development and administration;

"(B) a description of how funds under section 2205(b)(2) will be coordinated with other State, local and Federal resources;

"(C) a description of how the school programs will use other resources of the community and involve public agencies, private industry, institutions of higher education, public and private nonprofit organizations, and other appropriate institutions;

"(D) assurances that the programs will be evaluated and outcomes reported in terms of the level of implementation of the technology-based resources funded by this title, the impact on teaching and learning, the changes in the school program, and the extent to which the school will sustain the project after funding is terminated;

"(E) a description of how the plan will support State and local content and performance standards;

"(F) provisions to support, as needed, individual teachers to develop and implement technology-based intervention projects, including

those which respond to the needs of students with disabilities;

"(G) a description of how the financial assistance will be used as appropriate for the expansion and improvement of professional development of teachers and other appropriate personnel regarding the use of technology, including the educational use of computers, videos, and telecommunications to enhance learning such training and instruction may be carried out through agreements with public agencies, private industry, institutions of higher education, regional educational laboratories and national research centers, nonprofit organizations, (including museums) libraries, educational television stations;

"(H) a description of a strategy for the enhanced involvement of parents through the use of technology; and

"(I) a description of how the plan will address the needs of students with disabilities.

"(3) A local educational agency for any fiscal year may apply for financial assistance as part of a consortium with other local educational agencies, institutions of higher education, intermediate educational units, libraries, or other appropriate educational entities to provide local programs. The State educational agency may assist in the formation of consortia between local educational agencies, providers of educational services for adults and families, institutions of higher education, intermediate educational units, libraries, or other appropriate educational entities to provide services for the teachers and students in a local educational agency at the request of such local educational agency.

"SEC. 2207. HIGHER EDUCATION PROGRAMS.

"(a) **IN GENERAL.**—The amount apportioned under section 2205(c) from each State's allotment shall be used by the State for education programs in accordance with the provisions of this section.

"(b) **GRANTS TO INSTITUTIONS OF HIGHER EDUCATION.**—(1) The State agency for higher education, in accordance with the State educational technology plan filed under section 2209, shall make grants available on a competitive basis to institutions of higher education in the State which form partnerships with one or more local educational agencies.

"(2) The amount available under section 2205(c)(2) shall be used for—

"(A) professional development for new teachers in the use of technology as an educational tool;

"(B) professional development for elementary, secondary, adult and family, and vocational school teachers and training for other appropriate school personnel to improve their ability to use educational technology in their teaching; and

"(C) programs to improve student performance in academic and work skill areas through the use of technology.

"(3) No institution of higher education may receive assistance under paragraph (2)(A), (B), and (C) unless the institution enters into an agreement with a local educational agency, or consortium of such agencies, to provide professional development for the elementary and secondary school teachers in the public and private schools of the school district of each agency.

"(c) **COOPERATIVE PROGRAM.**—The State higher education agency may use funds described in section 2205(c)(2) to achieve the objectives of section 2207 by establishing cooperative programs among institutions of higher education, private industry, and non-profit organizations, that include one or more local education agencies, for the development and dissemination of projects to improve student performance in academic or work skill areas.

"(d) **REPORTING.**—In accordance with section 2205(c), 5 percent of the funding available for

higher education partnerships may be used by the agency for higher education for evaluating the programs funded under this section. Reports on the progress of programs shall be provided to the State educational agency annually.

"SEC. 2208. LIBRARY AND LITERACY PROGRAMS.

"(a) **IN GENERAL.**—Except as provided in paragraph (2), the amount apportioned under section 2205(d) from each State's allotment under this section shall be used by the State to assist literacy and education programs in accordance with the provisions of this section.

"(b) **GRANTS TO LOCAL PUBLIC LIBRARIES.**—(1) In accordance with the State education technology plan filed under section 2209, the State library administrative agency shall make grants available on a competitive basis to local public libraries in the State which demonstrate involvement of one or more local educational agencies and literacy programs or organizations in their activities.

"(2) The amount available under section 2205(d)(2) shall be used for—

"(A) developing programs that help libraries, local educational agencies, and literacy programs use technology to share services and resources and develop collaborative activities that improve their performance and that of the students in academic and work skill areas; and

"(B) professional development for library, literacy, and other appropriate personnel to improve their skills in the use of educational technology and telecommunications.

"(c) **COOPERATIVE PROGRAM.**—The State library administration agency may use funds described in section 2205(d)(2) to achieve the objectives of section 2208 by establishing cooperative programs among public libraries, literacy organizations, private industries, and nonprofit education organizations, if such programs include one or more local educational agencies.

"(d) **REPORTING.**—In accordance with section 2205(d), funding available for library and literacy programs may be used by the library administrative agency for reporting and evaluating the programs funded under this section. Reports on the progress of programs shall be provided to the State educational agency annually.

"SEC. 2209. STATE EDUCATIONAL TECHNOLOGY PLAN.

"(a) **APPLICATION.**—(1) Each State educational agency which desires to receive a grant under this title shall, in consultation with the State agency for higher education and the State library administrative agency, file a single educational technology plan with the Secretary of Education which covers a period of 5 fiscal years. The State educational agency shall be responsible for funding, supervising, and coordinating programs described under this title and shall file the educational technology plan at such time, in such manner, and containing or accompanied by such financial, educational and technological information as this section requires or as the Secretary may reasonably require.

"(2) Such plan shall be—

"(A) integrated with the State's plan either approved or being developed under the Goals 2000: Educate America Act, and shall satisfy the requirements of this section that are not already addressed by that State plan; or

"(B) if the State does not have an approved plan under the Goals 2000: Educate America Act and is not developing such a plan, integrated with other State plans under this Act and satisfy the requirements of this section.

"(b) **CONTENTS OF THE PLAN.**—Each such plan shall—

"(1) designate the State agency or agencies responsible for administering the elementary and secondary adult and family programs under section 2206, and the higher education programs under section 2207 and designate the State li-

brary administrative agency to administer the library and literacy programs under section 2208 in support of improved student learning;

"(2) describe a financial plan developed by the State educational agency, which shall describe—

"(A) financial assistance mechanisms to best fit the technology needs of the State. Such mechanisms, which must be included in the plan, may include, but not be limited to—

"(i) grants;

"(ii) matching grants;

"(iii) loans;

"(iv) loan guarantees; and

"(v) other credit enhancements.

"(B) describe criteria and approving procedures for submitting applications for programs described in sections 2206, 2207, and 2208 for funding assistance under section 2205 within the State;

"(C) delineate processes for auditing and monitoring the use of funds by recipients;

"(D) describe priorities for awarding funds under various funding mechanisms; and

"(E) construe nothing in subsection (b)(2) to implicitly or explicitly imply that the funds made available under this subsection, through whatever mechanism is chosen by the State agency, and recommended for approval to the Secretary are backed by the full faith and credit of the Federal Government;

"(3) designate the State education agency or another single agency to carry out the financial plan developed by the State education agency and to allocate funds received under sections 2205 and 2212(a)(2). Such designated agency shall be responsible for—

"(A) maintaining appropriate records of allocation of funds, and, in the case of loans, adequate collection procedures and records;

"(B) reporting annually to the Secretary on the use of funds received under section 2212(a)(2);

"(4) describe an implementation strategy to coordinate the expenditure of financial assistance paid under sections 2205 and 2212(a)(2) with other State and local funds, other Federal funds and resources;

"(5) provide assurances that financial assistance provided under section 2205 shall supplement, not supplant, State and local funds;

"(6) describe how business, industry, and other public and private agencies, including libraries, literacy programs, and institutions of higher education, can participate in the implementation, ongoing planning, and support of the plan;

"(7) delineate educational problems and needs in the State, describe all learning environments supported by the State plan, and specify how the application of technology will address those and other needs including but not limited to the special needs of—

"(A) urban and rural schools;

"(B) students with disabilities; and

"(C) disadvantaged students;

"(8) provide assurances that—

"(A) during the 5-year period of the plan, the State shall evaluate its standards for teacher preparation in the use of technology; and

"(B) programs conducted with State funds available under this title shall be evaluated and an evaluation report shall be submitted to the Secretary at the close of the third year of funding;

"(9) describe how the State educational agency will promote the purchase of equipment by local school districts and schools that, when placed in operation, will provide the greatest accessibility and equity for students and meet the highest level of interoperability and open system design within the emerging broad-based electronic information highway that includes schools within the State;

"(10) describe the State's strategy for ensuring that teachers, administrators and other education personnel have access to the necessary staff development and technical assistance to improve teaching and learning, school administration, and the electronic transfer of, and access to, information;

"(11) establish a method for continuously gathering and disseminating current and emerging information on all aspects of educational technology to all educators within the State;

"(12) describe how the State's planned use of technology is supportive of the national education goals;

"(13) provide performance indicators and an evaluation method for the State plan; and

"(14) create a planning process through which such plan is reviewed and updated periodically.

"(c) APPROVAL OF PLANS.—(1) The State educational agency shall submit a plan for approval to the Secretary who shall expeditiously review such State plan.

"(2) Any State that submits a plan that is not approved shall receive assistance from the Secretary to improve its plan.

"SEC. 2210. LOCAL EDUCATIONAL TECHNOLOGY PLAN.

"(a) APPLICATION.—A local educational agency that desires to receive financial assistance under section 2205, shall submit to the State educational agency (singly or in conjunction with other local educational agencies, institutions of higher education, or an intermediate educational unit) a plan which covers a 3-year period.

"(b) CONTENTS OF THE PLAN.—A local educational agency plan shall—

"(1) assure that the programs will be evaluated, and outcomes reported in terms of—

"(A) the level of implementation of the technology-based resources funded by this title;

"(B) the impact on teaching and learning; and

"(C) the extent to which the school or other appropriate learning environments will sustain the project after funding is terminated;

"(2) be consistent with district level planning for educational technology, and shall support the local and State's curriculum frameworks;

"(3) make provision for technical support and professional development as needed for individual teachers to develop and implement technology-assisted instruction; and

"(4) provide a strategy for the enhanced involvement of parents through the use of technology.

"SEC. 2211. FEDERAL ADMINISTRATION.

"(a) EVALUATION PROCEDURES.—The Secretary shall, with State and local representatives, develop procedures for State and local evaluations of the programs under this title.

"(b) EVALUATION SUMMARY.—The Secretary shall submit to the Congress 4 years after the enactment of this bill a summary of the State evaluations of programs under this subpart.

"SEC. 2212. ALLOCATION OF FUNDS.

"(a) IN GENERAL.—(1) From the amount appropriated under section 2213 for any fiscal year, the Secretary shall reserve—

"(A) not more than one half of one percent for allocation among Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this subpart; and

"(B) one half of 1 percent for programs for Indian students served by schools funded by the Secretary of the Interior consistent with the purposes of this subpart;

"(2) The remainder of the amount so appropriated after meeting the requirements of paragraph (1) shall be allocated among the States (for purposes of this section, the District of Columbia and Puerto Rico shall be considered as

States) with approved State plans under section 2209 as follows—

"(A) 1/2 of such remainder shall be allocated among the States by allocating to each State an amount which bears the same ratio to such 1/2 of such remainder as the number of children aged 5 to 17, inclusive, in the State bears to the number of such children in all States;

"(B) 1/2 of such remainder shall be allocated among the States according to each State's share of allocations under part A of title I of the Elementary and Secondary Education Act of 1965, except that no State shall receive less than 1/2 of 1 percent of the amount available under this subsection in any fiscal year or less than the amount allotted to such State for fiscal year 1988 under title II of the Education for Economic Security Act;

"(C) for the purposes of this subsection, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands; and

"(D) the number of children aged 5 to 17, inclusive, in the State and in all States shall be determined by the Secretary on the basis of the most recent satisfactory data available to the Secretary.

"(3) The Secretary shall make payments under paragraphs (1)(A) and (1)(B) on whatever terms the Secretary determines will best carry out the purposes of title I of this Act.

"(b) REALLOTMENT OF UNUSED FUNDS.—(1) The amount of any State's allotment under subsection (a) for any fiscal year which the Secretary determines will not be required for such fiscal year to carry out part B of title II shall be available for reallocation from time to time, on such dates during such year as the Secretary may determine, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use for such year.

"(2) The total of reductions under paragraph (1) shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amounts reallocated to a State under this subsection during a year shall be deemed a subpart of its allotment under subsection (a) for such year.

"SEC. 2213. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$300,000,000 for this subpart for 1995 and such sums as may be necessary for each of the fiscal years 1996 through 1999.

"Subpart 2—Research, Development, and Demonstration of Educational Technology

"SEC. 2214. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds that—

"(1) technology has the potential to assist and support the improvement of teaching and learning in schools and other settings;

"(2) technology can provide students, parents, teachers, and other education professionals with increased access to information, instruction, and educational services in schools and other settings, including homes, libraries, preschool and child-care facilities, and postsecondary institutions;

"(3) technology can produce far greater opportunities for all students to learn to high standards and to promote efficiency and effectiveness in education; and

"(4) the rapidly changing nature of technology requires coordination and flexibility in Federal leadership.

"(b) PURPOSES.—The purposes of this subpart are to promote achievement of the National Education Goals and to increase the opportunity for all students to achieve to challenging State standards by—

"(1) promoting awareness of the potential of technology for improving teaching and learning;

"(2) supporting State and local efforts to increase the effective use of technology for education;

"(3) demonstrating ways in which technology can be used to improve teaching and learning, and to help ensure that all students have an equal opportunity to meet challenging State education standards;

"(4) ensuring the availability of knowledge drawn from research and experience that can form the basis for sound State and local decisions about investment in, and effective uses of, educational technology;

"(5) promoting high-quality professional development opportunities for teachers and administrators on the integration of technology into instruction and administration;

"(6) ensuring that Federal technology-related policies and programs facilitate the use of technology in education; and

"(7) ensuring that, as technological advances are made, the educational uses of these advances are considered and their applications are developed.

"SEC. 2215. OFFICE OF EDUCATIONAL TECHNOLOGY.

"There is established in the Department an Office of Educational Technology, which shall be administered by a Director of Educational Technology appointed by the Secretary. The Office of Educational Technology, in consultation with other appropriate agencies, shall provide leadership to the Nation in the use of technology to promote achievement of the National Education Goals and to increase opportunities for all students to achieve to challenging State standards, and shall perform such additional functions as the Secretary may require.

"SEC. 2216. NATIONAL LONG-RANGE PLAN.

"(a) IN GENERAL.—(1) The Secretary shall develop and publish by September 30, 1995, and update when appropriate, a national long-range plan to carry out the purposes of this subpart.

"(2) The Secretary shall—

"(A) develop the plan in consultation with other Federal agencies, State and local education practitioners and policy-makers, experts in technology and the educational applications of technology, and providers of technology services and products;

"(B) transmit the plan to the President and to the appropriate committees of the Congress; and

"(C) publish the plan in a form that is readily accessible to the public.

"(b) CONTENTS OF THE PLAN.—The national long-range plan shall describe the Secretary's activities to promote the purposes of this subpart, including—

"(1) how the Secretary will encourage the effective use of technology to provide all students the opportunity to achieve to challenging State standards, especially through programs administered by the Department;

"(2) joint activities with other Federal agencies, such as the National Endowment for the Humanities, the National Endowment for the Arts, the National Aeronautics and Space Administration, the National Science Foundation, and the Departments of Commerce, Energy, Health and Human Services, and Labor, to promote the use of technology in education, and training and lifelong learning, including plans for the educational uses of a national information infrastructure, and to ensure that the policies and programs of such agencies facilitate the use of technology for educational purposes to the extent feasible;

"(3) how the Secretary will work with educators, State and local educational agencies, and appropriate representatives of the private sector to facilitate the effective use of technology in education;

"(4) how the Secretary will promote—

"(A) increased access to the benefits of technology for teaching and learning for schools with high concentrations of children from low-income families;

"(B) the use of technology to assist in the implementation of State systemic reform strategies;

"(C) the application of technological advances to use in education; and

"(D) increased opportunities for the professional development of teachers in the use of new technologies;

"(5) how the Secretary will determine, in consultation with appropriate individuals, organizations, and agencies, the feasibility and desirability of establishing guidelines and protocols to facilitate effective use of technology in education; and

"(6) the Secretary's long-range measurable goals and objectives relating to the purposes of this subpart.

"SEC. 2217. FEDERAL LEADERSHIP.

"(a) PROGRAM AUTHORIZED.—(1) In order to provide Federal leadership in promoting the use of technology in education, the Secretary, in consultation with the National Science Foundation, the Department of Commerce, and other appropriate Federal agencies, may carry out activities designed to achieve the purposes of this subpart directly or by awarding grants (pursuant to a peer review process) to, or entering into contracts with, State educational agencies, local educational agencies, institutions of higher education, or other public and private nonprofit or for-profit agencies and organizations.

"(2) For the purpose of carrying out coordinated or joint activities consistent with the purposes of this subpart, the Secretary may accept funds from, and transfer funds to, other Federal agencies.

"(b) USES OF FUNDS.—The Secretary may use funds appropriated under this subpart for activities designed to carry out the purpose of this subpart, and to meet the goals and objectives of the national long-range plan under section 2216, including—

"(1) planning grants to States and local education agencies, to enable such entities to examine and develop strategies for the effective use of technology to help achieve the objectives of the Goals 2000: Educate America Act and the School-to-Work Opportunities Act of 1993;

"(2) development grants to technical assistance providers, to enable them to improve substantially the services they offer to educators on the educational uses of technology, including professional development;

"(3) consulting with representatives of industry, elementary and secondary education, higher education, and appropriate experts in technology and its educational applications in carrying out activities under this subpart;

"(4) research on, and the development of, guidelines and protocols to facilitate efficient and effective use of technology in education;

"(5) research on, and the development of, educational applications of the most advanced and newly emerging technologies;

"(6) the development, demonstration, and evaluation of applications of existing technology in preschool education, elementary and secondary education, training and lifelong learning, and professional development of educational personnel;

"(7) the development and evaluation of software and other products, including television programming, that incorporate advances in technology and help achieve the National Education Goals and challenging State standards;

"(8) the development, demonstration, and evaluation of model strategies for preparing teachers and other personnel to use technology effectively to improve teaching and learning;

"(9) the development of model programs to demonstrate the educational effectiveness of

technology in urban and rural areas and economically-distressed communities;

"(10) research on, and the evaluation of, the effectiveness and benefits of technology in education;

"(11) conferences on, and dissemination of information about, the uses of technology in education;

"(12) the development of model strategies to promote gender equity concerning access to, and the use of, technology in the classroom; and

"(13) such other activities as the Secretary determines would meet the purposes of this subpart.

"(c) NON-FEDERAL SHARE.—(1) Subject to paragraph (2), the Secretary is authorized to require any recipient of a grant or contract under this subpart to share in the cost of its project, which share shall be announced through a notice in the Federal Register and may be in the form of cash or in-kind contributions, fairly valued.

"(2) The Secretary may increase the non-Federal share required of such recipient after the first year of the recipient's project, except that such share may not exceed 50 percent at any time during the recipient's project.

"SEC. 2218. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1995 through 1999.

"Subpart 3—Star Schools Program

"SEC. 2219. FINDINGS.

"SEC. 3121. The Congress finds that—

"(1) the Star Schools program has helped to encourage the use of distance learning strategies to serve multi-State regions primarily by means of satellite and broadcast television;

"(2) in general, distance learning programs have been used effectively to provide students in small, rural, and isolated schools with courses and instruction, such as science and foreign language instruction, that the local educational agency would not otherwise have been able to provide; and

"(3) distance learning programs could also be used to—

"(A) provide students in all types of schools and local educational agencies with greater access to high-quality instruction in the full range of core academic subjects that would enable them to meet challenging, internationally competitive, educational standards;

"(B) expand professional development opportunities for teachers;

"(C) contribute to achievement of the National Education Goals; and

"(D) expand learning opportunities for everyone.

"SEC. 2220. STATEMENT OF PURPOSE.

"The purpose of this subpart is to encourage the expansion and use of distance learning programs and technologies to help—

"(1) improve teaching and learning;

"(2) achieve the National Education Goals;

"(3) all students learn to challenging State content standards; and

"(4) increase participation in State and local educational reform.

"SEC. 2221. PROGRAM AUTHORIZED.

"(a) STAR SCHOOL AWARDS.—The Secretary is authorized, in accordance with this subpart, to make grants to eligible entities for the Federal share of the cost of providing distance learning programs, including—

"(1) developing, constructing, and acquiring telecommunications facilities and equipment;

"(2) developing and acquiring instructional programming; and

"(3) providing technical assistance regarding the use of such facilities and instructional programming.

"(b) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1995 through 1999.

"(c) **LIMITATIONS.**—(1) A grant under this section shall not exceed—

"(A) five years in duration; and

"(B) \$10,000,000 in any one fiscal year.

"(2) Not less than 25 percent of the funds available to the Secretary for any fiscal year under this subpart shall be used for the cost of instructional programming.

"(3) Not less than 50 percent of the funds available to the Secretary for any fiscal year under this subpart shall be used for the cost of facilities, equipment, teacher training or retraining, technical assistance, or programming, for local educational agencies that are eligible to receive assistance under part A of title I of this Act.

"(d) **FEDERAL SHARE.**—(1) The Federal share of the cost of projects funded under this section shall not exceed 75 percent for the first and second years of the award, 60 percent for the third and fourth years, and 50 percent for the fifth year.

"(2) The Secretary may reduce or waive the requirement of the non-Federal share under paragraph (1) upon a showing of financial hardship.

"(e) **AUTHORITY TO ACCEPT FUNDS FROM OTHER AGENCIES.**—The Secretary is authorized to accept funds from other agencies to carry out the purposes of this section, including funds for the purchase of equipment.

"SEC. 2222. ELIGIBLE ENTITIES.

"(a) **ELIGIBLE ENTITIES.**—(1) The Secretary may make a grant under section 2221 to any eligible entity, provided that at least one local educational agency is participating in the proposed project.

"(2) An eligible entity may include—

"(A) a public agency or corporation established for the purpose of developing and operating telecommunications networks to enhance educational opportunities provided by educational institutions, teacher training centers, and other entities, except that any such agency or corporation shall represent the interests of elementary and secondary schools that are eligible to participate in the program under part A of title I of this Act; or

"(B) any two or more of the following, which will provide a telecommunications network:

"(i) a local educational agency that has a significant number of elementary and secondary schools that are eligible for assistance under part A of title I of this Act, or elementary and secondary schools operated or funded for Indian children by the Department of the Interior eligible under section 1121(b)(1) of this Act;

"(ii) a State educational agency;

"(iii) an institution of higher education or a State higher education agency;

"(iv) a teacher training center or academy that—

"(I) provides teacher pre-service and in-service training; and

"(II) receives Federal financial assistance or has been approved by a State agency;

"(v)(I) a public or private entity with experience and expertise in the planning and operation of a telecommunications network, including entities involved in telecommunications through satellite, cable, telephone, or computer; or

"(II) a public broadcasting entity with such experience; or

"(vi) a public or private elementary or secondary school.

"SEC. 2223. APPLICATIONS.

"(a) **GENERAL REQUIREMENT.**—Each eligible entity that desires to receive a grant under this

subpart shall submit an application to the Secretary in such form, at such time, and containing such information and assurances as the Secretary may require.

"(b) **STAR SCHOOL AWARD APPLICATIONS.**—Each application for a grant authorized under section 2221 shall—

"(1) describe—

"(A) how the proposed project will assist in achieving the National Education Goals set out in title I of the Goals 2000: Educate America Act, how it will assist all students to have an opportunity to learn to challenging State standards, and how it will assist State and local educational reform efforts;

"(B) the telecommunications facilities and equipment and technical assistance for which assistance is sought, which may include—

"(i) the design, development, construction, and acquisition of district, multidistrict, State, or multistate educational telecommunications networks and technology resource centers;

"(ii) microwave, fiber optics, cable, and satellite transmission equipment, or any combination thereof;

"(iii) reception facilities, satellite time, production facilities, and other telecommunications equipment capable of serving the intended geographic area;

"(iv) the provision of training services to instructors who will be using the facilities and equipment for which assistance is sought in using such facilities and equipment, and in integrating programs into the class curriculum; and

"(v) the development of educational and related programming for use on a telecommunications network;

"(C) the types of programming that will be developed to enhance instruction and training, including an assurance that such programming will be designed in consultation with professionals who are experts in the applicable subject matter and grade level;

"(D) how the eligible entity has engaged in sufficient survey and analysis of the area to be served to ensure that the services offered by the eligible entity will increase the availability of courses of instruction in English, mathematics, science, foreign languages, arts, history, geography, or other disciplines;

"(E) the professional development policies for teachers and other school personnel to be implemented to ensure the effective use of the telecommunications facilities and equipment for which assistance is sought;

"(F) the manner in which historically underserved students (such as students from low-income families, limited English proficient students, disabled students, or students who have low literacy skills) and their families will participate in the benefits of the telecommunications facilities, equipment, technical assistance, and programming assisted under this subpart;

"(G) how existing telecommunications equipment, facilities, and services, where available, will be used;

"(H) the activities or services for which assistance is sought, such as—

"(i) providing facilities, equipment, training services, and technical assistance;

"(ii) making programs accessible to individuals with disabilities through mechanisms such as closed captioning and descriptive video services;

"(iii) linking networks around issues of national importance (such as elections) or to provide information about employment opportunities, job training, or student and other social service programs;

"(iv) sharing curriculum materials between networks;

"(v) providing teacher and student support services;

"(vi) incorporating community resources such as libraries and museums into instructional programs;

"(vii) providing professional development for teachers, including, as appropriate, training to early childhood development and Head Start teachers and staff and vocational education teachers and staff; and

"(viii) providing programs for adults at times other than the regular school day in order to maximize the use of telecommunications facilities and equipment; and

"(1) how the proposed project as a whole will be financed and how arrangements for future financing will be developed before the project expires;

"(2) provide an assurance that a significant portion of any facilities, equipment, technical assistance, and programming for which assistance is sought for elementary and secondary schools will be made available to schools in local educational agencies that have a high percentage of children counted for the purpose of part A of title I of this Act; and

"(3) provide an assurance that the applicant will provide such information and cooperate in any evaluation that the Secretary may conduct under this subpart.

"(c) **PRIORITIES.**—The Secretary shall, in approving applications for grants authorized under section 2221, give priority to applications that—

"(1) propose high-quality plans to assist in achieving one or more of the National Education Goals as set out in title I of the Goals 2000: Educate America Act, would provide instruction consistent with State content standards, or would otherwise provide significant and specific assistance to States and local educational agencies undertaking systemic education reform under title III of the Goals 2000: Educate America Act; and

"(2) would serve schools with significant numbers of children counted for the purposes of part A of title I of this Act.

"(d) **GEOGRAPHIC DISTRIBUTION.**—In approving applications for grants authorized under section 2221, the Secretary shall, to the extent feasible, ensure an equitable geographic distribution of services.

"SEC. 2224. LEADERSHIP AND EVALUATION ACTIVITIES.

"(a) **SET-ASIDE.**—From amounts appropriated under section 2221(b), the Secretary may reserve up to 10 percent for national leadership, evaluation, and peer review activities.

"(b) **METHOD OF FUNDING.**—The Secretary may fund the activities described in subsection (a) directly or through grants, contracts, and cooperative agreements.

"(c) **USES OF FUNDS.**—(1) Funds reserved for leadership activities may be used for—

"(A) disseminating information, including lists and descriptions of services available from recipients; and

"(B) other activities designed to enhance the quality of distance learning activities nationwide.

"(2) Funds reserved for evaluation activities shall be used to conduct independent evaluations of the Star Schools program under this subpart and of distance learning in general, including—

"(A) analyses of distance learning efforts, including both Star Schools projects and efforts not funded by the program under this subpart; and

"(B) comparisons of the effects, including student outcomes, of different technologies in distance learning efforts.

"(3) Funds reserved for peer review activities may be used for peer review of both proposals and funded projects.

"SEC. 2225. DEFINITIONS.

"For the purpose of this subpart, the following terms have the following meanings:

"(1) The term 'educational institution' means an institution of higher education, a local educational agency, or a State educational agency.

"(2) The term 'instructional programming' means courses of instruction and training courses for elementary and secondary students, teachers, and others, and materials for use in such instruction and training that have been prepared in audio and visual form on tape, disc, film, or live, and presented by means of telecommunications devices.

"(3) The term 'public broadcasting entity' has the same meaning given that term in section 397 of the Communications Act of 1934.

"Subpart 4—Development of Educational Technology Products

"SEC. 2226. EDUCATIONAL TECHNOLOGY PRODUCT DEVELOPMENT.

"(a) PURPOSE.—It is the purpose of this section to support the development of curriculum-based learning resources and systems using state-of-the-art technologies and techniques designed to improve student learning.

"(b) FEDERAL ASSISTANCE AUTHORIZED.—

"(1) IN GENERAL.—The Secretary shall provide assistance, on a competitive basis, to eligible consortia to enable such entities to develop, produce, and distribute state-of-the-art technology-enhanced instructional resources and programming for use in the classroom or to support professional development for teachers.

"(2) GRANTS AND LOANS AUTHORIZED.—In carrying out the purposes of this section, the Secretary is authorized to pay the Federal share of the cost of the development, production, and distribution of state-of-the-art technology enhanced instructional resources and programming—

"(A) by awarding grants to, or entering into contracts or cooperative agreements with eligible consortia; or

"(B) by awarding loans to eligible consortia which—

"(i) shall be secured in such manner and be repaid within such period, not exceeding 20 years, as may be determined by the Secretary;

"(ii) shall bear interest at a rate determined by the Secretary which shall be not more than the total of one-quarter of 1 percent per annum added to the rate of interest paid by the Secretary on funds obtained from the Secretary of the Treasury;

"(iii) may be forgiven by the Secretary, in an amount not to exceed 25 percent of the total loan, under such terms and conditions as the Secretary may consider appropriate.

"(3) FEDERAL SHARE.—The Secretary shall require any recipient of a grant, contract, or loan under this section to share in the cost of the activities supported with such assistance.

"(4) ELIGIBLE CONSORTIUM.—For the purpose of this section, the term 'eligible consortium' means a consortium consisting of—

"(A) State or local educational agencies in partnership with business, industry, or telecommunications entity;

"(B) a business, industry, or telecommunications entity;

"(C) a public or private nonprofit organization; or

"(D) an institution of higher education.

"(5) PRIVATE SECTOR ADVISORY BOARD.—The Secretary shall establish an advisory board which shall provide advice and counsel to the Secretary concerning the most effective means of implementing the provisions of this section. Such board shall—

"(A) include educators, school administrators, and policymakers knowledgeable about the technology and curriculum needs of State and local education agencies;

"(B) include representatives of private profit and nonprofit entities engaged in the production and development of educational soft-

ware and other technology-based learning resources;

"(C) make recommendations to the Secretary concerning the types and terms of Federal financial assistance which promise to be most effective in advancing the purposes of this section;

"(D) regularly evaluate the implementation of this section.

"(6) PRIORITIES.—In awarding assistance under this section, the Secretary shall give priority to applications describing programs or systems that—

"(A) promote the acquisition of higher-order thinking skills and promise to raise the achievement levels of all students, particularly disadvantaged students who are not realizing their potential;

"(B) are aligned with challenging content standards and State and local curriculum frameworks;

"(C) may be adapted and applied nationally at a reasonable cost;

"(D) covert technology resources developed with support from the Department of Defense and other Federal agencies for effective use in the classroom;

"(E) promise to reduce the costs of providing high-quality instruction;

"(F) promise to expand access to high-quality instruction in content areas which would otherwise not be available to students in rural and urban communities or who attend other educational agencies with limited financial resources.

"(7) REQUIREMENTS FOR FEDERAL ASSISTANCE.—Each eligible consortium desiring Federal assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may prescribe. Each application shall include—

"(A) a description of how the program or system shall improve the achievement levels of students;

"(B) a description of how teachers associated with the program will be trained to integrate technology in the classroom;

"(C) a description of how the design, development, piloting, field testing, and distribution of the program or system will be carried out;

"(D) an assurance that the program or system shall effectively serve a large number or percentage of economically disadvantaged students;

"(E) plans for dissemination to a wide audience of learners; and

"(F) provisions for closed captioning or descriptive video where appropriate.

"(c) EVALUATION.—The Secretary shall provide for the independent evaluation of programs or systems developed with assistance under this section and shall regularly collect and disseminate to State and local educational agencies and to the public information about the usefulness and effectiveness of such programs or systems.

"(d) ROYALTIES.—Notwithstanding any other provision of law, the Secretary is authorized to require that a portion of any royalty paid as a result of assistance provided under this section be deposited in a central fund for the purposes of—

"(1) recovering all or part of the Federal share of the costs of developing, producing, and distributing the product for which such royalty is paid; and

"(2) carrying out the provisions of this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$50,000,000 for fiscal year 1995 and such sums as may be necessary for fiscal years 1996, 1997, 1998, and 1999.

"PART C—LIBRARY MEDIA PROGRAM

"SEC. 2231. ESTABLISHMENT OF PROGRAM.

"The Secretary shall award grants from allocations under section 2232 to States for the acquisition of school library media resources for the use of students, library media specialists, and teachers in elementary and secondary schools.

"SEC. 2232. ALLOCATION TO STATES.

"From the amount appropriated pursuant to section 2205 in each fiscal year, the Secretary shall allocate to each State having an approved plan under section 2233 as follows:

"(1) For appropriations below \$50,000,000, at the discretion of the Secretary, taking into account such factors as the age and condition of the State's existing library media collections.

"(2) For appropriations of \$50,000,000 and above to each State an amount which bears the same ratio to such funds as the amount such State received under section 1122 of title I bears to the amount all States received under section 1122 in such year; except that no State shall receive less than one-half of one percent of such funds.

"SEC. 2233. STATE PLANS.

"(a) IN GENERAL.—In order for a State to receive an allocation of funds under section 2232 for any fiscal year, such State shall have in effect for such fiscal year a State plan. Such plan shall—

"(1) designate the State educational agency as the State agency responsible for the administration of the program described in this part;

"(2) set forth a program under which funds paid to the State from its allocation under section 2202 will be expended solely for—

"(A) acquisition of school library media resources, including foreign language resources, for the use of students, school library media specialists, and teachers in elementary and secondary schools in the United States; and

"(B) administration of the State plan, including development and revision of standards, relating to school library media resources; except that the amount used for administration of the State plan in any fiscal year shall not exceed 5 percent of the amount allocated to such State under section 2232 for such fiscal year; and

"(3) set forth the criteria to be used in allotting funds for school library media resources among the local educational agencies of the State, which allotment shall take into consideration the relative need of the students, school media specialists, and teachers to be served.

"(b) PLAN SUBMISSION.—The State plan may be submitted as part of a consolidated application under section 9302.

"SEC. 2234. DISTRIBUTION OF ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

"From the funds allocated to a State under section 2202 in each fiscal year, such State shall distribute not less than 99 percent of such funds in such year to local educational agencies within such State according to the relative enrollment of students in elementary and secondary schools within the school districts of such State, adjusted to provide higher per-pupil allotments to local educational agencies that have the greatest number or percentages of students whose education imposes a higher than average cost per child, such as those students—

"(1) living in areas with high concentrations of low-income families;

"(2) from low-income families; and

"(3) living in sparsely populated areas.

"SEC. 2235. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part \$200,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996, 1997, 1998, and 1999.

"PART D—SUPPORT AND ASSISTANCE FOR ESEA PROGRAMS

"SEC. 2341. FINDINGS.

"The Congress finds that—
 "(1) high-quality technical assistance can enhance the improvements in teaching and learning achieved through the implementation of programs under this Act;

"(2) comprehensive technical assistance and effective program dissemination are essential ingredients of the overall strategy of the reauthorization of this Act to improve programs and to provide all children opportunities to meet challenging State performance standards;

"(3) States, local educational agencies, tribes, and schools serving students with special needs, such as students with limited English proficiency, have great need for comprehensive technical assistance in order to use funds under this Act to provide such students with opportunities to learn to challenging State standards;

"(4) current technical assistance and dissemination efforts are fragmented and categorical in nature, and thus fail to address adequately the needs of States and local educational agencies and tribes for help in integrating into a coherent strategy for improving teaching and learning the various programs under this Act with State and local programs and other education reform efforts;

"(5) too little creative use is made of technology as a means of providing information and assistance in a cost-effective way;

"(6) comprehensive technical assistance can help schools and school systems focus on improving opportunities for all children to reach challenging State performance standards, as they implement programs under this Act;

"(7) comprehensive technical assistance would provide coordinated assistance to help States, local educational agencies, tribes, participating colleges and universities, and schools integrate Federal, State, and local education programs in ways that contribute to improving schools and entire school systems;

"(8) technical assistance in support of programs under this Act should be coordinated with the Department's regional offices, the regional educational laboratories, State Literacy Resource Centers, vocational resource centers, and other technical assistance efforts supported by the Department;

"(9) technical assistance providers should prioritize assistance to local educational agencies and schools; and

"(10) technical assistance should both encourage the integration of categorical programs and ensure that students with special needs, such as limited English proficiency students, are served fully.

"SEC. 2342. PURPOSE.

"The purpose of this part is to create a national technical assistance and dissemination system to make available to States, local educational agencies, tribes, schools, and other recipients of funds under this Act technical assistance in—

"(1) implementing programs authorized by this Act in a manner that improves teaching and learning for all students;

"(2) coordinating those programs with other Federal, State, and local education plans and activities, so that all students are provided opportunities to meet challenging State performance standards, in particular students at risk of educational failure; and

"(3) adopting, adapting, and implementing promising and proven practices for improving teaching and learning.

"SEC. 2343. PROGRAMS AUTHORIZED.

"(a) **COMPREHENSIVE ASSISTANCE CENTERS.**—The Secretary is authorized to award grants or enter into contracts with public or private nonprofit entities or consortia to establish a

networked system of 15 centers to provide comprehensive research-based training and technical assistance to States, local educational agencies, schools, tribes, community-based organizations, and other recipients of funds under this Act in their administration and implementation of programs authorized by this Act. In establishing centers and allocating resources among the centers, the Secretary shall consider the geographic distribution of title I students; the geographic and linguistic distribution of students of limited English proficiency; the geographic distribution of Indian students; the special needs of students living in rural areas; and the special needs of States and territories in geographic isolation.

"(b) **STATE-BASED ASSISTANCE.**—The Secretary is authorized to award grants or enter into contracts with public and private nonprofit entities to establish an assistance agency in each State and territory and in the Bureau of Indian Affairs. This program shall be called the National Diffusion Network and will assist States, local educational agencies, and schools in identifying and securing appropriate, high-quality technical assistance, provide information on and assistance in adopting effective programs and practices, and work cooperatively with the Comprehensive Assistance Centers to improve teaching and learning and raise standards for all students.

"(c) **ACCOUNTABILITY.**—To ensure the quality and effectiveness of the comprehensive assistance centers supported under this part, the Secretary shall—

"(1) provide for an external peer review (including representatives of the populations served under this Act) of the centers under this part every 2 years;

"(2) develop, in consultation with the Assistant Secretary for Elementary and Secondary Education, the Director of Bilingual Education and Minority Languages Affairs, and the Assistant Secretary for Educational Research and Improvement, a set of performance indicators, for use during the peer reviews required by paragraph (1), that assesses whether the work of the centers assists in improving teaching and learning under this Act for all children, in particular children at risk of educational failure;

"(3) require each center to publish, and disseminate widely throughout its region, an annual report on its services and accomplishments and how those services and accomplishments relate to the performance indicators developed under paragraph (2);

"(4) conduct periodic surveys of users of the centers' services to determine if users are satisfied with the access to and quality of such services;

"(5) collect, as part of the Department's reviews of programs under this Act, information about the availability and quality of services provided by the centers, and share that information with the centers;

"(6) take whatever steps are reasonable and necessary to ensure that each center performs its responsibilities in a satisfactory manner, which may include termination of an award under this part (if the Secretary concludes that performance has been unsatisfactory) and the selection of a new center, as well as whatever interim arrangements the Secretary determines are necessary to ensure the satisfactory delivery of services under this part to the affected region; and

"(7) provide for an independent evaluation of the system of technical assistance centers authorized by this part and report the results of that evaluation to Congress prior to the next reauthorization of this Act.

"(c) **CONTRACT PERIOD.**—Grants or contracts awarded under this section shall be awarded for a period of 5 years following the extension of contracts and grants under section 2206(c).

"SEC. 2344. REQUIREMENTS OF COMPREHENSIVE ASSISTANCE CENTERS.

"Each comprehensive assistance center established under section 2343(a)—

"(1) shall maintain staff expertise in at least all of the following areas:

"(A) Instruction, curriculum improvement, assessment, school reform, and other aspects of title I of this Act.

"(B) Meeting the needs of children served under this Act, including children in high-poverty areas, migratory children, immigrant children, children with limited English proficiency, neglected or delinquent children, homeless children and youth, Indian children, and children with disabilities and where applicable, Alaskan Native children and Native Hawaiian children.

"(C) Professional development for teachers, other school staff, and administrators to help students meet challenging State performance standards.

"(D) Bilingual education, including programs that emphasize English and native language proficiency and promote multicultural understanding.

"(E) Safe and drug-free schools.

"(F) Educational applications of technology.

"(G) Parent involvement and participation.

"(H) The reform of schools and school systems.

"(I) Program evaluation.

"(J) Coordination of services.

"(K) School governance and management.

"(L) Partnerships between the public and private sector, including the formation of partnerships between schools and businesses.

"(2) shall ensure, where appropriate, staff expertise in the special needs of students living in rural areas and in the special needs of local education agencies serving rural areas;

"(3) shall ensure that technical assistance staff have sufficient training, knowledge, and expertise in how to integrate and coordinate programs under this Act with each other, as well as with other Federal, State, and local programs and reforms, and reflect the diverse linguistic and cultural expertise appropriate to the region served;

"(4) shall provide technical assistance using the highest quality and most cost-effective strategies possible;

"(5) shall coordinate services, work cooperatively, and regularly share information with the regional education laboratories, the Eisenhower Regional Math and Science consortia, research and development centers, and other entities engaged in research, development, dissemination, and technical assistance activities which are supported by the Department of Education as part of a Federal technical assistance system, to provide a broad range of support services to schools in the region while minimizing the duplication of such services; and

"(6) shall provide services to States, local educational agencies, tribes, and schools through or in coordination with the State Facilitators of the National Diffusion Network as authorized in section 2343(b) in order to better implement the purposes of this section and provide the support and assistance diffusion agents need to carry out their mission effectively.

"SEC. 2345. DUTIES OF COMPREHENSIVE ASSISTANCE CENTERS.

"(a) **IN GENERAL.**—Each center established under section 2303(a) shall provide comprehensive, integrated technical assistance services focused on improving teaching and learning.

"(b) **SUPPORT AND ASSISTANCE.**—Comprehensive centers shall provide support and assistance to State educational agencies, tribal divisions of education, local educational agencies, schools, and other grant recipients under this Act in—

"(1) the development of plans for integrating programs under this Act with other Federal pro-

grams and with State, local and tribal reform efforts;

"(2) the development, selection, and use of challenging, high-quality curricula aligned with high standards and assessments;

"(3) the identification, adaptation, or development of instructional strategies and materials which meet the needs of children receiving assistance under this Act;

"(4) the development of valid, reliable, and nondiscriminatory systems of assessment which reflect recent advances in the field of education assessment;

"(5) the development, selection, and implementation of effective schoolwide projects;

"(6) improving the capacity of educators, school administrators, counselors, and other school personnel to assist students to reach challenging standards, especially those students furthest from such standards, through the expansion and strengthening of professional development activities;

"(7) expanding and improving opportunities for parents to participate in the education of their children at home and at school;

"(8) creating safe and drug-free environments, especially in areas experiencing high levels of drug use and violence in the community and schools;

"(9) the coordination of services and programs to meet the needs of students so that they can fully participate in the educational program of the school;

"(10) the evaluation of educational programs;

"(11) educational applications of technology, when appropriate, in coordination with the regional mathematics and science education consortia;

"(12) reforming the governance and management of schools; and

"(13) establishing public/private education partnerships, including school/business partnerships.

"(c) **ADDITIONAL DUTIES.**—Additional duties include—

"(1) assisting States, local educational agencies, tribal divisions of education, and schools in replicating and adapting exemplary and promising educational programs, policies, and practices through or in coordination with the National Diffusion Network State Facilitator;

"(2) assisting State educational agencies and local educational agencies to develop school support teams to work with schoolwide programs under title I of this Act; and

"(3) assisting State educational agencies, local educational agencies, and the National Diffusion Network State Facilitators to increase their capacity to provide high-quality technical assistance in support of programs under this Act.

"SEC. 2346. MAINTENANCE OF SERVICE.

"(a) **MAINTENANCE OF EFFORT.**—The Secretary shall ensure that the comprehensive assistance centers funded under this part provide technical assistance services that address the needs of bilingual, migrant, immigrant, and Indian students that are at least comparable to the level of such technical assistance services provided under programs administered by the Secretary prior to the date of the enactment of the Improving America's Schools Act of 1994.

"(b) **MINIMUM FUNDS.**—

"(1) **MAINTENANCE OF EFFORT.**—In awarding grants or contracts for comprehensive assistance centers, the Secretary shall ensure that the proportion of funds used to provide services that address the needs of limited-English-proficient, immigrant, and migrant students shall be no less than the proportion of funds expended under grants or contracts expiring in fiscal year 1995 for categorical technical assistance centers serving limited-English-proficient and migrant students.

"(2) **INDIAN STUDENTS.**—In awarding grants or contracts for comprehensive assistance centers,

the Secretary shall ensure that the proportion of funds used to provide services that address the need of Indian students through the comprehensive centers established in section 2343(a) shall be no less than the proportion of funds expended under grants or contracts expiring in fiscal year 1995 for technical assistance centers serving Indian students.

"(c) **APPLICATION.**—Applications for funds under subsection (a)(2) shall include how centers will—

"(1) provide expertise in the areas listed in section 2344(l);

"(2) work with the National Diffusion Network authorized in section 2343(b) to conduct outreach to local educational agencies prioritized in section 2348;

"(3) demonstrate support from States and local educational agencies and tribes in the area to be served;

"(4) ensure a fair distribution of services to urban and rural areas;

"(5) utilize technology to provide technical assistance; and

"(6) provide other information the Secretary may require.

In approving applications to comprehensive centers serving Indian students, the Secretary shall give priority to applications from consortia that include Indian educational agencies, organizations, or institutions.

"(d) **TRANSITION.**—The Secretary shall, notwithstanding any other provision of law, use funds appropriated under section 2351 to extend or continue existing contracts and grants for categorical technical assistance centers and for National Diffusion Network State Facilitator and Developer Demonstrators through fiscal year 1995 and take other necessary steps to ensure a smooth transition of this part.

"SEC. 2347. STATE-BASED ACTIVITIES.

"(a) **PURPOSES.**—The Secretary shall establish a State-based outreach, dissemination, training, and consultation component of the National Technical Assistance and Dissemination System through the National Diffusion Network and its State Facilitators.

"(b) **IN GENERAL.**—The Department of Education, through the Office of Educational Research and Improvement shall award grants or enter into contracts with public or private nonprofit educational organizations or institutions in each State with demonstrated experience, expertise, and commitment in the areas of applied education research and program dissemination to carry out activities described in subsection (c).

"(c) **NATIONAL DIFFUSION NETWORK STATE FACILITATOR.**—National Diffusion Network State Facilitators shall work in coordination with the comprehensive assistance centers to assist State educational agencies, local educational agencies, tribal divisions of education, and schools to—

"(1) define their technical assistance needs and align them with school reform, professional development, and technology plans;

"(2) secure the technical assistance services that can best fulfill their needs by utilizing Department of Education technical assistance centers, regional education laboratories, Eisenhower Regional consortia, State Literacy Resource Centers, and other technical assistance providers including local providers of professional development services;

"(3) identify educational technology needs and secure the necessary technical assistance to address them;

"(4) prepare for on-site, intensive technical assistance provided by the comprehensive centers, labs, or other service providers;

"(5) utilize technology, including regional and national electronic networks, to increase their access to technical assistance, professional de-

velopment services, and dissemination of exemplary practices and materials;

"(6) deliver high-quality professional development services to their school-based educators; and

"(7) provide organizational development services to facilitate school-based change.

"(d) **ADDITIONAL DUTIES.**—In addition, National Diffusion Network State Facilitators shall—

"(1) disseminate information about school reform and effective and promising practices and help local educational agencies and schools adapt them to their needs;

"(2) facilitate communications between educators to assist the sharing of promising practices and to foster school reform and professional development;

"(3) coordinate their activities with school support teams and distinguished educators in their State;

"(4) coordinate, work cooperatively with, and regularly share information with the comprehensive centers, the Regional Education Laboratories, and other entities engaged in research, development, dissemination, and technical assistance activities which are supported by the Department of Education;

"(5) develop and implement an aggressive outreach plan for reaching the local educational agencies and schools identified as priorities in section 2308; and

"(6) provide technical, dissemination, and support assistance to States, local educational agencies, and schools using the highest quality and most cost-effective methods available.

"(e) **NATIONAL DIFFUSION NETWORK EFFECTIVE PRACTICES.**—The Secretary shall develop a system of validating effective programs and promising practices for dissemination through the National Diffusion Network. Such programs may include exemplary programs funded through any office of the Department of Education, the National Science Foundation, or other Federal agencies. Such a system should be coordinated, aligned with, and administered by the Office of Educational Research and Improvement Office of Reform Assistance and Dissemination. The Secretary shall give priority to identifying, validating, and disseminating effective schoolwide projects, programs addressing the needs of high poverty schools, and programs with the capacity to offer high-quality, sustained technical assistance. The Office of Educational Research and Improvement Office of Reform Assistance and Dissemination shall also administer a grants program to such validated Effective Practices for the purpose of dissemination and the provision of technical assistance.

"SEC. 2348. PROGRAM PRIORITIES.

"Both the comprehensive centers and the National Diffusion Network shall give priority service to schoolwide projects, local educational agencies, and Bureau of Indian Affairs schools with the highest percentage or numbers of poor children.

"SEC. 2349. TECHNOLOGY-BASED TECHNICAL ASSISTANCE.

"The Secretary is also authorized to provide a technology-based technical assistance service that will—

"(1) support the administration and implementation of programs authorized by this Act by providing information, including legal and regulatory information, and technical guidance and information about best practices; and

"(2) be accessible to all States, local educational agencies, schools, and others who are recipients of funds under this Act.

"SEC. 2350. ADMINISTRATION.

"The program authorized by this part shall be jointly administered by the Assistant Secretary for Elementary and Secondary Education, the Director of Bilingual Education and Minority

Languages Affairs, and the Assistant Secretary for Educational Research and Improvement.

"SEC. 2351. AUTHORIZATION OF APPROPRIATIONS.

"For the purposes of carrying out this part, there are authorized to be appropriated \$70,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996, 1997, 1998, and 1999. Of the funds appropriated under this part, not less than \$25,000,000 shall be made available to support activities of the National Diffusion Network authorized in section 2343(b).

"PART E—EDUCATION PROGRAM STRATEGIES

"SEC. 2401. FINDINGS AND STATEMENT OF PURPOSE.

"(a) **FINDINGS.**—The Congress finds that chapter 2 of the Education Consolidation and Improvement Act of 1981 has been successful in achieving the goals of increasing local flexibility, reducing administrative burden, providing services for private school students, encouraging innovation, and contributing to the improvement of elementary and secondary educational programs.

"(b) **STATEMENT OF PURPOSE.**—It is the purpose of programs under this part:

"(1) To support local education reform efforts which are consistent with and support statewide reform efforts under Goals 2000.

"(2) To support State and local efforts to accomplish the National Education Goals.

"(3) To provide funding to enable State and local educational agencies to implement promising educational reform programs that can be supported by State and local sources of funding after such programs are demonstrated to be effective.

"(4) To provide a continuing source of innovation, educational improvement, and support for library services and instructional materials, including media materials and.

"(5) To meet the special educational needs of at risk and high cost students.

"(c) **STATE AND LOCAL RESPONSIBILITY.**—The basic responsibility for the administration of funds made available under this part is within the State educational agencies, but it is the intent of Congress that the responsibility be carried out with a minimum of paperwork and that the responsibility for the design and implementation of programs assisted under this part will be mainly that of local educational agencies, school superintendents and principals, and classroom teachers and supporting personnel, because they have the most direct contact with students and are most likely to be able to design programs to meet the educational needs of students in their own districts.

"SEC. 2402. AUTHORIZATION OF APPROPRIATIONS; DURATION OF ASSISTANCE.

"(a) **AUTHORIZATION.**—To carry out the purposes of this part, there are authorized to be appropriated \$435,000,000 for fiscal year 1995 and such sums in each of the fiscal years 1996 through 1999.

"(b) **DURATION OF ASSISTANCE.**—During the period beginning October 1, 1994, and ending September 30, 1999, the Secretary shall, in accordance with the provisions of this part, make payments to State educational agencies for the purpose of this section.

"Subpart 1—State and Local Programs

"SEC. 2411. ALLOTMENT TO STATES.

"(a) **RESERVATIONS.**—From the sums appropriated to carry out this subpart in any fiscal year, the Secretary shall reserve not to exceed 1 percent for payments to Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, to be allotted in accordance with their respective needs.

"(b) **ALLOTMENT.**—From the remainder of such sums the Secretary shall allot to each State an amount which bears the same ratio to the amount of such remainder as the school-age population of the State bears to the school-age population of all States, except that no State shall receive less than an amount equal to one-half of 1 percent of such remainder.

"(c) **DEFINITIONS.**—For purposes of this subpart—

"(1) The term 'school-age population' means the population aged 5 through 17.

"(2) The term 'States' includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 2412. ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

"(a) **DISTRIBUTION RULE.**—From the sums made available each year to carry out this part, the State educational agency shall distribute not less than 85 percent to local educational agencies within such State according to the relative enrollments in public and private, nonprofit schools within the school districts of such agencies, adjusted, in accordance with criteria approved by the Secretary, to provide higher per pupil allocations to local educational agencies which have the greatest numbers or percentages of children whose education imposes a higher than average cost per child, such as—

"(1) children living in areas with high concentrations of low-income families,

"(2) children from low-income families, and

"(3) children living in sparsely populated areas.

"(b) **CALCULATION OF ENROLLMENTS.**—(1) The calculation of relative enrollments under subsection (a) shall be on the basis of the total of—

"(A) the number of children enrolled in public schools, and

"(B) the number of children enrolled in private nonprofit schools that desire that their children participate in programs or projects assisted under this part, for the fiscal year preceding the fiscal year in which the determination is made. Nothing in this subsection shall diminish the responsibility of local educational agencies to contact, on an annual basis, appropriate officials from private nonprofit schools within the areas served by such agencies in order to determine whether such schools desire that their children participate in programs assisted under this part.

"(2)(A) Relative enrollments under subsection (a) shall be adjusted, in accordance with criteria approved by the Secretary under subparagraph (B), to provide higher per pupil allocations only to local educational agencies which serve the greatest numbers or percentages of—

"(i) children living in areas with high concentrations of low-income families,

"(ii) children from low-income families, or

"(iii) children living in sparsely populated areas.

"(B) The Secretary shall review criteria submitted by a State educational agency for adjusting allocations under paragraph (1) and shall approve such criteria only if the Secretary determines that such criteria are reasonably calculated to produce an adjusted allocation that reflects the relative needs within the State's local educational agencies based on the factors set forth in subparagraph (A).

"(c) **PAYMENT OF ALLOCATIONS.**—

"(1) From the funds paid to it pursuant to section 2402 for a fiscal year, a State educational agency shall distribute to each eligible local educational agency which has submitted an application as required in section 2423 the amount of its allocation as determined under subsection (a).

"(2)(A) Additional funds resulting from higher per pupil allocations provided to a local educational agency on the basis of adjusted enroll-

ments of children described in subsection (a), may, at the discretion of the local educational agency, be allocated for expenditures to provide services for children enrolled in public and private nonprofit schools in direct proportion to the number of children described in subsection (a) and enrolled in such schools within the local educational agency.

"(B) In any fiscal year, any local educational agency that elects to allocate such additional funds in the manner described in subparagraph (A) shall allocate all additional funds to schools within the local educational agency in such manner.

"(C) The provisions of subparagraphs (A) and (B) may not be construed to require any school to limit the use of such additional funds to the provision of services to specific students or categories of students.

"Subpart 2—State Programs

"SEC. 2421. STATE USES OF FUNDS.

"(a) **AUTHORIZED ACTIVITIES.**—A State educational agency may use funds reserved for State use under this section only for—

"(1) State administration of programs under this section including—

"(A) supervision of the allocation of funds to local educational agencies;

"(B) planning, supervision, and processing of State funds; and

"(C) monitoring and evaluation of programs and activities under this part; and

"(2) technical assistance and direct grants to local educational agencies and statewide education reform activities which assist local educational agencies to provide targeted assistance.

"(b) **LIMITATIONS AND REQUIREMENTS.**—Not more than 25 percent of funds available for State programs under this part in any fiscal year may be used for State administration under subsection (a)(1).

"SEC. 2423. STATE APPLICATIONS.

"(a) **APPLICATION REQUIREMENTS.**—Any State which desires to receive a grant under this subpart shall submit to the Secretary an application which—

"(1) designates the State educational agency as the State agency responsible for administration and supervision of programs assisted under this part;

"(2)(A) provides for an annual submission of data on the use of funds, the types of services furnished, and the students served under this section; and

"(B) in fiscal year 1998 provides for an evaluation of the effectiveness of programs assisted under this subpart;

"(3) provides that the State educational agency will keep such records and provide such information to the Secretary as may be required for fiscal audit and program evaluation (consistent with the responsibilities of the Secretary under this section);

"(4) provides assurance that, apart from technical and advisory assistance and monitoring compliance with this part, the State educational agency has not exercised and will not exercise any influence in the decision making processes of local educational agencies as to the expenditure made pursuant to an application under section 2433; and

"(5) contain assurances that there is compliance with the specific requirements of this chapter.

"(b) **PERIOD OF APPLICATION.**—An application filed by the State under subsection (a) shall be for a period not to exceed 3 years, and may be amended annually as may be necessary to reflect changes without filing a new application.

"(c) **AUDIT RULE.**—Notwithstanding section 1745 of the Omnibus Budget Reconciliation Act of 1981, local educational agencies receiving less than an average of \$5,000 each under this section need not be audited more frequently than once every 5 years.

"Subpart 3—Local Targeted Assistance Programs

"SEC. 2431. TARGETED USE OF FUNDS.

"(a) GENERAL RULE.—Funds allocated for use under this subpart shall be used by local educational agencies for targeted assistance described in subsection (b).

"(b) TARGETED ASSISTANCE.—The targeted assistance programs referred to in subsection (a) include—

"(1) technology related to the implementation of school-based reform programs, including professional development to assist teachers and other school officials regarding how to use effectively such equipment and software;

"(2) instructional and educational materials, assessments, and library services and materials (including media materials) tied to high academic standards and which are part of an overall education reform program;

"(3) promising education reform projects, including 21st Century Learning Center school projects in accordance with subpart 4; and

"(4) computer hardware and software purchased under this section should be used only for instructional purposes.

"SEC. 2432. ADMINISTRATIVE AUTHORITY.

"In order to conduct the activities authorized by this part, each State or local educational agency may use funds reserved for this part to make grants to and to enter into contracts with local educational agencies, institutions of higher education, libraries, museums, and other public and private nonprofit agencies, organizations, and institutions.

"SEC. 2433. LOCAL APPLICATIONS.

"(a) CONTENTS OF APPLICATION.—A local educational agency or consortia of local educational agencies may receive an allocation of funds under this subpart for any year for which an application is submitted to the State educational agency and such application is certified to meet the requirements of this section. The State educational agency shall certify any such application if such application—

"(1) sets forth the planned allocation of funds among targeted assistance programs described in section 2431 of this part and describes the programs, projects and activities designed to carry out such targeted assistance which it intends to support, together with the reasons for selection of such programs, projects and activities; and

"(2) describes how assistance under this section will contribute to meeting the National Education Goals and improving student achievement or improving the quality of education for students;

"(3) agrees to keep such records, and provide such information to the State educational agency as may reasonably be required for fiscal audit and program evaluation, concession with the responsibilities of the State agency under this part; and

"(4) provides in the allocation of funds for the assistance authorized by this part, and in the design, planning and implementation of such programs, for systematic consultation with parents of children attending elementary and secondary schools in the area served by the local agency, with teachers and administrative personnel in such schools, and with other groups involved in the implementation of this section (such as librarians, school counselors, and other pupil services personnel) as may be considered appropriate by the local educational agency.

"(b) PERIOD OF APPLICATION.—An application filed by a local educational agency under subsection (a) shall be for a period not to exceed 3 fiscal years, may provide for the allocation of funds to programs for a period of 3 years, and may be amended annually as may be necessary to reflect changes without filing a new application.

"(c) LOCAL EDUCATIONAL AGENCY DISCRETION.—Subject to the limitations and require-

ments of this part, a local educational agency shall have complete discretion in determining how funds under this subpart shall be divided among the areas of targeted assistance. In exercising such discretion, a local educational agency shall ensure that expenditures under this subpart carry out the purposes of this subpart and are used to meet the educational needs within the schools of such local educational agency.

"Subpart 4—21st Century Community Learning Centers

"SEC. 2441. FINDINGS.

"The Congress finds that—

"(1) there are influences outside of school which affect the ability of a child to achieve academically and schools are in a unique position to identify student and family needs to coordinate programs;

"(2) access to health and social service programs can assist children and their families to improve the ability of the family to take an active role in their child's education;

"(3) coordination of health and social service programs with education can help the Nation meet the National Education Goals and ensure better outcomes for children;

"(4) the high technology, global economy of the 21st century will require lifelong learning to keep America's workforce competitive and successful;

"(5) 21st Century Community Learning Centers enable the entire community to develop an education strategy that addresses the educational needs of all members of local communities; and

"(6) local public schools should provide centers for lifelong learning and educational opportunities for individuals of all ages.

"SEC. 2442. FUNDS FOR COMMUNITY LEARNING CENTERS.

"(a) IN GENERAL.—Local educational agencies may use funds provided under section 2412 to pay the Federal share of the cost for enabling schools to serve as centers for the delivery of education and human services for members of a community.

"(b) USES OF FUNDS.—Local educational agencies may use funds provided under section 2412 for projects described under this subpart.

"SEC. 2443. PROGRAMS.

"Local educational agencies that receive funds under this subpart may develop programs that include—

"(1) literacy education programs;

"(2) senior citizen programs;

"(3) children's day care services;

"(4) integrated education, health, social service, recreational, or cultural programs;

"(5) summer and weekend school programs in conjunction with summer recreation programs;

"(6) nutrition programs;

"(7) expanded library service hours to serve community needs;

"(8) telecommunications and technology education programs for all ages;

"(9) parenting skills education programs;

"(10) support and training for child day care providers;

"(11) employment counseling, training, and placement;

"(12) services for students who withdraw from school before graduating high school, regardless of age; and

"(13) services for individuals who are either physically or mentally challenged.

"SEC. 2444. REQUIREMENTS.

"A local educational agency that uses funds to develop programs under this subpart shall, at the end of the first year for which funds are used for this purpose, provide information to the State educational agency which describes the activities and projects established with funds under this subpart and includes—

"(1) information on the comprehensive local plan that enables such school to serve as a center for the delivery of education and human services for members of a community; and

"(2) information on the initial evaluation of needs, available resources, and goals and objectives for the proposed community education program and how such evaluation was used to determine the program developed to address such needs; including—

"(A) the mechanism used to disseminate information in a manner understandable and accessible to the community;

"(B) identification of Federal, State, and local programs merged or coordinated so that public resources could be maximized;

"(C) a description of the collaborative efforts of community-based organizations, related public agencies, businesses, or other appropriate organizations;

"(D) a description of how the school will assist as a delivery center for existing and new services; and

"(E) the establishment of the facility utilization policy that specifically states rules and regulations for building and equipment use and supervision guidelines.

"SEC. 2445. DEFINITION.

"For purposes of this subpart, the term 'Community Learning Center' means the provision of educational, recreational, health, and social service programs for residents of all ages of a local community in public school buildings, primarily in rural and inner city areas, operated by the local educational agency in conjunction with local governmental agencies, businesses, vocational education programs, community colleges, universities, cultural, recreational, and other community and human service entities.

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

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. RANGEL) having assumed the chair, Mr. VALENTINE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to extend for 6 years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. KILDEE. 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 matter on H.R. 6, the bill just considered.

The SPEAKER pro tempore (Mr. RANGEL). Is there objection to the request of the gentleman from Michigan? There was no objection.

ANNOUNCEMENT BY THE COMMITTEE ON RULES OF PLANS FOR CONSIDERATION OF FISCAL YEAR 1995 BUDGET RESOLUTION

(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, I rise today to notify Members about the Rules

Committee's plans for the fiscal year 1995 budget resolution.

The Budget Committee hopes to complete its markup tonight and, allowing 3 days for additional views, will file early next week.

It is my understanding, Mr. Speaker, that text will be available at the committee offices tomorrow.

The Rules Committee will meet next week to grant a rule for consideration of the budget resolution.

In order to provide for fair and timely consideration, the committee may grant a rule that structures the offering of amendments.

Any Member contemplating an amendment to the measure should submit 55 copies of the amendment and a brief explanation by 12 noon on Tuesday, March 8, Mr. Speaker. The committee offices are upstairs in room H-312 in the Capitol.

Mr. Speaker, I would like to make two points about budget amendments. First, Members will find it helpful to work with the Congressional Budget Office as they draft their amendments.

Also, as in the past, the committee looks more favorably on substitutes than on cut-and-bite amendments. Cut-and-bite amendments only raise the same issues that will have to be decided again in the authorization and appropriation process.

We appreciate the cooperation of all Members.

Mr. Speaker, I have sent a "Dear Colleague" letter to all offices explaining our intentions on the measure.

FURTHER MESSAGE FROM THE PRESIDENT

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

ADJOURNMENT FROM THURSDAY, MARCH 3, 1994 TO MONDAY, MARCH 7, 1994

Mr. DARDEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DARDEN. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday Rule be dispensed with on Wednesday next.

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

There was no objection.

GENERAL LEAVE

Mr. DARDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from Washington [Mr. SWIFT].

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

There was no objection.

EXTENDING GSP BENEFITS TO UKRAINE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

I am writing to inform you of my intent to add Ukraine to the list of beneficiary developing countries under the Generalized System of Preferences (GSP). The GSP program offers duty-free access to the U.S. market and is authorized by the Trade Act of 1974.

I have carefully considered the criteria identified in sections 501 and 502 of the Trade Act of 1974. In light of these criteria, and particularly Ukraine's level of development and initiation of economic reforms, I have determined that it is appropriate to extend GSP benefits to Ukraine.

This notice is submitted in accordance with section 502(a)(1) of the Trade Act of 1974.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 3, 1994.

TRIBUTE TO THE LATE JAMES NORMAN HALL

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

Mr. FALEOMAVAEGA. Mr. Speaker, today I am introducing a House concurrent resolution to pay a special tribute to one of the outstanding citizens of our country, who was not only a highly decorated war hero but an author who produced classics in American literature—such books as "Mutiny on the Bounty," "Pitcairn's Island," and "Hurricanes."

A native son of the State of Iowa, the late James Norman Hall is highly revered among the island peoples of the Pacific.

Mr. Speaker, next month April 22 will commemorate 107 years of James Norman Hall's life. I am especially pleased and honored to have the entire membership of the Iowa delegation to be original cosponsors of this resolution—Mr. SMITH, Mr. LEACH, Mr. GRANDY, Mr. NUSSLE, and Mr. LIGHT-FOOT.

I ask my colleagues to support me for the passage of this resolution in the Congress of the United States.

I want to express my appreciation especially to Mr. and Mrs. Nick Rutgers of Tahiti for their efforts to renovate and establish James Norman Hall's residence in Tahiti as a national historic site for visitors from all over the world to see, and especially for the Polynesian Tahitians whom he loved so much in the remaining years of his life.

H. CON. RES. —

Whereas James Norman Hall, a native son of the State of Iowa born in Colfax in 1887, and a graduate of Grinnell College, was a decorated war hero, noted adventurer, and acclaimed author, who was revered and loved in France and Tahiti, and throughout the South Pacific;

Whereas James Norman Hall exhibited an unwavering commitment to freedom and democracy by volunteering for military service early in World War I and by fighting alongside British forces in the worst of trench warfare, including the Battle of Loos, where he was one of few survivors;

Whereas James Norman Hall continued his fight for liberty by becoming a pilot in the Lafayette Escadrille, an American pursuit squadron of the French Air Service, and his courageous and daring feats in air battles earned him France's highest medals, including the Legion d'Honneur, Medaille Militaire, and Croix de Guerre with 5 Palms;

Whereas James Norman Hall was commissioned as a Captain in the United States Army Air Service when the United States entered World War I, continued his legendary exploits as an ace pilot, acted as wing commander and mentor for then-Lieutenant Eddie Rickenbacker, and was awarded the Distinguished Service Cross medal, for gallantry and bravery in battle, by General Pershing;

Whereas James Norman Hall sought serenity after the destructiveness of World War I, moved to the South Pacific in 1920, married a Tahitian woman and lived in Tahiti for over 3 decades, and wrote a prodigious number of articles and books in the library of his home in Arue, Tahiti;

Whereas much of James Norman Hall's writing enriched the world's understanding of Tahiti and the South Pacific;

Whereas James Norman Hall coauthored, with Charles Nordhoff, classic masterpieces that have come to epitomize the tropics, including "Mutiny on the Bounty", "Pitcairn's Island", and "Hurricane";

Whereas, despite James Norman Hall's achievements as a decorated war hero and famed literary figure, he remained to his death a humble, self-effacing man who endeared himself to the people of Tahiti with his keen sense of generosity, kindness, and real concern for others, prompting James Michener to state that James Norman Hall was "the most loved American who ever came to the tropics" and that when "he died, on every island in the Pacific where even no man could read, there was sorrow"; and

Whereas the home and library of James Normal Hall, in Arue, Tahiti, are being restored as a museum to honor this son of the State of Iowa and hero of the United States, England, France, and French Polynesia: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors James Norman Hall and recognizes his outstanding contributions to the United States, France, Tahiti, and the South Pacific, including his extraordinary service rendered in wartime for the defense of freedom, his outstanding achievements in the literary field, and his lifework that has enriched the world's understanding of the people of the South Pacific; and

(2) requests the President of the United States to provide for the presentation of a copy of this concurrent resolution by appropriate officials of the United States Government to the President of Tahiti Nui (French Polynesia), so that it may be publicly displayed at the James Norman Hall Museum in Tahiti, where it will express the appreciation of the people and government of the United States for the contributions of James Norman Hall and will show recognition of the achievements of this great son of the State of Iowa.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and under a previous order of the House, the gentleman from Colorado [Mr. SCHAEFER] is recognized for 5 minutes.

INTRODUCTION OF THE FISCAL RESPONSIBILITY ACT

Mr. SCHAEFER. Mr. Speaker, later this month, the House will debate and vote on a balanced budget amendment to the U.S. Constitution. I have long supported a balanced budget amendment, because I believe that, unless we control the deficit, our Nation will soon face a fiscal crisis of unimaginable proportions.

The Clinton administration has recently been crowing because the deficit will be only \$171 billion next year. But as this chart shows, any benefit we gained from the Clinton tax increase will be very short-lived. Within only a few years, the deficit will pass its current level, and skyrocket on to new record highs.

Well, those annual deficits mount year after year, adding to the public debt—which is simply all the deficits over the years added together. As everybody knows, if you borrow money, you have to pay interest. And the more you borrow, the more substantial the interest burden becomes.

This chart illustrates just how vicious that cycle has become for our Federal Government. In 1970, about 16 cents of every dollar of personal income taxes went to servicing the national debt. Today, 40 cents out of every income tax dollar goes solely to pay interest on that debt. Every year

that we run a budget deficit, the debt will continue to grow. And, as the debt itself continues to expand, interest charges servicing it will inevitably swallow the Federal budget.

If we want to stop this fiscal insanity, there are many hard choices to be made, and passing a balanced budget amendment is only the first step. We still need to make the tough spending choices to actually balance the budget.

Many Members of Congress and outside groups have advanced partial and comprehensive plans to reduce the deficit. Some simply call for across-the-board spending reductions and set lower spending caps, without spelling out the policy changes necessary to achieve those lower caps. A few have made wish lists of preferred spending cuts, but then leave it at that.

What no one, in or out of Congress, has ever done before is conduct a comprehensive survey of all those specific spending cut ideas, find those that are workable, and then draft them into a legislative package that actually approaches achieving a balanced budget.

I am proud to announce today that Congressman TIM PENNY and I have done just that. We have just introduced an actual bill that lays out, program-by-program, line-by-line, how to all but eliminate the deficit. The Fiscal Responsibility Act, the product of nearly a year's work, contains over 150 specific, narrowly defined, spending cuts. This legislation will reduce the deficit by over \$550 billion over the next 5 years—without raising taxes.

Mr. Speaker, no one is spared in this package—from agricultural subsidies, to transportation, to defense, to Congress and, yes, even sensitive entitlement programs and COLA's. Everybody is asked to sacrifice a little today to avoid the inevitable need to inflict much more severe financial pain tomorrow if we do not solve this crisis.

I am the first to say that there are, indeed, many hard choices in this package. Faced with an up or down vote on many of the specific provisions, Congressman PENNY and I might very well oppose them. But, as a package, the Fiscal Responsibility Act is a true deficit solution, fairly and honestly achieved. I encourage my colleagues to take the first step toward a balanced budget by cosponsoring the Fiscal Responsibility Act.

□ 1740

Mr. Speaker, I yield to the gentleman from Minnesota [Mr. Penny].

Mr. PENNY. I thank the gentleman for yielding.

Mr. Speaker, I compliment the gentleman from Colorado for his work in developing this package of spending cuts. As he just described, this proposal represents 550 billion dollar's worth of spending reductions over the next 5 years. That gets us much the way toward a balanced budget, and that cer-

tainly ought to be our goal here as national policymakers.

I also want to agree with his observation that in order to come up with the spending cuts required to balance this budget, we all have to swallow hard because there is no easy package.

In this instance, there are individual items in this package that may not be terribly popular in Colorado or in Minnesota, but we have to challenge our constituents to look at the larger needs, reducing the deficit by \$550 billion, even though it includes some sacrifice on the part of the constituents of the gentleman from Colorado and on the part of my constituents in Minnesota, that is what we have to be willing to endorse if we want to ultimately solve this problem.

We discovered that last fall as we developed the Penny-Kasich spending reduction plan, including \$90 billion in spending cuts over a 5-year period. That package of cuts might have been hard for Members to vote for if they had to cast a vote individually on the 90 separate cuts within that package. But by putting it together, people could say, "Most of these cuts are required. I am willing to swallow hard on the few that hurt my own back yard." That is the way you have to solve this problem, and that is what we tried to demonstrate with this plan, and we urge our colleagues to cosponsor this effort.

Mr. SCHAEFER. I thank the gentleman for his comments.

WASTE EXPORT AND IMPORT CONTROL ACT OF 1994

The SPEAKER pro tempore (Mr. RANGEL). Under a previous order of the House, the gentleman from Washington [Mr. SWIFT] is recognized for 5 minutes.

Mr. SWIFT. Mr. Speaker, I am pleased to join with my distinguished colleague from Oklahoma, Mr. SYNAR, in introducing today the Waste Export and Import Control Act of 1994. On March 22, 1989, the United States joined with 103 other concerned nations to sign the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal. The signatory nations recognized the need for an international agreement addressing the risks to health and the environment posed by the improper management of exported wastes. Since that time, still more nations have added their names to the list of signatories, and over 60 nations have become full voting parties to the convention.

In the 102d Congress, the Senate voted favorably to give its advice and consent to ratification. With a positive policy toward the environment from this administration, we are now ready to pass implementing legislation. Implementing legislation will allow us to become a full voting party. We remain one of the world's leading exporters of wastes; we should be a leader in ensuring that those wastes are managed properly.

The Waste Export and Import Control Act of 1994 addresses both of these concerns. First,

it provides the Environmental Protection Agency with the needed authority to implement the Basel Convention. Second, and more significantly, it demonstrates to the world that America takes responsibility for the proper management of the wastes we export.

This legislation bans waste trade between the United States and other nations absent a bilateral or multilateral agreement governing this trade. Further, the bill establishes a set of criteria by which the Environmental Protection Agency will make a finding that the party to receive an exported waste can handle the waste in an environmentally sound manner.

Mr. Speaker, this legislation is the product of consultations over the last 3 years with stakeholders from industry, the environmental community, and representatives of other interested nations. It is my firm belief that the objectives of this legislation are shared by the administration, and I look forward to working with the administration to resolve differences of approach. Toward that end, I wish to thank my colleague, MIKE SYNAR, for his tireless efforts on this issue and to ask him to continue the very productive relationship we have shared in the past.

Mr. PORTER. Mr. Speaker, I am honored to join Congressman SYNAR and Congressman SWIFT in introducing the Waste Export and Import Control Act of 1994. The United States joined with over 100 nations in signing the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal nearly 4 years ago. U.S. implementation of this agreement is long overdue and will allow us to join with over 60 other nations in becoming full voting parties to the convention.

Mr. Speaker, I joined with Congressmen SYNAR, CONYERS, and Wolpe in introducing similar legislation over 3 years ago. This bill goes even further in ensuring that illegal and dangerous shipments of hazardous and non-hazardous waste across national borders will come to an end. Specifically, our bill calls for an immediate ban on the export of waste except where a bilateral or multilateral agreement governing waste trade between the countries exists. In order to enter into such an agreement, the Environmental Protection Agency must find that the importing country or countries have the capacity and enforcement mechanisms to handle the waste in the most environmentally sound manner. Currently, the United States has bilateral agreements for waste exports for disposal with Canada, and on waste exports for recycling with Mexico and the OECD nations.

The bill also calls for joint inspections of receiving facilities in cases where the EPA Administrator suspects that U.S. waste is being handled in a way that threatens public health or the environment. Furthermore, under this legislation, the EPA is authorized to halt or recall shipments from facilities that the EPA believes are unable to handle U.S. waste properly.

Mr. Speaker, the administration has recently released its set of principles for implementing the Basel Convention. There are a few minor differences between our proposals, but I am hopeful that this bill will serve as a starting point on reaching consensus on this important issue. Our objectives are the same—to mini-

mize the export of waste and to ensure that all waste is treated in a way that protects human health and the environment.

Mr. SYNAR. Mr. Speaker, today I am pleased to join with my good friend and colleague, Representative AL SWIFT, to introduce the Waste Export and Import Control Act of 1994. Passage of this bill will enable the United States to eliminate exports of hazardous and nonhazardous waste to nations unable to manage the waste in an environmentally sound manner and will finally allow the United States to ratify the Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal, which we signed in 1989.

I first became involved with this issue in 1988, when the Subcommittee on Environment, Energy and Natural Resources, which I chair, held oversight hearings on the U.S. Environmental Protection Agency's efforts to monitor and control hazardous waste exports.

Although current U.S. law requires EPA to obtain the prior informed consent of the nation receiving the waste, we were appalled to find out that under the law EPA could not refuse to allow waste shipments in cases where the Agency knew or suspected that the waste would not be handled properly. The hearings also revealed an exponential increase since 1980 in the number of export proposals to EPA from companies wishing to export hazardous waste to developing nations with lax or nonexistent environmental regulations or to nations that clearly were unable to manage the waste in an environmentally sound manner. EPA attributed this increase to simple economics. As domestic waste disposal choices in the United States became more limited and costly, some companies found it cheaper and easier to export their waste to foreign countries, often countries with shoddy environmental practices.

Finally, we discovered that U.S. law applies only to hazardous waste, and that other so-called nonhazardous waste was left entirely unregulated. Failure to regulate these non-hazardous wastes led to embarrassing international incidents where U.S. barges filled with municipal garbage and incinerator ash traveled from port to port in search of a dumping ground. While private companies were the ones to initiate these shipments, the United States received the black eye and suffered the international stigma of trying to pass off our waste problems onto poor underdeveloped nations.

In 1989, the United States and 115 other nations participated in and signed the U.N.-sponsored Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal. The Basel Convention established an international framework for regulating waste trade. Its goals are threefold: First, to ensure that party nations work to prevent pollution before it is generated wherever possible; second, to encourage party nations to manage and dispose of their own wastes to the maximum extent possible; and third, to ensure that any waste that is exported to foreign nations is treated in an environmentally sound manner.

The Convention entered into effect on May 5, 1992, following ratification by 20 nations. Currently, 54 nations have ratified the Conven-

tion. Regrettably, the United States has not yet ratified the Convention because implementing legislation has not been passed.

In May 1989, I introduced, along with Congressmen Howard Wolpe, JOHN PORTER, and JOHN CONYERS, the Waste Export Control Act. That legislation allowed exports only to foreign facilities that would treat the waste in a manner no less strict than would be required in the United States. The legislation spelled out basic requirements that EPA should look for in determining whether a facility treated waste in a manner no less strict than is required by the United States.

I believed then, as I believe now, that there are probably situations where it is cheaper and where it makes more sense to export waste than to find a place to dispose of waste domestically. In addition, as a strong supporter of free trade, I did not believe that an outright ban on exports was appropriate for facilities in countries that could show that they could meet or beat U.S. standards. Others didn't exactly share my views. At one end of the spectrum our legislation was criticized by Greenpeace as being too conservative—they wanted a total ban. At the other end of the spectrum, the Bush administration's EPA and State Department criticized the bill as too liberal.

Over the past 2 years, I have been working closely with Representative SWIFT, chairman of the Transportation and Hazardous Materials Subcommittee, to address this important issue. We have crafted what I believe is a strong piece of legislation. Our bill would ban all exports of hazardous waste except to those countries where a bilateral or multilateral agreement exists to ensure proper handling and environmentally sound disposal of such wastes. The United States currently has bilateral agreements on waste exports for disposal with Canada, and on waste exports for recycling purposes with Mexico and the OECD nations.

The bill sets up high hurdles that nations must meet under the bilateral or multilateral agreements. For example, the bill requires that, prior to entering into a bilateral agreement with a receiving nation, EPA make a finding that the receiving country has enacted, and can reasonably be expected to maintain and enforce, a strong environmental regulatory program.

The bill also provides for joint inspections of receiving facilities in cases where the Administrator suspects that U.S. waste is not being managed properly. The bill also authorizes EPA to halt shipments to or recall shipments from facilities that EPA believes would handle the U.S. waste improperly.

I believe this implementing legislation will eliminate unsound waste export proposals and will enhance the protection of human health and the environment globally. All countries are treated equally under this legislation—we do not distinguish between developing countries and industrialized countries. However, as has been the case from the beginning, we support banning waste exports to nations which ban waste imports. Most importantly for swift U.S. ratification of the Convention, we believe this bill can achieve political consensus relatively quickly.

The Clinton administration has just announced its own set of principles for Basel

legislation, which takes a slightly different approach in restricting waste exports. President Clinton would like to see a ban on waste exports except to North America, and would phase out exports for recyclable wastes to OECD countries over the next 5 years. The administration's principles also provide for exceptions and re-openers, which would allow exports despite the ban in instances where an economically and environmentally superior disposal or treatment technology is available in a foreign nation.

I want to make one thing perfectly clear: We all share a common goal of minimizing waste exports, and of ensuring that any U.S. waste that is exported is managed properly in the receiving country. The bill Chairman SWIFT and I introduce today is a good starting point that will, hopefully, facilitate fruitful discussions on how best to address this issue. I look forward to working with the administration, other Members of Congress, environmental groups and industry to achieve speedy action on Basel implementing legislation.

REVOLVING DOOR JUSTICE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Georgia [Mr. COLLINS] is recognized for 45 minutes as the designee of the minority leader.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to commend Judge Kenneth Kilpatrick, a superior court judge from Jonesboro, GA. Judge Kilpatrick recently shared with me a packet which he sent to Georgia Governor Zell Miller. These materials are a testament to the challenges and frustrations facing our Nation's judges as they attempt to carry out their work.

The most frustrating thing that good judges like Mr. Kilpatrick face is the ridiculous practice by parole boards of paroling convicted criminals early. Judge Kilpatrick has no political agenda, he simply is asking Federal, State, and local officials to support him in his efforts to keep criminals behind bars and require them to serve their sentences.

We have criminals in Georgia getting out of the penitentiary before they have served one-third of their sentence. Is it any wonder that the American people are concerned about crime?

Our prison system is more of a rest stop for a lot of criminals—it gives them a little time to rest and relax while they plan for future crimes and gain insights from their fellow inmates.

We need to go back to the days when going to the penitentiary meant you served hard time and repaid society for your crimes.

We must ensure that criminals serve their sentences. Many Americans consider the criminal justice system a joke because early paroles make our judges appear as if they do not mean what they say. The people have no confidence in a system that says a criminal

is sentenced to 20 years in prison but requires him to serve only 2.

Currently, Judge Kilpatrick is leading a charge by superior court judges in the State of Georgia to encourage the State Board of Pardons and Paroles to stop the practice of early release of convicted criminals.

It is utterly outrageous for Members of Congress and the President to talk tough about crime while pardon and parole boards are allowing criminals to serve minimal portions of their sentences. Not only do early pardons and paroles endanger law-abiding citizens, they also demoralize the brave men and women of law enforcement and diligent judges who deliver appropriate sentences.

Part of the problem is the lack of prison space, and I believe the Federal Government should assist States and localities in the construction of new penitentiaries without burdensome Federal mandates attached.

Judge Kilpatrick cited 40 examples of convicted Georgia criminals he sentenced who were subsequently released early by the pardons and paroles boards. I will highlight a few of these criminals:

John Michael Conn: Convicted of vehicular homicide in the first degree on July 25, 1991. He was drunk—.16—when he hit and killed a 13-year-old boy riding his bike on Thomas Road in Clayton County. He received a split sentence totaling 15 years—serve 8 years and 7 years probation. Mr. Conn was paroled on December 9, 1993, after serving less than 18 months of his sentence. This was only 13.7 percent of the 8-year penitentiary sentence he received.

John Fredrick Freeman: Convicted of possession with the intent to distribute cocaine on September 29, 1992. The pardons and paroles board says that Mr. Freeman will be released in March 1994 after serving 18 months of his 10-year sentence. This will be only 15 percent of his 10-year sentence.

Shane Dolan Knight: Convicted of at least 18 counts of burglary and forgery in the first degree. He was given a sentence of 10 years, but the pardons and paroles board says that Mr. Knight will be released in December 1994 after serving only 22 months, or 18 percent of his 10-year sentence.

Karlston R. Blackstock: Convicted of three counts of burglary, he was sentenced to 15 years. The pardons and paroles board says that he will be released in September 1996 after serving only 48 months of his sentence. This is less than 27 percent of his sentence.

In many States this has become an epidemic and recent polls show that there are few matters which rate as a higher public concern than the revolving door criminal justice system.

Law-abiding citizens are losing faith in the justice system's ability to exact penalties for crimes and protect them from victimization.

Dedicated judges and police officers are frustrated by the fact that their arrests and convictions are overturned by pardons and paroles boards.

Criminals—I repeat—criminals know the criminal justice system better than anyone, and you can be sure they are pleased with the way the justice system is working today. Sometimes I wonder if we have some program that allows criminals to design their pardon and parole policies—I doubt they could have created more lenient policies.

Recent polls show that the No. 1 issue in the minds of most Americans is crime. It ranks ahead of health care, welfare reform, even economic issues.

A recent Newsweek-Child Defense Fund poll shows that the threat of violent crime was the No. 1 concern among parents and children alike. This issue has garnered the interest of the American public, State legislatures, including the Georgia State Legislature, the media, and Congress. Working together, we can begin to address violent crime.

Let's look at the FBI statistics. They report that violent crimes went from 161 per 100,000 persons in 1960 to 758 per 100,000 in 1992. This is 371-percent increase.

The fear of many Americans is justified because all you have to do is read the newspaper to know the reality of escalating crime in the United States. We can no longer take for granted the basic ideas of safety and security within our own communities.

There are three things the Federal Government needs to do to help States fight crime.

First, the Federal Government should provide assistance for the construction of State and local prisons. The amount of funds allocated to each State should be based on need as shown through early pardons and paroles and percentage of prison overcrowding.

Some Members of Congress want to tie prison construction money to a set of initiatives that States must adopt in order to receive funds. These are what I refer to as blackmail provisions—do what I say and I will give you money.

Many of these initiatives could create expensive unfunded mandates on States, and even more importantly they will create a costly delay in the construction of new penitentiaries. These delays come from waiting for legislatures to act on blackmail requirements.

It is time for Congress to stop grandstanding and trying to push States around. We need to help States keep criminals off the streets. Our State Governors and legislators are at the ground level and they see the effects of crime every day. Let's give them support instead of redtape.

We cannot afford to wait—the crime problem must be addressed immediately. In Georgia we have tough laws on the books. We should enforce the

laws that already exist. What Georgia needs is money for new prison space, not Federal legislative dictates.

The best way to fund these prisons would be to transfer money being used for construction of new Federal prisons. In Georgia our prisons have been overcrowded at approximately 104 percent of capacity.

In 1988 Georgia initiated one of the most aggressive prison construction programs in the Nation building 11 new facilities which provided approximately 15,000 new bed spaces.

According to Georgia Department of Corrections projections—Georgia will be out of bed space by 1996. Georgia will have 32,946 inmate beds by the end of fiscal year 1996. The prison population in 1996 is projected to be 35,932 persons. By the year 2003 the population will more than double to a size of 52,976 persons.

Clearly the States need help in the construction of new prison space. If they don't have prison space they will be forced to release convicts early to make room.

Only around 5 percent of all crimes are Federal crimes and prison funds could be better spent at the State level. Instead of federalizing more crimes, we should help States keep more of their prisoners behind bars.

Second, we should limit Federal appeals on death penalty cases to one. We must eliminate the unjust and costly delay in imposition of death penalties. The endless appeals now allowed in death penalty cases have virtually caused capital punishment to become obsolete.

And the costs associated with these endless appeals are unbelievable. A limit on habeas corpus appeals would allow a quicker imposition of sentences and a reduction in costs being passed on to taxpayers.

The third way the Federal Government can help is by making changes in the juvenile justice system to allow for information sharing between agencies on a juvenile's prior criminal record.

The Office of Juvenile Justice and Delinquency Prevention reported that arrests for violent crimes by juveniles increased 91 percent between 1970 and 1992. They also report that between 1987 and 1991, the number of violent crime arrests of juveniles increased by 50 percent—double the increase in arrests of those 18 and older.

Young people are committing more crimes. In 1991, juveniles accounted for 17 percent of all violent crime arrests.

The young are more often the target of crime as well. The Federal Bureau of Investigation says that children under 18 are 244 percent more likely to be killed than they were in 1986.

The Office of Juvenile Justice and Delinquency Prevention records show that between 1985 and 1988, 67 out of 1,000 teenagers were victims of violent crime compared with 26 out of 1,000 persons age 20 or older.

And the Washington Post, recently reported that violence took the lives of 2,428 children in 1992, an increase of 67 percent in just 6 years.

The statistics are alarming, and the continued increase in juvenile crime shows something must be done to stem this tide. And the increase in juvenile criminals is clogging the juvenile courts as well as increasing the number of young people in prisons.

If agencies are allowed to share information on young people who are in danger of becoming delinquents we may be able to reach them and avoid them becoming another adult criminal.

There has been a lot of tough talk coming from President Clinton and Congress on the issue of crime. It is time for action.

As we take action on crime, we must avoid having the Federal Government step in where State and local governments have constitutional authority. The Federal Government must support States in their efforts to keep violent criminals off the streets not usurp them.

We do not need a new litany of Federal mandates on States or the creation of a longer list of Federal crimes.

We should help States with the money they need to construct prisons as long as States provide funding for prison operations, limit the appeals process and allow agencies to share information on juveniles who commit crimes.

Working together we can reduce crime, get criminals off the streets and keep them behind bars.

The law abiding citizens of this country deserve to be protected from convicted criminals.

The dedicated judges who provide just sentences deserve our support.

And the dedicated law enforcement officers who risk their lives to arrest criminals deserve the assurance that criminals will serve their sentences.

I want to thank Judge Kenneth Kilpatrick and the judges like him throughout Georgia and across this Nation who are trying to improve the criminal justice system. Congress should focus on substance not politics and do our part to keep criminals off our streets.

The people have heard enough rhetoric—it is time for action. Let's shut the door on early paroles once and for all.

In closing, I want to refer to the pledge we so graciously render to our flag and Nation.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands—

The Republic for which it stands. The people. The people make up the Republic. Our pledge is to the people. We as Members of Congress make this pledge every day as we convene this House.

one nation, under God, indivisible, with liberty and justice for all.

Yes, "under God," we have united as a nation. We have been granted a Government which allows us to protect our liberty and render justice to all.

We as a nation protect our liberty through faith, patriotism, and a strong defense. We as a nation are often called upon to protect our nations' liberty because of our faith and strength. Why? Because aggressors of liberty are fearful of our strength and respect our values.

However, our most threatening aggressor walks among us, dividing us from within—the criminal. Yes, the criminal is the aggressor we fear most today.

"Justice for all." We must make the criminal as fearful of us as any aggressor we have faced or will face. Only justice will render such fear to the criminal aggressor.

We as dutiful officers of this republic must harness the criminal element which is threatening our liberty from within our own boundaries. Justice will only prevail when we as a Congress swallow our thirst for power here in Washington and assist our local and State governments in stopping the criminal threat to our liberty.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McNULTY (at the request of Mr. GEPHARDT) for today after 3 p.m., on account of personal business.

Mr. McDADE (at the request of Mr. MICHEL) for today, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHAEFER) to revise and extend their remarks and include extraneous material:)

Mr. SCHAEFER, for 5 minutes, today.

(The following Members (at the request of Mr. DARDEN) to revise and extend their remarks and include extraneous material:)

Mr. SWIFT, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. RICHARDSON, for 5 minutes, today.

Mr. OWENS, 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. SCHAEFER) and to include extraneous matter:)

Mr. HORN in two instances.

Mr. PETRI.

Mrs. JOHNSON of Connecticut.
 Mr. BEREUTER in two instances.
 Mr. BILIRAKIS.
 Mr. QUILLEN.
 Mr. WALSH.
 Mr. COBLE.
 Ms. MOLINARI.
 Mr. SMITH of New Jersey.
 (The following Members (at the request of Mr. DARDEN) and to include extraneous matter:)

Mr. FROST.
 Mr. DIXON.
 Mr. HAMILTON in two instances.
 Mr. RICHARDSON.
 Mr. BLACKWELL.
 Mr. COSTELLO.
 Mr. THOMPSON of Mississippi in three instances.

Mr. MEEHAN.
 Ms. KAPTUR.
 Mr. CARDIN.
 Mr. JOHNSON of South Dakota.
 Mr. WAXMAN.
 Mr. PICKLE.
 Mr. FOGLIETTA.
 Mr. DURBIN.
 Mr. SCHUMER.
 Mr. HOCHBRUECKNER.
 Mr. TORRES.

(The following Members (at the request of Mr. COLLINS of Georgia) and to include extraneous matter:)

Mr. MENENDEZ.
 Mr. WYNN.
 Mr. KILDEE in three instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

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.

ADJOURNMENT

Mr. COLLINS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.) under its previous order, the House adjourned until Monday, March 7, 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:

2695. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled, "Federal Crop Insurance Reform Act of 1994"; to the Committee on Agriculture.

2696. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-204, "Board of Education of the Baltimore Annual Conference of the United Methodist Church, Inc., Equitable

Real Property Tax Relief Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

2697. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-205, "Financial Administration Revision and Clarification Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

2698. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2699. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2700. A letter from the Chair, Federal Energy Regulatory Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2701. A letter from the Acting Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. LAMBERT (for herself, Mr. SLATTERY, Mr. BROWN of Ohio, Mr. BACHUS of Alabama, and Mr. KENNEDY):

H.R. 3947. A bill to amend title XIX of the Social Security Act to treat certain clinics operated by children's hospitals as federally qualified health centers under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. MINETA (for himself and Mr. BOEHLERT):

H.R. 3948. A bill to amend the Federal Water Pollution Control Act; to the Committee on Public Works and Transportation.

By Mr. BATEMAN:

H.R. 3949. A bill entitled "The Firefighter and Rescue Squad Worker Act"; to the Committee on Education and Labor.

By Mr. GEPHARDT (for himself, Mr. FORD of Michigan, Mr. LEWIS of Georgia, Mr. WASHINGTON, Mr. GLICKMAN, Mr. MILLER of California, Mr. OWENS, Mr. JOHNSTON of Florida, Mr. PAYNE of New Jersey, Ms. DELAURO, Ms. NORTON, Mr. TUCKER, Ms. VELÁZQUEZ, Mr. TOWNS, Mr. RUSH, Mrs. SCHROEDER, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. REYNOLDS, Mr. NADLER, Mr. SCHUMER, Mr. MARTINEZ, and Mr. WHEAT):

H.R. 3950. A bill to provide grants to local entities to improve the academic performance and social development of at-risk children; to the Committee on Education and Labor.

By Mr. CAMP (for himself, Mr. BREWSTER, Mr. ARCHER, Mr. GRANDY, Mr.

HOAGLAND, Mr. SUNDQUIST, Mr. PAYNE of Virginia, Mr. DOOLITTLE, Mr. BOEHNER, Mr. QUILLEN, Mr. HANSEN, Mr. CANADY, Mr. BARLOW, Mr. BARCIA of Michigan, Mr. BUNNING, Mr. HANCOCK, Mr. SLATTERY, Mr. MCCREERY, Mr. THOMAS of California, Mr. HOUGHTON, Mr. EDWARDS of Texas, Mr. SHAW, Mr. HERGER, Mr. PETE GEREN of Texas, Mr. LEWIS of California, Mr. BONILLA, Mr. LIGHTFOOT, Mr. GORDON, and Mr. FIELDS of Texas):

H.R. 3951. A bill to amend the Internal Revenue Code of 1986 to prevent the reclassification of certain dues paid to tax-exempt agricultural or horticultural organizations; to the Committee on Ways and Means.

By Mr. CARDIN (for himself and Mr. SHAW):

H.R. 3952. A bill to amend the Internal Revenue Code of 1986 to alleviate the inequitable tax treatment of individuals operating small, expanding publishing businesses as S corporations or partnerships, thereby encouraging the growth and development of such businesses; to the Committee on Ways and Means.

By Mr. HUTTO:

H.R. 3953. A bill to authorize Escambia County, FL, to convey certain lands in Florida to a political subdivision of the State of Florida; to the Committee on Natural Resources.

By Mr. JOHNSON of South Dakota:

H.R. 3954. A bill to expand the Mni Wiconi rural water supply project, and for other purposes; to the Committee on Natural Resources.

By Mr. ROWLAND (for himself, Mr. BILIRAKIS, Mr. SPRATT, Mr. BLILEY, Mr. TAUZIN, Mr. DUNCAN, Mr. PARKER, Mr. HASTERT, Mr. MONTGOMERY, Mr. BARTON of Texas, Mr. PETE GEREN of Texas, Mr. UPTON, Mr. SISISKY, Mr. MOORHEAD, Mr. TANNER, Mrs. VUCANOVICH, Mr. LAUGHLIN, Mr. GOSS, Mr. PICKETT, Mr. CRAPO, Mr. LANCASTER, Mr. GOODLATTE, Mr. HAYES, Mr. ZELIFF, Mrs. LLOYD, Mr. LINDER, Mr. BROWDER, Mr. CASTLE, Mr. ORTON, and Mr. YOUNG of Florida):

H.R. 3955. A bill to increase the availability and continuity of health coverage for employees and their families, to prevent fraud and abuse in the health care delivery system, to reform medical malpractice liability standards, to reduce paperwork and simplify administration of health care claims, to promote preventive care, and for other purposes; jointly, to the Committees on Energy and Commerce, Education and Labor, the Judiciary, and Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. LINDER, Mr. DARDEN, and Mr. GINGRICH):

H.R. 3956. A bill to establish the Freedom National Park in the State of Georgia, and for other purposes; to the Committee on Natural Resources.

By Mr. PETRI (for himself, Mr. OBEY, Mr. SENSENBRENNER, Mr. ROTH, Mr. GUNDERSON, Mr. KLECZKA, Mr. KLUG, Mr. BARRETT of Wisconsin, and Mr. BARCA of Wisconsin):

H.R. 3957. A bill to amend the Federal Water Pollution Control Act to reserve a portion of the funds made available for capitalization grants for water pollution control revolving funds for the purpose of making grants to States that set aside amounts of State funds for water pollution control in excess of the amounts required under such act,

and for other purposes; to the Committee on Public Works and Transportation.

By Mr. SCHAEFER (for himself and Mr. PENNY):

H.R. 3958. A bill to reduce the budget deficit of the United States, and for other purposes; jointly, to the committees on Agriculture, Armed Services, Banking, Finance and Urban Affairs, Education and Labor, Energy and Commerce, Foreign Affairs, Government Operations, House Administration, the Judiciary, Merchant Marine and Fisheries, Natural Resources, Post Office and Civil Service, Public Works and Transportation, Rules, Science, Space, and Technology, Small Business, Veterans' Affairs, Ways and Means, and Intelligence (Permanent Select).

By Mr. THOMPSON:

H.R. 3959. A bill to extend the effectiveness of an exemption from the requirements of the Depository Institution Management Interlocks Act; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MILLER of California (for himself, Mr. McDERMOTT, Mr. BECERRA, Mr. CLAY, Mr. DE LUGO, Mr. ENGEL, Mr. FALOMAVAEGA, Mrs. MINK of Hawaii, Mr. MURPHY, Mr. OWENS, Mr. PAYNE of New Jersey, Mr. ROMERO-BARCELÓ, Mr. SCOTT, and Ms. WOOLSEY):

H.R. 3960. A bill to provide for health care for every American and to control the cost and enhance the quality of the health care system; jointly, to the Committees on Energy and Commerce, Ways and Means, Armed Services, Post Office and Civil Service, Natural Resources, and Education and Labor.

By Mr. THOMPSON:

H.R. 3961. A bill to amend the Act known as the Miller Act to raise the value of contracts for which performance bonds and payment bonds are required under that act; to the Committee on the Judiciary.

H.R. 3962. A bill to direct the Secretary of the Interior and the Secretary of Energy to undertake initiatives to address certain needs in the Lower Mississippi Delta Region, and for other purposes; jointly, to the Committees on Education and Labor, Natural Resources, Energy and Commerce, and Science, Space, and Technology.

By Mr. GEPHARDT (for himself and Mr. GINGRICH):

H.J. Res. 329. Joint resolution designating March 23, 1994, as "Education and Sharing Day, U.S.A."; to the Committee on Post Office and Civil Service.

By Mr. DOOLITTLE:

H.J. Res. 330. Joint resolution designating May 1994 as "National Community Residential Care Month"; to the Committee on Post Office and Civil Service.

By Mr. ANDREWS of New Jersey:

H. Con. Res. 214. Concurrent resolution urging the President to promote political stability in Tajikistan through efforts to encourage political resolution of the conflict and respect for human rights and through the provision of humanitarian assistance and (subject to certain conditions) economic assistance to the Committee on Foreign Affairs.

By Mr. FALOMAVAEGA (for himself, Mr. SMITH of Iowa, Mr. LEACH, Mr. GRANDY, Mr. NUSSLE, and Mr. LIGHTFOOT):

H. Con. Res. 215. Concurrent resolution honoring James Norman Hall and recognizing his outstanding contributions to the United States and the South Pacific; to the Committee on Post Office and Civil Service.

By Mr. GOSS (for himself and Mr. HYDE):

H. Res. 378. Resolution amending the Rules of the House of Representatives to require Members to sign an oath of secrecy before receiving access to classified information; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

- H.R. 173: Mr. DELAY.
- H.R. 291: Mr. SERRANO, Mr. COSTELLO, Mr. SWETT, Mr. STUPAK, Mr. CALVERT, and Mr. CRANE.
- H.R. 300: Mr. BORSKI and Mr. CALLAHAN.
- H.R. 411: Mr. EMERSON.
- H.R. 417: Mr. BREWSTER, Mr. MCCURDY, Mr. LIVINGSTON, and Mr. BEREUTER.
- H.R. 427: Mr. SLATTERY.
- H.R. 479: Mr. HAMBURG.
- H.R. 630: Mr. FROST, Mr. POSHARD, and Mr. JEFFERSON.
- H.R. 799: Mr. BAKER of Louisiana.
- H.R. 840: Mr. MOAKLEY.
- H.R. 886: Mr. ROGERS.
- H.R. 1155: Mr. ROSE and Mr. EMERSON.
- H.R. 1164: Ms. SHEPHERD.
- H.R. 1171: Mr. DEFazio.
- H.R. 1176: Mr. INSLEE and Mr. SANDERS.
- H.R. 1349: Mr. EWING.
- H.R. 1490: Mr. ZELIFF, Mr. EVERETT, Mr. GEKAS, Mr. KIM, Mrs. BENTLEY, and Mr. BALLENGER.
- H.R. 1718: Mr. BISHOP, Mr. BLACKWELL, Mr. MANZULLO, and Ms. NORTON.
- H.R. 1719: Mr. DELAY.
- H.R. 1736: Mr. RICHARDSON, Mr. KLUG, Mr. INHOFE, and Mr. GINGRICH.
- H.R. 1801: Mr. HINCHEY.
- H.R. 1883: Mr. YOUNG of Alaska, Mr. RAVENEL, Mr. FROST, Mr. TORRICELLI, Mr. OWENS, and Mr. THOMPSON.
- H.R. 1886: Mr. BLACKWELL.
- H.R. 1897: Mr. LOWEY and Mr. FIELDS of Louisiana.
- H.R. 1928: Mr. WELDON.
- H.R. 1980: Mr. PETERSON of Minnesota.
- H.R. 2292: Mr. WAXMAN, Mr. EVANS, and Mrs. THURMAN.
- H.R. 2340: Mr. SHAYS.
- H.R. 2355: Mr. HOKE.
- H.R. 2396: Ms. ESHOO.
- H.R. 2443: Ms. LAMBERT and Mr. PORTMAN.
- H.R. 2460: Mr. BACHUS of Alabama and Ms. LONG.
- H.R. 2467: Mr. BURTON of Indiana, Mr. GREENWOOD, Mr. HINCHEY, Mr. HOBSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING, Mr. LAFALCE, Mr. PASTOR, Mr. PETERSON of Minnesota, Mr. ROBERTS, Mr. SPRATT, Mr. STUMP, Mr. TAUZIN, and Mr. WALSH.
- H.R. 2474: Mr. BAKER of Louisiana, Mr. DARDEN, Mr. SCHIFF, and Mr. FROST.
- H.R. 2580: Mr. FOGLIETTA.
- H.R. 2767: Mr. MARTINEZ, Mr. FALOMAVAEGA, Mr. EWING, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING, Mr. GONZALEZ, Mr. CLYBURN, and Mr. OWENS.
- H.R. 2803: Mr. NEAL of North Carolina.
- H.R. 2937: Mr. UPTON.
- H.R. 3023: Mr. KYL, Mr. HINCHEY, Mr. BUCHER, Mr. CUNNINGHAM, Ms. SCHENK, Mr. PETRI, Mr. PETE GEREN of Texas, and Mr. CRANE.
- H.R. 3064: Mr. INSLEE.
- H.R. 3182: Mr. ABERCROMBIE and Miss COLLINS of Michigan.
- H.R. 3203: Mrs. CLAYTON, Mr. ROMERO-BARCELÓ, and Mr. DIXON.
- H.R. 3213: Mr. GALLEGLY.
- H.R. 3231: Mr. DIXON.
- H.R. 3235: Mr. KLEIN.

H.R. 3246: Mr. BEREUTER, Mr. BLUTE, Mr. BONIOR, Mr. BREWSTER, Mr. BROWN of California, Mr. DOOLITTLE, Mr. DICKS, Ms. LAMBERT, Mrs. MORELLA, Mr. OXLEY, Mr. PENNY, Mr. ROGERS, Mr. STRICKLAND, Mr. LIGHTFOOT, Mr. PASTOR, Mr. INSLEE, and Ms. KAPTUR.

H.R. 3261: Mr. MURPHY, Mr. TALENT, Mr. STEARNS, Mr. HERGER, Mr. MANZULLO, Mr. SANDERS, Mr. SMITH of Oregon, and Mr. GUNDERSON.

H.R. 3293: Ms. FURSE and Mr. ANDREWS of New Jersey.

H.R. 3367: Mr. BLUTE, Mr. VOLKMER, and Mr. GALLEGLY.

H.R. 3392: Mr. CUNNINGHAM and Mr. MCCANDLESS.

H.R. 3434: Ms. ESHOO, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MORELLA, and Mr. ORTON.

H.R. 3472: Mr. FROST, Mr. JEFFERSON, Mr. KLINK, and Mr. HOCHBRUECKNER.

H.R. 3513: Mr. SHAYS.

H.R. 3523: Ms. ESHOO, Mr. MORAN, Mr. BONILLA, Mr. LINDER, Mr. YOUNG of Alaska, and Mr. KNOLLENBERG.

H.R. 3527: Mr. WAXMAN, Ms. ESHOO, and Mr. DEUTSCH.

H.R. 3538: Mr. ABERCROMBIE, Mr. KOPETSKI, Mr. DELLUMS, Mr. SANDERS, Mr. PENNY, Mr. SERRANO, Mr. MARKEY, Mr. PAYNE of New Jersey, Mr. OLVER, Mr. KREIDLER, Mr. FORD of Tennessee, Mr. STARK, Mr. JOHNSON of South Dakota, Mr. MINGE, Mrs. MALONEY, Mr. BLACKWELL, Mr. WYNN, Mrs. MINK of Hawaii, Mr. JACOBS, Mr. WYDEN, Mr. MEEHAN, Mr. RANGEL, Ms. NORTON, Mr. DURBIN, Mr. FALOMAVAEGA, and Mr. CLAY.

H.R. 3546: Mr. RAVENEL, Mr. FROST, Mr. JOHNSON of Georgia, and Mr. DERRICK.

H.R. 3573: Mr. TAUZIN, Mr. PARKER, Mr. MONTGOMERY, Mr. PETE GEREN of Texas, Mr. SISISKY, Mr. TANNER, Mr. LAUGHLIN, Mr. PICKETT, Mr. LANCASTER, Mr. HAYES, Mrs. LLOYD, Mr. BROWDER, Mr. ORTON, Mr. BISHOP, Mr. JOHNSON of Georgia, Mr. TAYLOR of Mississippi, and Mr. NEAL of North Carolina.

H.R. 3584: Ms. LOWEY, Mrs. MEYERS of Kansas, Mr. POMBO, and Ms. PRYCE of Ohio.

H.R. 3614: Mr. DEFazio, Mr. EVANS, Mr. FARR, Mr. MEEHAN, and Mr. VISLOSKEY.

H.R. 3636: Mr. LAZIO, Mr. ENGEL, Ms. LOWEY, Mr. SOLOMON, Mr. KING, and Ms. MOLINARI.

H.R. 3642: Mr. BERMAN, Mr. CASTLE, Mr. FAZIO, Mr. HOKE, Mr. KNOLLENBERG, Mr. LEVY, Ms. LOWEY, Mr. SWETT, and Mr. THOMAS of Wyoming.

H.R. 3720: Mr. NADLER.

H.R. 3787: Mr. ZIMMER and Mr. SAXTON.

H.R. 3797: Mr. BAKER of Louisiana, Mr. CALVERT, Mr. DOOLITTLE, Mr. HANSEN, Mr. HEFLEY, Mr. YOUNG of Alaska, Mr. DUNCAN, and Mr. ALLARD.

H.R. 3808: Mr. SANGMEISTER.

H.R. 3810: Mr. JOHNSON of South Dakota, Mr. BATEMAN, and Mr. ROGERS.

H.R. 3840: Mr. GONZALEZ, Mr. WILSON, Mr. PETE GEREN of Texas, Mr. HALL of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Iowa, Mr. BRYANT, Mr. SARPALIUS, Mr. FROST, Mr. STENHOLM, Mr. COLEMAN, Mr. TEJEDA, Mr. MONTGOMERY, Mr. ARCHER, Mr. BROOKS, and Mr. BARTON of Texas.

H.R. 3862: Mr. CRANE and Mr. WILSON.

H.R. 3866: Mr. WASHINGTON, Mr. KENNEDY, Mr. SWETT, and Mr. ANDREWS of Maine.

H.R. 3875: Mr. COMBEST, Mr. OXLEY, Mr. HEFLEY, Mr. MCCRERY, Mr. DOOLITTLE, Mr. HANSEN, Mr. DORNAN, and Mr. PARKER.

H.R. 3878: Mr. SHAYS.

H.R. 3912: Ms. LOWEY, Mr. MCCOLLUM and Mr. TORKILDSEN.

H.R. 3925: Mr. RAVENEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. CLAY, Ms. WATERS, Mrs. COLLINS of Illinois, Mrs. MEEK of Florida, Ms. BROWN of Florida, Mr. STOKES, Mrs. CLAYTON, Mr. THOMPSON, Mr. FLAKE, Mr. FIELDS of Louisiana, Mr. DELUMS, Mr. MFUME, Mr. RUSH, Ms. NORTON, Mr. FRANKS of Connecticut, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. WYNN, Mr. FORD of Tennessee, Mr. HILLIARD, Mr. WATT, Mr. OWENS, Mr. SCOTT, Mr. JEFFERSON, Mr. PAYNE of New Jersey, and Mr. BISHOP.

H.J. Res. 9: Mr. THOMAS of Wyoming and Mr. HUFFINGTON.

H.J. Res. 113: Mr. GEKAS.
H.J. Res. 209: Ms. ESHOO.

H.J. Res. 286: Mr. ABERCROMBIE, Mr. BORSKI, Ms. CANTWELL, Mr. COSTELLO, Ms. DELAURO, Mr. EVANS, Mr. FRANKS of Connecticut, Mr. HOCHBUECKNER, Mr. HUTTO, Mr. HYDE, Mr. KENNEDY, Mr. LIGHTFOOT, Ms. LOWEY, Mr. MARKEY, Mr. OBEY, Mr. SABO, Mr. STARK, and Mr. WALSH.

H.J. Res. 297: Mr. BEVILL.
H.J. Res. 302: Mr. WISE, Mr. KREIDLER, Mr. STOKES, Mr. EVANS, Mr. PAYNE of New Jersey, Mr. JOHNSON of South Dakota, Mr. LAUGHLIN, Mrs. MALONEY, Mr. CARR, Mr. STARK, Mr. INSLEE, Mr. JACOBS, Mr. MARKEY, Mr. DIXON, Mr. SABO, Mr. JOHNSTON of Florida, Mr. DE LA GARZA, Mr. LANTOS, and Mr. LEVIN.

H.J. Res. 304: Mr. MCCLOSKEY, Ms. MCKINNEY, and Mr. WAXMAN.

H.J. Res. 305: Mr. WAXMAN, Mr. MEEHAN, Mr. OLVER, Mr. SCHUMER, Mr. MARKEY, Mr. BLUTE, Mr. BAESLER, Mr. TORKILDSEN, Mr. SPRATT, Mr. HINCHEY, and Mr. BLACKWELL.
H.J. Res. 310: Mr. KENNEDY, Mr. CARDIN, Mr. MENENDEZ, Mr. DE LUGO, Mr. MOAKLEY, Mr. MATSUI, and Mr. DORNAN.

H.J. Res. 314: Mr. MCDADE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KASICH, and Mr. FROST.

H.J. Res. 318: Mr. FROST, Mr. LIPINSKI, Mr. SUNDQUIST, Mr. EVANS, Mr. HUGHES, Mr. FALEOMAVAEGA, Mr. TORKILDSEN, Mr. VOLKMER, Mr. MARTINEZ, Mr. RAVENEL, Mr. SPENCE, Mr. SPRATT, and Mr. QUILLEN.

H. Con. Res. 3: Mr. CUNNINGHAM.
H. Con. Res. 35: Mr. MCHALE, Mr. BORSKI, Mr. PALLONE, Mr. HUGHES, Mr. ANDREWS of New Jersey, Mr. SWETT, Mr. ROEMER, Mr. KILDEE, Mr. NEAL of North Carolina, Mr. VOLKMER, Ms. KAPTUR, Mr. MENENDEZ, Mr. HINCHEY, Mr. DEUTSCH, Mrs. MALONEY, Mr. CRAMER, Mr. CHAPMAN, Mr. SAXTON, Mr. TUCKER, Mrs. CLAYTON, Mr. GEJDENSON, Ms. WOOLSEY, Mr. RUSH, Ms. MCKINNEY, Mr. WYNN, Mr. FRANK of Massachusetts, Mr. BERMAN, Ms. NORTON, Mr. HAMBURG, Mrs. MORELLA, Mr. BROWN of Ohio, Ms. ROYBAL-ALLARD, Mrs. KENNELLY, Mr. ROMERO-BARCELO, Mr. BREWSTER, and Ms. DANNER.

H. Con. Res. 166: Mr. BOEHLERT and Mr. BACHUS of Alabama.

H. Con. Res. 177: Mr. SMITH of New Jersey, Mrs. UNSOELD, Mr. BROWN of California, Mrs. ROUKEMA, Mr. DE LUGO, and Mr. BROWN of Ohio.

H. Con. Res. 179: Mr. ARCHER and Mr. MCNULTY.

H. Con. Res. 184: Mr. SKELTON, Mr. EWING, Mr. MACHTLEY, Mr. BURTON of Indiana, Mr. RAMSTAD, Mr. MCHUGH, Mr. TORKILDSEN, Mr. BAKER of Louisiana, Mr. COMBEST, Mr. MANZULLO, Mr. BATEMAN, Mr. TORRES, Mr. WYDEN, Mr. FROST, and Mr. ZELIFF.

H. Res. 38: Mr. ABERCROMBIE.

H. Res. 236: Mr. STUPAK, Mr. OLVER, Mr. BORSKI, Mr. LANTOS, Mr. RANGEL, Mr. POSHARD, Mr. DIXON, Mr. WATT, Mr. HOYER, Mr. KLEIN, Mrs. THURMAN, Mr. DELAY, Mr. LEVY, Mr. GEKAS, Mr. PALLONE, Mr. CLAY, Mr. PICKLE, Mrs. VUCANOVICH, Mr. PETERSON of Florida, Mr. GORDON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAUZIN, and Mr. GINGRICH.

H. Res. 365: Mr. BALLENGER, Mr. GOSS, and Mr. GILCHREST.

Petition 9 by Mr. WELDON on House Resolution 227: William H. Zeliff, Jr.

Petition 10 by Mr. MCCOLLUM on House Resolution 295: Curt Weldon and Christopher Cox.

Petition 11 by Mr. RAMSTAD on House Resolution 247: Bill McCollum, Bill Barrett, Peter G. Torkildsen, Jim Bunning, Amo Houghton, Charles T. Canady, Wayne Allard, Michael Huffington, Vernon J. Ehlers, Henry Bonilla, Wally Herger, Pat Roberts, Tillie K. Fowler, John M. McHugh, Jay Kim, Peter T. King, Jennifer Dunn, Curt Weldon, W.J. (Billy) Tauzin, Joe Knollenberg, William H. Zeliff, Jr., James V. Hansen, Dan Burton, Thomas J. Ridge, Henry J. Hyde, Jon Kyl, James H. (Jimmy) Quillen, Deborah Pryce, E. Clay Shaw, Jr., David L. Hobson, Christopher Cox, Gary A. Franks, Jim Kolbe, Jim Saxton, Dan Miller, and James A. Traficant, Jr.

Petition 12 by Mr. TRAFICANT on H.R. 3261: Christopher Cox, Douglas Applegate, Stephen Horn, and Jim Ramstad.

Petition 13 by Mr. SMITH of New Jersey on House Resolution 281: Bill McCollum, Jack Quinn, Ralph M. Hall, Lamar S. Smith, Joel Hefley, Peter G. Torkildsen, Thomas W. Ewing, Mike Parker, Jim Bunning, Jan Meyers, James C. Greenwood, Michael Huffington, Tim Holden, Collin C. Peterson, Henry Bonilla, Pat Roberts, John M. McHugh, Peter T. King, Jennifer Dunn, Curt Weldon, Charles W. Stenholm, Thomas J. Ridge, Joe Barton, Dan Burton, James V. Hansen, Henry J. Hyde, Jon Kyl, James H. (Jimmy) Quillen, Joe Skeen, Deborah Pryce, E. Clay Shaw, Jr., Gary A. Franks, Bill Paxton, Christopher Cox, Gerald Soiomon, Sherwood L. Boehlert, Stephen Horn, Dan Miller, Ileana Ros-Lehtinen, Robert H. Michel, John L. Mica, and Earl Hutto.

**DISCHARGE PETITIONS—
ADDITIONS OR DELETIONS**

The following Members added their names to the following discharge petition:

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EXTENSIONS OF REMARKS

PROJECT CHILDREN

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. WALSH. Mr. Speaker, 20 years ago this summer Project Children was established. It's a program bringing children from tough neighborhoods in Northern Ireland to American neighborhoods for the summer. The results are impressive, the impact undeniably positive.

As I salute the organization begun by Denis Mulcahy of Greenwood Lake, NY, himself a native of the Republic of Ireland in County Cork, I recall dozens of scrubbed but drowsy faces at the Syracuse airport just a few short years ago. They were the faces of pre-teens getting off a long flight from home, arriving with their chaperones in my hometown—just as other groups had arrived over the lifetime of Project Children in Syracuse. But this time one of them would come to our home where he would spend the summer getting a look at a different way of life. And letting us get to know him.

He is Michael Lyons. An excellent soccer player, he was typically reticent about the violence in his hometown, Belfast, Northern Ireland. Our kids were polite enough not to bother him with questions about the troubles. Instead, they traded stories about families and friends, watched television and laughed together, went to picnics and baseball games, stopped for pizza and french fries, and celebrated the quintessential American party, the backyard barbecue. It was obvious Michael gained, but our kids did, too. They saw—in fact we all saw, through new eyes—what we often take for granted. Basic freedom and safety. America is indeed the land of plenty.

I would not presume to call Michael one of our family after one short summer of knowing him. But it is surprising how quickly a young person can find his way into an adult's concern.

My concern flares when I read the news about continuing violence in Northern Ireland. Clearly, hatred and prejudice have survived the best efforts of the good people behind Project Children. In the Divis Flats of Belfast and in the Bogside of Derry, poverty persists, men of violence recruit, and guerilla war goes on—and mothers still pray for help, near despair. The seed of economic development, sponsored by sensible people who see jobs as the answer, is not allowed to mature in the grip of an ageless class struggle. How sad.

But, of course, we cannot give up nor can we ignore the goodwill inspired by groups such as Project Children. Over 20 years, thousands have been temporarily lifted out of neighborhoods in which people typically live their entire lives. They have been received warmly in places such as Syracuse where they learn there is another way to live. In the

end, I believe, it will be this sort of realization that creates the foundation for peace in Ireland.

Ireland's troubles should be a concern to all of us. The United States is too big a country not to have an impact, whether by our action or inaction. The time for addressing Northern Ireland on the world's center stage is here. We in the Irish Caucus of the House will do everything we can to insure this.

In the meantime, Project Children remains committed to the young people, irrespective of political decisions, disabused of unrealistic notions, yet full of idealism and hope. As the veterans of Project Children grow up, so too does the project. The network grows and the commitment strengthens while supporters and administrators alike remain guided by trust in a principle older than even the ancient animosity itself. Where there are young people there are still dreams. Where there are still dreams there is a way.

I know my colleagues join me in saluting this humanitarian organization and in particular Kathleen Kelly of Syracuse who has so tirelessly worked for this cause. Congratulations on two decades of creating intercultural awareness and nurturing hope. You have our prayers and our firm support.

BALANCED BUDGET AMENDMENT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. BEREUTER. Mr. Speaker, I commend to my colleagues an editorial which appeared in the Norfolk Daily News on February 22, 1994. This editorial echoes the sentiments of this Member and many Americans across the country that a balanced budget amendment to the Constitution is necessary in order to avoid deficit spending. We cannot responsibly leave this legacy of debt for future generations.

NO OTHER RECOURSE

Scare tactics are being used to oppose a constitutional amendment requiring a balanced federal budget. Invoking such a mandate would boost individual taxes by "hundreds of dollars and force deep slashes in Social Security and other popular programs," it is alleged.

The "deep slashes" said to be required, however, would amount to no more than keeping the regular, automatic increases in Social Security and other entitlement benefits at a percentage rate slightly less than the cost of living. And the "hundreds of dollars" in tax increases would not be necessary at all were all federal spending programs similarly restricted in their growth.

Granting that tax increases might be necessary, however, so many people are concerned about thousands, rather than hundreds of dollars, that most would find that an acceptable price to pay for avoiding fur-

ther indebtedness to be paid by future generations.

A constitutional requirement for presenting balanced budgets, and even more importantly, achieving them, should not be necessary.

But the experience of a half-century and the massive buildup of debt in the last decade, despite good intentions on the part of many on Capitol Hill and in the executive departments, proves there is no other recourse.

**CONGRESSMAN KILDEE SALUTES
JOHN H. DECARLO**

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. KILDEE. Mr. Speaker, it is with great pride that I rise before you today to pay tribute to John H. DeCarlo. Mr. DeCarlo is leaving Oakland University after 24 years of service to the university and its staff. On January 21, 1994, there was a dinner held in his honor at the residence of Sandra Packard, president of Oakland University.

Mr. DeCarlo was born and raised in Michigan. After graduating from high school, he attended Wayne State University in Detroit, MI, earning a bachelors degree in prelaw and speech. Mr. DeCarlo has earned his law degree from Wayne State University Law School in 1951. He completed the required courses and received his master's in 1957.

John DeCarlo was employed at the law firm of Weisenfeld, Letzer, and Thumin in Detroit, MI, until May of 1952. From 1952 until 1954 Mr. DeCarlo was a staff judge advocate with the U.S. Air Force, representing Mallory Air Depot, in Memphis, TN. Upon his discharge from the Air Force, John was hired by the Chrysler Corp. as an attorney in its insurance section, later becoming a governmental affairs specialist. Mr. DeCarlo stayed with the Chrysler Corp. until September of 1966.

In 1966, Mr. DeCarlo became vice president for public services and secretary to the board of trustees at Central Michigan University in Mt. Pleasant, MI. After leaving the staff of Central Michigan University, Mr. DeCarlo joined Oakland University as assistant chancellor for the professional performing arts.

During Mr. DeCarlo's 24 years of service at Oakland University, he served as secretary to the board of trustees, vice president for public affairs, general counsel, and senior vice president for Governmental Affairs. Mr. DeCarlo also served as interim president of Oakland University from 1991 to 1992.

Mr. Speaker, John DeCarlo has worked tirelessly to make a brighter future for Oakland University and its students. I know that his retirement recognition dinner did not mark his departure from the public light, rather, the din-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

ner was a symbol of the love and respect the board of trustees, the president and the university community, holds for John DeCarlo. I ask you and my fellow Members of the 103d Congress to join me in paying tribute to a dedicated public servant, Mr. John DeCarlo.

TRIBUTE TO UNITA BLACKWELL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand today to pay tribute to Ms. Unita Blackwell of Issaquena County, MS. Ms. Blackwell is a former elected official, business person, activist, and mother. Ms. Blackwell, who earned a master's degree in regional planning from the University of Massachusetts, became the first black female mayor in Mississippi in 1976.

Ms. Blackwell made history that day but her journey began over a decade before. Ms. Blackwell was one of the key organizers of the Mississippi Freedom Democratic Party. The Mississippi Freedom Democratic Party was the organization that challenged the seating of the all-white delegation from Mississippi at the Democratic National Convention in Atlantic City, NJ, in 1964.

In 1973, Ms. Blackwell was a part of this country's effort to normalize relationships with the People's Republic of China. In 1977, she became the national president of the United States-China People's Friendship Association where she served until 1983. During her tenure, she led over 15 missions that included approximately 7,000 other Americans traveling to China.

While serving on boards and commissions Ms. Blackwell has influenced national public opinion on issues that affect the quality of life for rural America. In addition, she was a chief plaintiff in lawsuits to end discrimination against blacks seeking housing loans with the Farmers Home Administration and was instrumental in desegregating the Mississippi Highway Safety Patrol.

In 1990, Ms. Blackwell was elected the first woman president of the National Conference of Black Mayors, which is comprised of approximately 400 members. She was also instrumental in the development of the Women Caucus of Black Mayors while serving as conference president.

Ms. Blackwell continues her plea for equality and in 1992 her hard work and dedication was recognized by being selected as a MacArthur Fellow by the John D. and Catherine T. MacArthur Foundation. The unrestricted \$350,000 fellowship for creativity in public affairs allows Ms. Blackwell to continue her commitment to improving life for others.

A STORY OF AMERICA

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. BILIRAKIS. Mr. Speaker, I rise today to pay tribute to a woman, a Greek immigrant,

one who came to our shores from abroad like so many others and made this Nation her own. Though she may not have been regarded by others as great—she was a part of what makes America great.

Eleni Brazas Rigas, 91 years old when she died, mother of my good friend, John Rigas, never was elected to high office, never had a parade in her honor, never had a speech made about her accomplishments.

However, she arose every day and lived her life honorably and with dignity. She was, in short, what has been the strength of America since its founding: a good citizen. She was a thread in the strong fabric of our Nation. She saw this country plainly—and she told her story.

Months before her death, she was asked by her family to share the wisdom gained in nearly a century of life. She left this story in the form of a poem, written in Greek as a message to her grandchildren.

Mr. Speaker, I offer it here, translated into English: A story of a family, but also a story of America from one who obviously knew her well.

We came to America

Because our country was poor.

It was not only we who came to live here all by ourselves.

All the Greeks and all the other nationalities that came here

Came to live

And to help the people back in their homelands

Because they were poor.

And that's why we came here.

And we said that this country is better to live in

But we did not forget our village

We did not forget our church

We did not forget our own people.

We have lived here many years

And still

We have not forgotten our own people.

Where we walked

We remember every step.

We love America

And so we have two countries.

We love America.

We got our citizenship papers

And we became part of the American family.

We raised a family in America

An outstanding family.

Our children were so good in school and everywhere.

And that's why we are proud.

That's why.

Here where we came

We found very good people.

Very good people.

We found good Americans and good Greeks.

We found families

Very good families.

And we saw their goodness

And we grew up together.

And we bless and praise God.

And all we wish

Is that they may always be blessed.

I had good children

Good daughters-in-law

Good sons-in-law

The finest of grandchildren.

Our children were outstanding.

They went to good schools

And had the best of reputations.

And we are proud

And very fulfilled

And very blessed.

HONORING ESTEBAN "STEVE" C. QUIROZ

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. TORRES. Mr. Speaker, tonight the Pico Rivera Lions Club will give the Melvin Jones Fellowship Award posthumously to Esteban "Steve" C. Quiroz. Named after the founder of the Lions Club, the Melvin Jones Fellowship is the highest award given by the Lions Club International to an individual.

The fellowship recognizes those attributes and characteristics of individuals who are dedicated to humanitarian service; attributes and characteristics like generosity, compassion, and concern for others as well as a commitment to the ideals of Lionism.

Steve joined the Lions in 1979, when Lion Louis Galindo sponsored his membership. For 13 years, he maintained a perfect attendance record. Throughout his membership, Steve held numerous offices in the Lions, having been elected president on July 1, 1982 and selected as Lion of the Year on July 1, 1986. In 1984, Steve sponsored Jack Thomas, and in 1985 he sponsored Jess Zapien for membership in the Pico Rivera Lions Club.

Mr. Speaker, last July, Steve died. Residents throughout the greater Pico Rivera community were shocked to learn of his death. Steve truly loved his community and combined his efforts as a Lion with his position as a member of the Pico Rivera Planning Commission, to work hard at improving the livelihood of his beloved Pico Rivera.

Few would argue that Steve was one of Pico Rivera's true community gems. He contributed to his community and he made a difference.

Tonight when the Melvin Jones Fellowship Award is presented to Steve's wife, Aida, it serves to recognize Steve's life-long commitment to helping others. Mr. Speaker, I ask my colleagues to join me in saluting my tacayo, Esteban "Steve" C. Quiroz.

IN COMMEMORATION OF BAYONNE'S 125TH ANNIVERSARY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. MENENDEZ. Mr. Speaker, I rise today to acknowledge a very important birthday—the 125th anniversary of the founding of the great city of Bayonne.

For 200 years, the area known today as Bayonne was actually the southern part of the township of Bergen. During that time separate and distinct villages had sprung up.

On April 8, 1861, these villages were unified by the New Jersey State Legislature. They were given a common name, the "Township of Bayonne" and residents were finally given the right to govern themselves.

Within a few short years, however, the population of the township increased so rapidly that by 1869 it had nearly tripled. The need for a city charter became self-evident.

On March 10, 1869, the legislature passed a law establishing the city of Bayonne. On April 13, 1869, the first city election was held and a mayor and common council were chosen.

During the 12-month period which began this past Tuesday, the citizens of this great city will take part in festivities marking this important milestone in the history of a vibrant community.

Bayonne is still fortunate enough to share that sense of community which has been lost in so many cities across America. It rests on a peninsula at the southern end of Hudson County, which has enabled it to remain a quiet and close-knit community. While it enjoys the vibrancy and the strong, active commerce of a city, it has resisted the decay which afflicts so many others.

Bayonne is able to celebrate a wondrous diversity, without suffering division. It's neighborhoods are able to grow, without growing apart. And today, it is able to celebrate a promising future, without forgetting its rich past.

So often, we lament the decline of the American city. And so it is with great pride that I ask my colleagues to join me in saluting the 125th anniversary of the city of Bayonne, NJ, an American city that still makes a great hometown.

CONGRATULATING WTOP-AM AND REPORTER DAVE MCCONNELL FOR 25 YEARS OF SERVICE TO THE WASHINGTON AREA

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. WYNN. Mr. Speaker, I would like to commend WTOP-AM for a quarter of a decade of public affairs broadcasting to the Washington metropolitan area. Since 1969, WTOP-AM, located at 1500 on the dial, has been airing news 24 hours a day. WTOP has actually been on the air since 1929, and has come a long way since switching to an all-news format 40 years later. The station has received many commendations, including the eminent Edward R. Murrow Award.

The station has the largest radio news team in the area, with 23 news anchors, 11 reporters, 12 editors, and 2 writers. Among those reporters is Capitol Hill correspondent Dave McConnell, who has covered the Hill for 18 years and has been with the station since 1969. Dave is a familiar face in the Capitol. I have talked to him times, including after President Clinton's State of the Union Addresses, during debate on important issues, and following close House floor votes. Dave is an easy fellow to spot, because of his height, his shock of silver hair and his distinctive voice. That has helped me many a time locate him in a crowd. But more importantly, I want to salute Dave for his dedication to covering Capitol Hill and his crisp analysis of complex issues. I salute Dave's 25th year anniversary with

WTOP-AM and I congratulate the entire WTOP staff for a job well done.

ON EACH SIDE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. BEREUTER. Mr. Speaker, I commend to my colleagues two editorials regarding health care reform which appeared in the Norfolk Daily News on February 23, 1994, and February 26, 1994. These are thoughtful commentaries as Congress considers the important issue of health care reform.

[From the Norfolk (NE) Daily News, Feb. 23, 1994]

ON EACH SIDE

Does anyone happen to remember who sat on both sides of Hillary Clinton in the U.S. House of Representatives Gallery while President Clinton gave his recent State of the Union message? Jack Faris, president of the National Federation of Independent Business does.

Mr. Faris knows all too well that Mrs. Clinton's invited guests were Lane Kirkland, president of the AFL-CIO, and Jack Smith, chairman of General Motors. It was reported that the invitations were intended as a gesture to heal organized labor's wounds inflicted by the president's support of the North American Free Trade Agreement.

Mr. Faris sees it as a gesture of something entirely different. To him, their presence was a sign of discouragement and concern on behalf of small-business owners throughout the nation.

Why is that? "General Motors, under the president's health care reform act, will enjoy a huge windfall because its health payments for retirees, who have gold-plated coverage under union-negotiated plans, will be paid for by—you guessed it—small businesses and other taxpayers," Mr. Faris said recently. "Some estimates claim the book value of General Motors alone will leap more than \$28 billion when it sheds the health insurance burden."

Even more irritating to small-business owners, according to Mr. Faris, is that the government tax code still treats them shabbily. "While GM and other corporations can deduct 100 percent of their health costs, the self-employed, if Congress is in a good mood, are allowed to write off only one-fourth of their health bills," he said.

We have to share his concern as to whether President Clinton will ignore the economic contributions of small business and instead cater too much to big business and big labor.

The seating arrangement at the State of the Union address may have been only symbolic of the problem, but there's no doubt that the concerns small-business owners have are real.

[From the Norfolk (NE) Daily News, Feb. 26, 1994]

BIG BUCKS COMMITTED

Organized labor has now committed at least \$10 million to promote President Clinton's health-care plan. One union official, Gerald Shea, head of the AFL-CIO health care team, says it could eventually be double that.

If lobbying and public relations efforts rather than logic will rule, the unions could help carry the day with such a commitment.

Most union members are already covered by health plans that have been negotiated between unions and employers. So the Clinton plan is embraced because it offers an opportunity for others to help foot the bills.

Unions have important allies in this cause. They are the employers who represent several major industries. The chance to shift a portion of the health-care premiums from the biggest employers to other Americans and to pick up more of the payments for early retirees, creates an unusual alliance. It consists of a few of the largest employers who see an advantage in getting their own health care costs lowered, and the unions which are focused not on small employers and individual small business owners but on what is least costly for that elite which they represent.

President Clinton now indicates he is willing to compromise on any features of his complicated plan, except that the ultimate legislation must provide "universal coverage."

So the union's millions are committed not so much to a well-defined and fully understandable plan, but to whatever Mr. Clinton and his principal health care advisers will eventually agree to embrace.

Union members ought to question such an open-ended commitment.

CONGRESSMAN KILDEE HONORS CHARLES H. HARRELL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. KILDEE. Mr. Speaker, I rise before you today to pay tribute to a man that has distinguished himself as a leading entrepreneur as well as a mentor for disenfranchised and disadvantaged students, Charles H. Harrell. It is only fitting that Pontiac Michigan's Mark Twain Elementary School and its principal, Dr. Broadus Mayfield, will honor Mr. Harrell during the school's Brotherhood Week celebration on Friday, February 24, 1994.

Born in 1945, Charles Harrell completed his secondary education at Attucks High School in Hollywood, FL. After graduation, Charles moved to Wilberforce, OH, where he attended Central State University. Charles completed his studies in 1969, obtaining a bachelor of science degree in business administration.

Upon graduation Charles worked as a district manager of sales for the Oldsmobile Division of General Motors for 13 years. At present, Charles is the owner and president of Detroit's leading Chevrolet dealership, Harrell Chevrolet.

A leader in his field, Charles serves as the chairman of the National Automobile Minority Dealers Association [NAMDA] and also chairs GMMDA, the General Motors Minority Dealers Association. He is a Golden Life Member of the NAACP, the immediate past president of the Civic Citizen's Association, a life member of the Alpha Phi Alpha Fraternity, the immediate past president of the Detroit Rotary Club, a member of the board of directors for Travelers' Aid, a member of the Detroit Optimist Club and a trustee at Hartford Memorial Baptist Church.

During his distinguished career Charles Harrell has received numerous awards including:

Central Michigan University 1993 Alumnus of the Year, 1993 National Alumnus of the Year of Black Universities and Colleges, the 1993 Central Michigan University Hall of Achievement Award, and the 1984 Citizen of the Year Award from Hartford Memorial Baptist Church. Charles was adopted by Jones and McKinney Elementary Schools and received the Unsung Hero award from the Hope and Magnolia Churches.

Mr. Speaker, it is a privilege for me to stand before you today to pay tribute to a true community leader. Charles Harrell's professionalism and community spirit should serve as an example for all people. I urge you and my fellow Members of the 103d Congress to join me in honoring Charles H. Harrell, a truly great American.

MISSISSIPPI FREEDOM
DEMOCRATIC PARTY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. THOMPSON of Mississippi. Mr. Speaker, I come today to salute the Mississippi Freedom Democratic Party [MFDP]. The MFDP was established in 1964 to organize disenfranchised citizens. MFDP provided citizens with a vehicle through which they could learn about the political process and examine how political decisions affected them. The party's primary goal was to challenge the exclusion of African-Americans in the Mississippi Democratic Party.

The fight to include African-Americans in the Regular Democratic Party took the State by storm. MFDP organizers recruited participants from 35 counties which totalled 3,500 people. These organizers became known as the Freedom Democrats.

Adhering to the process of the Mississippi Democratic Party, the Freedom Democrats utilized the party's regulations of precinct, county, and State caucuses to govern their delegate selection process. After months of organizing and training, the MFDP concluded their caucus by selecting 68 delegates and alternates to attend the 1964 Democratic National Convention in Atlantic City, NJ. This biracial, educationally, and socially diverse group was more representative of the State's population than the all-white delegation selected by the Regular Democratic Party.

The Freedom Democrats were not seated at the 1964 Democratic Convention but their cause had been heard throughout the Nation. This national exposure allowed delegates to discuss heart-wrenching tales of racism, brutal beatings, and the total exclusion of African-Americans from the Mississippi Democratic Party. This courageous act was the beginning of a new era in the civil rights movement.

The Mississippi Freedom Democratic Party continues to serve as an organizing tool and as an avenue for collective action.

INTERNATIONAL CONFERENCE ON
PEACE AND TOLERANCE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. HAMILTON. Mr. Speaker, yesterday, I inserted into the RECORD the "Bosphorus Declaration" of a conference of leaders of various religious faiths held in early February 1994 in Istanbul, Turkey.

Today, I would like to bring to the attention of my colleagues a resolution and statement made at the conference.

Among the participants in the conference was our distinguished former colleague, Dr. John Brademas, president emeritus of New York University, who is also chairman of the National Endowment for Democracy. Dr. Brademas chaired a working group in Istanbul that dealt with the situation in the Balkans and made a significant contribution to the final document of the conference.

The resolution adopted by the working group chaired by Dr. Brademas and the statement with which he opened its discussion follow:

THE APPEAL OF CONSCIENCE BERNE DECLARATION WORKING GROUP RESOLUTION, FEBRUARY 9, 1994

The mortar shell that killed 68 persons in the marketplace of Sarajevo only days ago dramatizes anew the horror of the continuing war in the former Yugoslavia.

As men and women of different religious faiths—Christian Orthodox, Protestant and Roman Catholic; Jewish and Muslim—we are united in our call for an end to the slaughter and the suffering.

We realize that as religious leaders, we do not have the power to stop the war. But we cannot be spectators only, leaving the field solely to military and political leaders. We have a responsibility not to remain silent when, in the last years of the twentieth century, such terrible devastation is carried out by man against man.

WE CONDEMN USE OF RELIGION AS INSTRUMENT OF CONFLICT

We strongly condemn the use of religion as an instrument of the conflict.

The war in Yugoslavia is not a religious war, and appeal to religion and the exploitation of religious symbols to further the cause of aggressive nationalism are a betrayal of the universality of religious faith.

We echo here the words of the Appeal of Conscience Berne Declaration of November 1992: "Crime in the name of religion is the greatest crime against religion."

We call on the representatives of the religious communities of the countries of former Yugoslavia to urge an end to hatred and a beginning of the process of healing and reconciliation. Indeed, we call on men and women of religious conviction in all lands everywhere to raise their voices against the fires of rampant nationalism. For if these fires are not now curbed, they will spread elsewhere in this tormented part of the world, bringing still further fratricide and suffering.

FIRES OF NATIONALISM NOT CONFINED TO BALKANS

And we warn that the fires of nationalism are not confined to the Balkans, but smoulder elsewhere as well, in Central Asia and the Caucasus.

We observe that for many years people of different religions—Muslim, Orthodox, Roman Catholic and Jew—lived side by side in former Yugoslavia, and without civil war.

We pray for a renewal of respect for the rights of all, particularly for minorities—ethnic, national and religious. We emphasize the imperative of freedom of conscience of every person and of freedom of religion of every minority in every country.

We call for an end to the confiscation, desecration and destruction of houses of worship and of holy and sacred places, of whatever religious tradition.

WE CONDEMN "ETHNIC CLEANSING"

We especially condemn the practice of "ethnic cleansing" and the rape and murder of women and children.

We urge the removal of obstacles that prevent humanitarian assistance from reaching the suffering—the sick and wounded, the elderly, the very young—for whom it is intended. Specifically, we call upon religious leaders in areas of conflict to press political and military authorities to facilitate access of relief supplies to besieged populations.

As leaders of our several religious faiths, we call upon Christians, Jews and Muslims to encourage respect for one another, for the universal power of religion must not be a force for hatred, division and violence but for tolerance and peace among peoples and nations.

AN APPEAL OF CONSCIENCE CONFLICT RESOLUTION TASK FORCE

Specifically, we demand the intensification of negotiations to resolve the conflict in former Yugoslavia and to advance the cause of peace and justice there.

Finally, we propose the creation of an "Appeal of Conscience Conflict Resolution Task Force" to monitor conflicts, ethnic or national; to sensitize world opinion to them; and to be a moral force for conciliation and peace.

OPENING STATEMENT BY JOHN BRADEMAS

I am pleased to have been invited to participate in this International Conference on Peace and Tolerance here in the great city of Istanbul * * * and I want to pay tribute to the co-hosts of our gathering—His All Holiness, Bartholomew I, the Ecumenical Patriarch, and Rabbi Arthur Schneier, the Founder and President of the Appeal of Conscience Foundation.

I had the privilege of meeting His All Holiness when he visited the United States with his beloved predecessor, Dimitrios I, in 1990 and I am honored now to be here at a conference inspired by Patriarch Bartholomew. His All Holiness knows the high regard and great esteem in which I hold him.

I am glad, too, to be in Istanbul with my friend and fellow New Yorker, Rabbi Schneier, who works tirelessly to encourage respect for men and women of different faiths and national backgrounds.

This is not my first visit to Turkey. I came here over 30 years ago when, as a young Member of the Congress of the United States, I visited Phanar and had the privilege of being received by another great Ecumenical Patriarch, His All Holiness Athenagoras I.

Because this is a conference devoted to promoting tolerance—I prefer the word "respect"—for people of differing religious convictions, I take the liberty of telling you of my own religious background.

AN ECUMENICAL BACKGROUND

My late father was born in Kalamata, Greece, and was Greek Orthodox while my

mother, now 92, of Anglo-Saxon descent, is a Protestant, a member of the Disciples of Christ Church.

My two brothers and sister and I grew up in what is now called the United Methodist Church, also Protestant.

I was for a brief time a professor at a Roman Catholic college, and I sit today on the Board of trustees of the University of Notre Dame, one of America's most important Roman Catholic institutions of higher learning.

While serving in Congress, I was for several years a member of the Central Committee of the World Council of Churches.

Then for 11 years, I was president of a university with the largest number of Jewish students in the world and largest number of Roman Catholic students in the United States.

You can see, therefore, that I have a very ecumenical background.

But I would be less than candid if I did not tell you that a number of my fellow Americans of Greek origin are not at all happy about my being with you in Istanbul for this conference.

SOME RESERVATIONS ABOUT THIS CONFERENCE

And as an American politician for many years and a person still active in the political life of my country, I think you should know why some of my friends have expressed reservations about this meeting.

First, in order that you have as clear an understanding as possible, I should remind you that I was the first native-born American of Greek origin elected to the Congress of the United States.

Second, you should know that I was strongly and openly opposed to the military junta that ruled Greece for seven years and that because the Greek Government at that time was not freely and democratically elected, I publicly spoke against U.S. military aid to Greece.

Third, you should be aware that while serving in Congress, I led the effort 20 years ago this summer, following the fall of the junta after the abortive coup against President Makarios of Cyprus, and the subsequent invasion and occupation of that independent republic by Turkish troops, equipped with weapons supplied by the United States, to impose an arms embargo on Turkey.

For American law mandated an immediate termination of further American arms to any country using them for other than defensive purposes.

And I continue to be distressed by the occupation of Cyprus by Turkish military forces and regard that occupation as a major obstacle to stability in this part of the world.

In like fashion, I have on a number of occasions echoed the concern that many Christians all over the world—and not Christians only—have voiced about what they believe has been unjust treatment of the Ecumenical and Armenian Patriarchates and of Christians living in Turkey.

So I do not come to Istanbul without a considerable degree of skepticism.

But I am, nonetheless, here.

WHY DO I COME TO ISTANBUL?

Why do I come?

I take part in this conference because I believe that men and women of differing values and traditions, even on matters so fundamental as religion, can, if they are true to the best in their religious heritage, whether Christian, Jewish or Muslim, find enough common ground to make cooperation rather than conflict in the best interest of the peo-

ple whom they serve and, ultimately, in the best interest of humankind.

I voice this view in no sentimental, romantic way but rather because I believe it to be true. That Israelis and Palestinians are now taking concrete steps towards some viable peace with each other is a concrete manifestation of the validity of my assertion.

So what is the situation in the world as we meet in Istanbul in February 1994? I cite only a few obvious illustrations.

In the former Soviet Union, the cascade of events has been dizzying—the crumbling of the Communist system, the disintegration of seventy years of totalitarian governments and command economies and the beginnings, fitful and uneven, of reform of the old, inhumane and ultimately unworkable structures. The Damoclean sword of potential war between the Western Alliance and the Soviet empire has for all intents and purposes been removed.

In the Middle East, as I have said, ancient enemies are engaged in a genuine dialogue about how to find a lasting peace.

In the Union of South Africa, after decades of cruelty and oppression under apartheid, the people of that country will be engaged in democratic elections in April.

In Central and Eastern Europe, nations formerly under Communist rule have elected governments that are working to strengthen democratic processes and develop mixed economies.

Indeed, as Chairman of the National Endowment for Democracy in the United States, I lead a bipartisan, nongovernmental organization devoted to promoting democratic institutions in parts of the world where they do not exist or are just emerging.

Despite these signs of hope, as everyone in this room knows, the planet Earth is still full of serious conflicts. These conflicts are born not only of economic and political differences but, increasingly, are of ethnic, national, racial and religious origin. And the conflicts are not confined to any one country—they are to be found on every continent.

Discrimination against racial minorities continues in many parts of the world including Britain, France, Germany and the United States.

So, too, can one observe almost everywhere prejudice on the basis of differences of religion, ethnic origin or nationality. Anti-Semitism is a continuing menace in Western and Eastern Europe and the former Soviet Union.

And you all know how Turks in Germany have been the victims of xenophobic, and sometimes murderous, attacks.

THE TRAGEDY OF FORMER YUGOSLAVIA

Of course, the most dramatic, urgent and contemporary of these national, ethnic and religious conflicts is in the former Yugoslavia. Croatian Catholics, Serbian Orthodox and Bosnian Muslims are every day more deeply engaged in a bloody and terrible war, with Western Europe and the United States seemingly unable to help bring about a just and peaceful resolution.

Last Saturday's attack on Sarajevo, which caused 68 deaths, can only deepen our concern.

Indeed, it is the hope of the organizers of this week's conference in Istanbul that we can here renew the call voiced by Jewish, Muslim, Orthodox and Roman Catholic leaders in Berne in November 1992, under the sponsorship of the Appeal of Conscience Foundation, that the forces of religion, demanding an end to the hostilities and human suffering, will at last be heard and heeded.

Once again, I speak to you with total candor. Even as I have over the years been high-

ly critical of Turkish persecution of the Christian Orthodox community in this country, I am highly critical of the policy of Serbia of "ethnic cleansing" in Bosnia.

And while I am well aware of the Serbian argument that all are equally guilty—Bosnians, Croats and Serbs—I can tell you that public opinion in the United States certainly assigns greatest culpability for the tragedy to the Serbs.

Here I must observe to those who insist that it is impossible for peoples of different ethnic backgrounds to live together that, as the highly regarded American writer, William Pfaff, said recently: " * * * [C]o-existence was the reality of Yugoslavia from 1917 until 1991, with the exception of the four Second World War years, which saw a genocidal assault upon the Serbs by Croatia's fascist collaborationist wartime government—one cause of the atrocities practiced by Serbs in recent months. * * *"¹

PUTTING FORWARD THE BEST VALUES OF MANKIND

Let me summarize what I have tried to say. I have indicated to you my own general views on the kinds of problems that bring us together in Istanbul—questions of tolerance and peace, or, if you like, intolerance and war. You are, of course, free to disagree with me, as I am sure many of you will!

I am not, however, so much anxious that the members of this group debate my views with me as that, working together, we ask ourselves:

First, what are the matters on which we, as men and women of religious conviction, can agree to encourage respect for each other's religion? * * * and

Second, with regard to the current crisis in the Balkans, what can we say to encourage an end to the fighting and a settlement of the war that will bring peace and a tolerable justice to this tormented part of the world?

I conclude these remarks by reminding you what our eminent co-host, His All Holiness, the Ecumenical Patriarch, said in London last November. Speaking of attacks upon both those of Christian Orthodox faith and, in the Patriarch's words, "our Muslim neighbors," Patriarch Bartholomew declared: "We hope to put behind what is unpleasant while putting forward the best values of mankind. * * * As leaders [His All Holiness concluded], we must stand prophetically, and work for brotherly and sisterly co-existence among those of different faiths, for the benefit of all. We must set aside our differences and, learn to "speak the truth in love" as persons created in the image of the one, true God."²

In this spirit, let us begin our discussion.

TRIBUTE TO DAVY CROCKETT

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. QUILLEN. Mr. Speaker, one of the most colorful Members of this body in its 205-year history was undoubtedly David Crockett, the legendary frontiersman. Davy Crockett was born in what is now Greene County, TN, which is in my district, in 1786. He was a

¹William Pfaff, "Invitation to War," Foreign Affairs, Summer 1993, page 104.

²"Mnemosyne and the Children of Memory." Address by His All Holiness Ecumenical Patriarch Bartholomew I. British Museum, London, 12 November 1993.

Member of the House from 1827 to 1831, and again from 1833 to 1835. In 1836 he went to Texas to join in its struggle for independence from Mexico, and he died defending the Alamo on March 6 of that year.

During his service in the House, Davy Crockett was a paragon of fiscal restraint and public responsibility. Recently, my constituent, Thelma Cutshall, sent me an excerpt from a biography of Crockett entitled "A Humbling Lesson—Congressman Davy Crockett Learns About Limited Government." I have not heard the story before, and it hit me right between the eyes. I am certain that these words will provide guidance to my colleagues as well, so I am happy to include them here.

A HUMBLING LESSON—CONGRESSMAN DAVY CROCKETT LEARNS ABOUT LIMITED GOVERNMENT

(In the following, excerpted from the book, *The Life of Colonel David Crockett (1884)*, compiled by Edward S. Ellis, the famous American frontiersman, war hero and congressman from Tennessee, relates how he learned—from one of his own backwoods constituents—the vital importance of heeding the Constitution and the dangers of disregarding its restraints.)

Crockett was then the lion of Washington. I was a great admirer of his character; and, having several friends who were intimate with him, I found no difficulty in making his acquaintance. I was fascinated with him, and he seemed to take a fancy to me.

I was one day in the lobby of the House of Representatives when a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support, rather, as I thought, because it afforded the speakers a fine opportunity for display than from the necessity of convincing anybody, for it seemed to me that everybody favored it.

The Speaker was just about to put the question when Crockett arose. Everybody expected, of course, that he was going to make one of his characteristic speeches in support of the bill. He commenced:

"Mr. Speaker—I have as much respect for the memory of the deceased and as much sympathy for the sufferers of the living—if suffering there be—as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living.

"I will not go into an argument to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right as individuals to give away as much of our own money as we please in charity; but as members of Congress, we have no right so to appropriate a dollar of the public money.

"Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him. This government can owe no debts but for services rendered, and at a stipulated price. If it is a debt, how much is it? Has it been audited, and the amount due ascertained? If it is a debt, this is not the place to present it for payment, or to have its merits examined. If it is a debt, we owe more than we can ever hope to pay, for we owe the widow of every soldier who fought in the War of 1812 precisely the same amount.

"There is a woman in my neighborhood, the widow of as gallant a man as ever should

dered a musket. He fell in battle. She is as good in every respect as this lady—and is as poor. She is earning her daily bread by her daily labor. But if I were to introduce a bill to appropriate five or ten thousand dollars for her benefit, I should be laughed at, and my bill would not get five votes in this House. There are thousands of widows in the country just such as the one I have spoken of, but we never hear of any of these large debts to them.

"Sir, this is no debt. The government did not owe it to the deceased when he was alive; it could not contract it after he died. I do not wish to be rude, but I must be plain. Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity.

"Mr. Speaker, I have said we have the right to give as much of our own money as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage and, instead of passing unanimously, as was generally supposed and as, no doubt, it would but for that speech, it received but few votes and, of course, was lost.

Like many other young men—and old ones too for that matter—who had not thought upon the subject, I desired the passage of the bill and felt outraged at its defeat. I determined that I would persuade my friend Crockett to move a reconsideration the next day.

Previous engagements preventing me from seeing Crockett that night, I went early to his room the next morning and found him engaged in addressing and franking letters, a large pile of which lay upon his table.

I broke in upon him rather abruptly by asking him what devil had possessed him to make that speech and defeat that bill yesterday. Without turning his head or looking up from his work, he replied:

"You see that I am very busy now; take a seat and cool yourself. I will be through in a few minutes; then I will tell you all about it."

He continued his employment for about ten minutes, and when he had finished he turned to me and said:

"Now, Sir, I will answer your question. But thereby hangs a tale, and one of considerable length, to which you will have to listen."

I listened, and this is the tale which I heard:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown, evidently a large fire. We jumped into a hack and drove over as fast as we could. When we got there, I went to work, and I never worked as hard in my life as I did there for several hours. But, in spite of all that could be done, many houses were burned and many families made houseless. Besides, some of them had lost all but the clothes they had on. The weather was very cold; and when I saw so many women and children suffering, I felt that something ought to be done for them. Everybody else seemed to feel the same way.

"The next morning a bill was introduced appropriating \$20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"I said everybody felt as I did. That was not quite so; for, though they perhaps sym-

pathized as deeply with the sufferers as I did, there were a few of the members who did not think we had the right to indulge our sympathy or excite our charity at the expense of anybody but ourselves. They opposed the bill and, upon its passage, demanded the yeas and nays. There were not enough of them to sustain the call. Many of us wanted our names to appear in favor of what we considered a praiseworthy measure, so we voted with them to sustain it. They yeas and nays were recorded, and my name appeared on the journals in favor of the bill.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up, and I thought it was best to let the boys know that I had not forgot them, and that going to Congress had not made me too proud to go to see them.

"So I put a couple of shirts and a few twists of tobacco into my saddlebags and put out. I had been out about a week and had found things going very smoothly, when, riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came to the fence.

"As he came up I spoke to the man. He replied politely but, as I thought, rather coldly, and was about turning his horse for another furrow when I said to him, 'Don't be in such a hurry, my friend; I want to have a little talk with you and get better acquainted.'

"He replied, 'I am very busy, and have but little time to talk, but if it does not take too long, I will listen to what you have to say.'

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

"'Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager * * *. I begged him to tell me what was the matter.

"Well, Colonel, it is hardly worthwhile to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case, you are not the man to represent me.

"But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest * * *. But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

"I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

"No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceed-

ings of Congress. My papers say that last winter you voted for a bill to appropriate \$20,000 to some sufferers by a fire in Georgetown. Is that true?"

"Certainly it is, and I thought that was the last vote which anybody in the world would have found fault with."

"Well, Colonel, where do you find in the Constitution any authority to give away the public money in charity?"

"Here was another sockdolager; for, when I began to think about it, I could not remember a thing in the Constitution that authorized it. I found I must take another tack, so I said:

"Well, my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of \$20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury. And I am sure, if you had been there, you would have done just as I did."

"It is not the amount, Colonel, that I complain of; it is the principle. In the first place the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be entrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be; and the poorer he is the more he pays in proportion to his means."

"What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give \$20,000,000 as \$20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other."

"No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as the please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief."

"There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over \$13,000. There are plenty of wealthy men in and around Washington who could have given \$20,000 without depriving themselves of even a luxury of life. The Congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give."

"The people have delegated to Congress, by the Constitution, the power to do certain

things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation and a violation of the Constitution."

"I have given you," continued Crockett, "an imperfect account of what he said. Long before he was through, I was convinced that I had done wrong. He wound up by saying:

"So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country; for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you."

"I tell you, I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

"Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said there at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot."

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgment of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition; and, perhaps, I may exert some little influence in that way.'

"If I don't," said I, "I wish I may be shot; and to convince you that I am in earnest in what I say, I will come back this way in a week or ten days; and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it."

"No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue."

"This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you."

"Well, I will be here. But one thing more before I say good-by. I must know your name."

"My name is Bunce."

"Not Horatio Bunce?"

"Yes."

"Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend. You must let me shake your hand before I go."

"We shook hands and parted."

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him; and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote."

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with. I found that it gave the people an interest and a confidence in me stronger than I had ever seen manifested before."

"Though I was considerably fatigued when I reached his house and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight talking about the principles and affairs of government; and I got more real, true knowledge of them than I had got all my life before."

"I have told you Mr. Bunce converted me politically. He came nearer converting me religiously than I had ever been before. He did not make a very good Christian of me, as you know; but he has wrought upon my mind a conviction of the truth of Christianity, and upon my feelings a reverence for its purifying and elevating power such as I had never felt before."

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man. I go to see him two or three times every year. I will tell you, Sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm."

"But to return to my story. The next morning we went to the barbecue and, to my surprise, found about a thousand men there. I met a good many whom I had not known before. They and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me."

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

"Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgment is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only."

"I went on to tell them about the fire and my vote for the appropriation as I have told it to you, and then told them why I was satisfied it was wrong. I closed by saying:

"And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error."

"It is the best speech I ever made in my life, but he is entitled to the credit of it. And now I hope he is satisfied with his convert and that he will get up here and tell you so."

"He came upon the stand and said:
 "Fellow-citizens—it affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised me today."

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress."

"Now, Sir," concluded Crockett, "you know why I made that speech yesterday. I have had several thousand copies of it printed and was directing them to my constituents when you came in.

"There is one thing now to which I will call your attention. You remember that I proposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worthlessness of money, particularly so insignificant a sum as \$10,000, when weighted against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

JEWISH NATIONAL FUND PAYS TRIBUTE TO RAY MEDLIN AND ED REITER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Ms. KAPTUR. Mr. Speaker, on March 9 the Jewish National Fund will honor two outstanding members of our community with their highest honor: The Tree of Life Award. I cannot think of two more deserving individuals to receive this year's award than the selected recipients Ray Medlin and Ed Reiter.

They exemplify the values we will cherish: family, community, country, commitment, hard work, and that personal responsibility and loyalty still mean something in northwest Ohio.

Ray Medlin has made his mark in northwest Ohio's labor movement. He has been a tireless advocate for working men and women in our community. He currently serves as president of Northwest Ohio Building and Construction Trades Unions and is executive secretary-treasurer/business manager of Northwest Ohio District Council of Carpenters. For most people that would be enough. But Ray devotes his "free" time to many other organizations to make life better for all in our community. Everyone who knows him would agree that he is a remarkable human being.

Ed Reiter is a lifelong Toledoan and is living proof of the saying: "Hometown Boy Makes Good." For the past 6 years he has served as chairman and chief executive officer of Mid-Am Bank. Ed's tremendous energy has also benefited many charitable causes in our community and he has been honored by numerous organizations for his philanthropic efforts. Our community will be eternally grateful for Ed's tireless efforts to make northwest Ohio a better place for us all.

I would also like to commend the Jewish National Fund for honoring these two outstanding individuals. Too often we don't take the time to say "Thank You" but by awarding the Tree of Life Award to Ray Medlin and Ed Reiter, the Jewish National Fund has said "Thank You" on behalf of our entire community.

TRIBUTE TO AMY T. AMORELLO

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Ms. MOLINARI. Mr. Speaker, I want to take a moment on behalf of myself and my staff to pay tribute to a special young woman, Amy T. Amorello, who recently passed away.

Amy had interned in my Washington office in the spring of 1993. As a high school senior at Phillips Exeter Academy, she came to my office through her school's Washington Intern Program. From her first day in my office, we all knew Amy was special. She was a bright and articulate young woman, who brought with her enthusiasm, a positive attitude, and a wonderful sense of humor. She earned our respect and more importantly our affection.

Mr. Speaker, Amy Amorello not only left behind the memory of a delightful young woman, but left behind those who must continue on without her; her parents, Mark and Sandra and her family. The Amorello family and all of us here in Washington have suffered a great loss. Amy Amorello was a remarkable young woman. Although we are overwhelmed with sadness, we must remember to be thankful that Amy Amorello graced us, if only for too short a time.

CONGRESSMAN KILDEE HONORS ELIZABETH ROSS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. KILDEE. Mr. Speaker, it is an honor for me to stand before you today to pay tribute to Mrs. Elizabeth Ross of Pontiac MI, and her family. As we celebrate the International Year of the Family, 1994, we must not forget those heroes who continue so given to much of themselves to the community. Elizabeth Ross is one of Pontiac, Michigan's silent heroes.

To understand the true greatness of Elizabeth Ross, you must examine the history of her family over the past three generations. This history was compiled by Elizabeth's

niece, Susan Banks, Ph.D., the first member of her family to earn a doctorate. I will share with you some highlights from the Ross family history.

Albert and Hattie Ross, Elizabeth's parents, moved to Pontiac in the mid-1920's from their home in Anderson, IN. They came hoping to take full advantage of the opportunity for economic advancement offered by the up-and-coming automobile industry. The automobile industry had become big business in Detroit, MI by 1916 and by 1920, Pontiac Motors had built two facilities in the city of Pontiac. Many white workers left their original jobs upon being hired by the automobile industry and blacks moved north to fill the vacancies. By the 1930's, blacks, including Albert Ross, were able to work in these factories.

Although they barely completed the eighth grade, Elizabeth's parents, Albert and Hattie, established a strong respect for education in all of the future generations of their family. One quarter of their children, along with sons and daughters-in-law, have bachelors degrees and Elizabeth is no exception. Elizabeth attended Tennessee Agriculture and Industry College, known today as Tennessee State University, received a bachelors degree in food and nutrition and became a registered dietitian.

After graduation Elizabeth traveled to Daytona beach, FL to visit a classmate attending Bethune-Cookman college. Her friend, Sara Davis had become Dean of Women under the college's president, Mary McLeod Bethune. Elizabeth Ross considers her subsequent meeting with Ms. Bethune to be a shining moment in her life. A photograph was taken of the three women during this visit. Over the years it has become a family heirloom and major topic of discussions at family reunions.

Elizabeth continues to be active in her community. On Saturday in the warmer months, you can find her serving pancakes in downtown Pontiac for the benefit of local charities. She recently organized the reunion of three generations of the Ross family. Elizabeth was recently recognized on the front page of the Pontiac-Auburn Citizens Post for her life time achievements and commitment to her family.

Mr. Speaker, I ask you and my fellow Members of the 103d Congress to join me in celebrating the International Year of the Family and in recognizing the priceless contributions of the Ross family and one of its most outstanding members, Elizabeth Ross.

CONGRATULATIONS TO WESTINGHOUSE FINALISTS

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. HOCHBRUECKNER. Mr. Speaker, it is my pleasure to take this opportunity to recognize two outstanding young students from Ward Melville High School in East Setauket, Long Island. Both Todd Hod and Job Rijssenbeek were recently named as finalists of the 53d Annual Westinghouse Science Talent Search. These young men were 2 of only 40 students to be honored by Westinghouse

after an extensive national search was conducted to find the most talented high school seniors in the fields of science, mathematics, and engineering.

The competition's finalists will receive Westinghouse science scholarships ranging from \$1,000 to \$40,000. In addition, these 40 young men and women have been awarded an all-expenses-paid trip to Washington, DC, to attend the Science Talent Institute from March 9 through March 14.

Todd Hod, from Stony Brook, NY, submitted a report to the talent search entitled "Structural Analysis of an RNA-Protein Complex." Todd concluded that the prediction of RNA structure is more complex than earlier studies imply. Furthermore, his study suggests that more research could lead to better methods of managing blood glucose in diabetics.

Todd's talent are not limited to biochemistry. He also participates in football, basketball, track, and the computer club at Ward Melville High School. Moreover, Todd finished first in a Suffolk County math competition that included over 8,000 students. In the future, Todd plans to focus his efforts on a career in computer science.

Job Rijssenbeek is also a resident of Stony Brook, NY. Job grew a tin sulfide crystal with a zeotype for his Westinghouse project. He then analyzed the crystal and its ion-exchange properties. Job was rewarded for his analytical skills when he placed second in the New York State Science Olympics. In addition to his extracurricular scientific activities, Job is also a member of the track team and the history club.

Mr. Speaker, it is my pleasure to join the Long Island community in saluting two brilliant young men, Job Rijssenbeek and Todd Hod. I am proud to represent these outstanding Ward Melville students and I wish them continued success as they further their education.

CARNEGIE GROUP URGES CONGRESS TO RESTRUCTURE THE WAY IT HANDLES SCIENCE AND TECHNOLOGY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. HAMILTON. Mr. Speaker, as the former cochairman of the Joint Committee on the Organization of Congress, I draw to the attention of my colleagues a report issued a few days ago warning that overlapping congressional responsibilities and barriers to multiyear funding are limiting the ability of American science and technology to solve the Nation's problems.

In the report, which was released on February 14, 1994, the Carnegie Commission on Science, Technology and Government proposes a set of procedural and organizational changes to make congressional action on science and technology policy more effective.

The report, entitled "Science, Technology, and Congress: Organizational and Procedural Reforms," is the work of the Carnegie Commission's Committee on Science, Technology and Congress, chaired by our distinguished

former colleague, Dr. John Brademas, president emeritus of New York University, who for 22 years—1959–81—served in the House of Representatives.

In discussing the report, Dr. Brademas said, Addressing the challenges that face this country—from school failure and AIDS to economic competitiveness and nuclear terrorism—will demand the wise use of science and technology. Differences between House and Senate jurisdictions have often diluted responsibility for science and technology policy. The reforms we urge could enable Congress to set intelligent priorities in a time of severe fiscal constraint.

Alluding to the work of the Joint Committee on the Organization of Congress, the Carnegie report asserts that "the time is right for reform," and notes that with the responsibility for science and technology policy in Congress divided among 18 committees and dozens of subcommittees, it is very difficult to consider the Nation's scientific and technological endeavor as a whole. Policymaking, therefore, suffers.

The fragmentation also, says the report, makes it difficult for the executive branch and the scientific and technical community to form productive partnerships with Congress.

RECOMMENDATIONS OF THE CARNEGIE COMMISSION ON SCIENCE, TECHNOLOGY AND CONGRESS

Mr. Speaker, among the chief recommendations of the Carnegie Commission on Science, Technology and Congress are that Congress:

Establish a National Forum on Science and Technology Goals that can put these goals in the context of national and international objectives;

Reform the committee structure to permit more consistent implementation and oversight of scientific and technical programs;

Modify appropriations committee jurisdiction to reduce the number of subcommittees responsible for funding S&T activities;

Enforce existing rules on the division of committee responsibility, especially with respect to authorizing and appropriations committees;

Extend funding cycles for S&T programs through the use of multiyear funding mechanisms, such as multiyear appropriations, advanced or forward funding, and up-front funding of major construction projects;

Test the effectiveness of 2-year congressional budget cycle;

Adopt, with the executive branch, an accurate and consistent set of funding categories that would carry through the budget process.

The report also includes a case study of congressional academic earmarking Dr. Brademas said:

Science and technology support, rather than complete with, the missions of Government departments and agencies.

This report suggests ways of organizing and using that support more wisely. It is not a plea for more S&T funding from Congress.

"By choosing reform," the report says, "Congress can help ensure that the United States will enter the 21st century using to the fullest one of our greatest assets, the strength of American science and technology."

TWO OTHER REPORTS

Mr. Speaker, the Carnegie Commission on Science, Technology and Government was es-

tablished in 1988 by the Carnegie Corp. of New York, whose president, Dr. David A. Hamburg, initiated the effort. The Commission has published a series of reports on how the Federal Government and the States can better integrate scientific and technical knowledge into the public policymaking process.

"Science, Technology, and Congress: Organizational and Procedural Reforms" is the third and last in the series of reports by the Carnegie Commission's Committee on Science, Technology and Congress. In addition to Dr. Brademas, the Committee consists of former President Jimmy Carter; Florida Governor and former Senator Lawton Chiles; former Washington Governor and Senator Daniel J. Evans; former Maryland Senator Charles McC. Mathias, Jr.; and H. Guyford Stever, former science advisor to Presidents Nixon and Ford.

The first report dealing with Congress, "Science, Technology and Congress: Expert Advice on the Decision-Making Process," issued in February 1991, discussed how Congress obtains advice on science and technology from outside government—from industry, academia, and other institutions.

The second report, "Science, Technology and Congress: An Analysis and Advice From the Congressional Support Agencies," issued in October 1991, dealt with how Congress obtains such advice from the four congressional support agencies: The Office of Technology Assessment [OTA], the Congressional Research Service [CRS] of the Library of Congress, the General Accounting Office [GAO], and the Congressional Budget Office [CBO].

I note finally, Mr. Speaker, that the deliberations of the committee chaired by Dr. Brademas were also informed by a congressional advisory council, of which I was privileged to be one, a bipartisan group of 40 Senators and Representatives.

TRIBUTE TO ROBERT G. CLARK

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand today to pay tribute to Mr. Robert G. Clark of Holmes County, MS. Mr. Clark is an elected official, educator, farmer, businessman, and father. Mr. Clark is a graduate of Jackson State University, Michigan State University, and was a teaching fellow at the John F. Kennedy School of Government at Harvard University. On January 2, 1968, Mr. Clark became the first black State legislator in Mississippi since the Reconstruction era.

Clark was one of the few candidates elected out of the 32 independent candidates sponsored by the Mississippi Freedom Democratic Party in 1967. Prior to Mr. Clark's election to the Mississippi House of Representatives, he was an educator. One of his initial reasons for running for office was the fact that a local literacy program was denied a work experience component by the local board of education. This new program had the potential of assisting 240 poor families in the area. He decided to run and change those laws that gave local authorities control over poverty programs.

In 1977, Mr. Clark became the first black committee chairman in the House, where he served as chairman of the House Education Committee for 10 years. True to his commitment to education, the Education Reform Act of 1982 was passed under Mr. Clark's leadership. One of the major accomplishments of this act was to mandate public kindergartens in every school system in the State.

He was also the first black candidate to win a congressional primary in Mississippi since Reconstruction. His Democratic primary victories in 1982 and 1984 helped lay the foundation for the election of the State's first black Congressman from Mississippi in the 20th century.

Mr. Clark continues to make history in Mississippi. In 1992, he became the first black speaker pro tempore of the Mississippi House of Representatives. This elected position by peers is an acknowledgment of the significant political and social contributions made by this quiet, genteel warrior.

CLEAN WATER LEVEL OF EFFORT GRANTS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. PETRI. Mr. Speaker, today, along with the other members of the Wisconsin delegation, I am introducing the Level of Effort Clean Water Bonus Fund Act of 1994. This bill would amend the Clean Water Act to set aside 20 percent of the amount provided annually for Federal capitalization grants under the State Revolving Loan Fund (SRF) Program and use those funds to provide grants to States that have devoted financial resources to the SRF or other wastewater treatment grant programs beyond the minimum required under the program.

States which have made clean water a top priority and have invested resources toward wastewater treatment beyond what is required under the Clean Water Act naturally have seen significant improvements in their water quality. Unfortunately, since Federal funds are distributed through a formula which is based in large part on needs, these States find that the Federal response to their hard efforts is to reduce their Federal funds. States which have not devoted the resources necessary to make real improvements in their water quality, for lack of effort or other reasons, will receive an increase in Federal funding.

This is an approach which does not make sense to me. Too many of our Federal programs contain disincentives for States to invest their own funds beyond the minimum required. An incentive grant program would recognize the hard budget choices and efforts made by States which overmatch the required SRF contribution and it would encourage other States to invest greater resources in this program in the future. I believe this is a more rational policy than rewarding States which do less by giving them more Federal money.

As Congress begins the Clean Water Act reauthorization process, I hope that we will take a look at how we spend our Federal dol-

lars and use those dollars to provide incentives to States so that overall spending on clean water will increase—and our water quality will improve as well.

75TH DIAMOND JUBILEE BIRTHDAY PARTY FOR THE LEGIONNAIRES, GEORGE E. HILGARD AMERICAN LEGION POST 58, BELLEVILLE, IL

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. COSTELLO. Mr. Speaker, I rise today to ask that my colleagues join me in recognizing the 75th diamond jubilee birthday party for the Legionnaires of the George E. Hilgard American Legion Post 58 in Belleville, IL. It gives me great pleasure to wish this post and the more than 15,500 other American Legion posts across the Nation a very happy 75th birthday.

After 75 years of service, the American Legion, with its 3.1 million members, continues its long tradition of working to ensure an adequate defense establishment capable of protecting the security of the United States. With the evolution of space technology and scientific advancement of both conventional and nuclear weapons, the Legion continues to support a suitable arsenal and a properly trained fighting force as prime deterrents to aggression.

In addition to the significant national defense measures, the American Legion has also long played a very important and visible role in the education and growth of millions of young men and women throughout the past 75 years. The American Legion's interest in young people historically goes back to the Legion's founding at the end of World War I. Today the American Legion sponsors and actively participates in events such as the American Legion National High School Oratorical Contest, the American Legion Baseball Program, the American Legion Child Welfare Foundation, and the American Legion Boys State Program, which helps young people gain a better understanding of the U.S. Constitution and the prerequisites of good citizenship and civic responsibilities.

Mr. Speaker, I ask that you and every Member of this body join me to express our sincere gratitude and appreciation for the many wonderful contributions the American Legion has made throughout our many neighborhoods and communities in the last three-quarters of a century. I certainly look forward to celebrating many more future milestones with the dedicated Legionnaires of Belleville, IL.

IN HONOR OF PROJECT CHILDREN

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. FROST. Mr. Speaker, I would like to recognize the commendable efforts of Denis Mulcahy, the founder of Project Children.

Project Children is a program that brings children from Northern Ireland to the United States for a 6-week vacation from the turbulence and violence now plaguing their home country. The Irish children stay with American host families and, for the first time, experience the kind of carefree, playful life that we naively assume all children enjoy.

Mr. Mulcahy, a member of the New York City Police Department, had witnessed first hand the effect of violence on children. He recognized the importance of providing the children of Northern Ireland with some hope, some joy in their lives.

A constituent of mine, Crystal Grose, volunteered to host one of these children. I know that she, like the other host families, deeply influenced the life of the Irish child she cared for.

Furthermore, Project Children provides all of us with an awareness and understanding of the suffering that children all over the world experience and gives us the opportunity to get involved, to relieve some of that pain.

Again, I commend the sincere dedication of Mr. Mulcahy. He has deeply touched the lives of these children as well as the lives of Americans who have participated in the program. In fact, he has reminded us all of our responsibility to work to improving our communities.

CONSUMPTION OF ANTIOXIDANT VITAMINS

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. RICHARDSON. Mr. Speaker, a panel of America's leading scientists have given up on the Food and Drug Administration and issued their own recommendations for the consumption of antioxidant vitamins. A growing volume of scientific studies indicate that daily ingestion of vitamins C, E and beta carotene—a form of vitamin A—can dramatically reduce the incidence of cancer, heart disease, cataracts, and other conditions associated with aging.

Under the Nutrition Education and Labeling Act of 1990, this type of simple but effective nutrition information was supposed to flow to consumers after review by the FDA. Unfortunately, the anticipated flow has amounted to little more than a trickle. Only two health claims have been authorized by the FDA since the law was enacted and one, which informs women of child-bearing age that a modest amount of folic acid can significantly reduce birth defects, was finally allowed well over a year after the U.S. Public Health Service had issued its own recommendation on the need to consume folic acid.

The 1990 act directed the agency to review 10 specific health claims, including 1 on antioxidants. In preliminary and final rulemakings, the FDA has rejected an antioxidant health claim three times. As a result, supplement manufacturers, wholesalers, and retailers are denied the ability to provide truthful and non-misleading information about the increasingly apparent benefits of antioxidant vitamins to tens of millions of American consumers. And all this is done in the name of protecting the public.

When America's leading scientists have to call a press conference to inform people of information that could save their lives and will certainly save health care dollars because the Federal agency responsible for protecting the public health refuses to let the private sector provide such information at no expense to the taxpayer, something is seriously wrong. This is why over 230 of my colleagues have joined me as cosponsors to H.R. 1709, the Dietary Supplement Health and Education Act, and why we must enact legislation in this Congress to correct the FDA's senseless over-regulation of the dietary supplement industry.

TRIBUTE TO JUDGE CHARLES R. SCARLETT

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. DIXON. Mr. Speaker, it is a personal honor to pay tribute to the Hon. Charles R. Scarlett, who recently retired as a judge of the Los Angeles Superior Court. On January 29, 1994, in Los Angeles, Judge Scarlett was feted at a testimonial dinner acknowledging over four decades of legal and judicial excellence to the community. In celebration of his distinguished career, I too am pleased to share just a few of his accomplishments with my colleagues.

Charles Redmond Scarlett was born in 1924 in Greensboro, NC, to Dr. Henry Scarlett and Dr. Donnie Redmond Scarlett. He attended Morehouse College in Atlanta, GA, Lincoln University in Missouri, and received his undergraduate degree from Howard University, the historic training ground for many of our nation's African-American trailblazers.

Following his graduation from Howard University, Judge Scarlett deferred his plan to attend law school and enlisted in the U.S. Marine Corps. He served in the Pacific during World War II and was honorably discharged in 1945.

Judge Scarlett was the first African-American admitted to law school at Washington University in St. Louis, MO. He was a contributor to the law review and a member of the Nu Beta Epsilon legal fraternity. He graduated from law school in June, 1952, and was admitted to the Missouri Bar that same year. He passed the California Bar in 1953, and set course on a legal career as one of Los Angeles' first African-American attorneys.

As an attorney in private practice, Judge Scarlett handled hundreds of cases, both civil and criminal, developing a reputation as an outstanding litigator and negotiator. Some of his more renowned clients included entertainers James Brown and Little Richard. Two of his partners were former Los Angeles Superior Court Judge Earl C. Broady, Sr.—deceased—and Judge Robert L. Roberson, Jr. The law firm of Scarlett and Roberson was one of the first minority firms to handle personal injury defense work for the then-Southern California Rapid Transit District; the Los Angeles County Unified School District, and other private and public entities.

In 1980, then-California Governor Edmund G. Brown, Jr., appointed Scarlett to the Los

Angeles County Superior Court bench. As a jurist, he has received the admiration and respect of both prosecutors and criminal defense attorneys for his intellect, judicial temperament, and his fairness. At retirement, he was assigned to the Inglewood Juvenile Court.

Throughout his brilliant legal career, Judge Scarlett has consistently and willingly served as a role model for many young adults, including numerous aspiring attorneys. His door was always open to the many young lawyers who sought his advice and guidance. He established standards of excellence, followed them, and earned the high esteem of all who have had the privilege of knowing and working with him.

Mr. Speaker, I am pleased to have this opportunity to further acknowledge the exemplary legal and judicial career of Judge Charles R. Scarlett. I congratulate him on his numerous contributions to the citizens of Los Angeles, and ask my colleagues to join me in extending best wishes for continued success and happiness to him and his wife of 41 years, Charmaine, and their family.

IT'S GOTTA BE THE HAIR

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. COBLE. Mr. Speaker, there is a basketball shoe commercial on television these days which has the punch line, "It's gotta be the shoes." In Davie County, NC, these days, everyone is celebrating a State high school wrestling championship by saying, "It's gotta be the hair."

Mr. Speaker, the Sixth District of North Carolina is proud to say that we are home to the North Carolina High School Athletic Association class 4-A wrestling champions. The Davie County High School War Eagles captured the State's wrestling championship on February 5 with a 31 to 28 victory over top-ranked Durham Riverside. It was the first State sports championship for Davie County High School.

The reason people in Davie County are commenting on the State of the wrestling team's hair care is that just prior to the championship meet, the entire squad decided to shave its collective heads. These days they are known as the Bald Eagles as much as the War Eagles. After defeating South Rowan High School in the semifinals, the team held a cut-a-thon. When it was over, every member of the squad emerged shorn of hair but full of desire to complete a mission. Not only were the wrestlers representing Davie County, but they were competing for one member of the squad who was there in spirit if not in person. Jeremy Cook was a Davie High wrestler to whom in December the team dedicated its season. Jeremy's parents, Larry and Cherie Cook, were in attendance at the championship meet cheering as enthusiastically as anyone. I don't think it was the haircuts which put Davie County over the top. It was the drive and determination to win which displayed itself all season and culminated in the State title.

Congratulations go to head wrestling coach Buddy Lowery and assistant coach Matt Wil-

son. Every member of the squad can share in this crowning achievement. The team members are Billy Allen, Michael Anthony, Daniel Baity, Jason Boger, Clint Boggs, Eric Bracken, Bobby Brown, Justin Carter, Kevin Caudle, Adam Connor, Neil Cornatzer, Don Callahar, David Hall, Michael Hunter, Justin Jenne, Will Johnson, Curtis Johnson, Jansen Keene, Paul Keeton, Shane Laws, Jake Marion, Mark Mason, Mark McKnight, Chad Nichols, Bill Overcash, David Potts, Jason Robertson, Matt Sain, Scotty Spry, and Jeff Wilson.

Davie County High School actually has two State champions this year. The school's competition cheerleaders, 14 girls and 1 boy, captured the State's 4-A competition cheerleading championship. Competition cheerleading differs from the cheerleading squad which attends Davie High sporting events. Their title-winning routine consisted of cheering, stunts, tumbling, and dancing which set them apart from all the rest. In fact, Davie was the only squad which had tumbling as part of its performance. So you could say, "It's gotta be the tumbles."

Congratulations are in order for head coach Tanya Cline and assistant Coach LuAnn Browder. The members of the championship squad include Melissa Agrillo, Sarah Bahnsen, Crystal Bonds, Allison Buckner, Carmen Cornatzer, Jill Everhardt, Cara Hansen, Heather Henderson, Carrie Johnson, Amy Newsome, Matt Osborne, Beth Phillips, Katie Riddle, Jennifer Schmitt, and Melissa Woolridge.

On behalf of the citizens of the Sixth District of North Carolina, we extend our best wishes to principal W. G. Potts, assistant principals Linda Bost, Danny Cartner, and Linda Freeze, the faculty, staff, students, and families of Davie County High School for capturing two State crowns. To the wrestlers we say, "It's gotta be the hair" and to the competition cheerleaders we say, "It's gotta be the tumbles." To all of them we say, "Thanks for a job well done."

NATIONAL RETIREMENT INCOME POLICY

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to call attention to a forward-thinking report compiled by my constituent, Michael Callahan, and his colleagues at the American Society of Pension Actuaries [ASPA], a professional association based in Arlington, VA. Given the declining coverage of Americans under qualified pension plans during the 1980's, a substantially lower ratio of workers to retirees in the 21st century than today, Americans' low rate of personal savings, and a host of other factors, our Nation is at risk of being financially unprepared to support future generations of retirees. I therefore urge my colleagues to consider the provisions recommended in this proposed National Retirement Income Policy prepared by ASPA.

THE NEED FOR A NATIONAL RETIREMENT INCOME POLICY

Some will argue that the United States already has a national retirement income pol-

icy. That policy is to raise current revenue by reducing incentives for qualified plans, IRAs and personal savings. It encourages continuing changes in pension law and regulation without regard to the effect on the formation and continuation of retirement plans. That is the problem!

A national retirement income policy aimed at solving the growing retirement income crisis is needed. Four elements are converging to create this crisis:

1. A "baby boomer" population bubble that is moving inexorably toward retirement age.
2. The low savings rate in the U.S. during the 1980s and into the 1990s.
3. Substantial and continuing decrease in coverage of workers by private pension plans.
4. The increasing pressure on our Social Security system.

The post-World War II "baby boomers" will retire between 2011 and 2030. Because of the reduction in birth rates and the increase in longevity, the ratio of workers to retirees will drop from the present ratio of 3.2-to-1 to a ratio of 2.1-to-1, by 2030. This means that there will be far fewer working age people to support many more retirees. This fact alone underscores the need to fund sufficient pension income in order to limit the burden on our younger generations.

The problem has been exacerbated by the devastation Congress and other regulators have visited upon the private pension system during the 1980s. Coverage of employees has dropped about 4 percent during this decade. Coverage of employees of small businesses (fewer than 100 employees) has dropped even more.

We must have a coordinated national retirement income policy to meet this crisis. If we do not start now, the task will become impossible.

Our recommendations require a coordinated overhaul of this nation's entire pension system. The changes that we suggest are mutually dependent upon each other. When all concepts are viewed together, each change falls into its logical position.

For a quick overview of our recommendations, please refer to the chart on the next page. It shows expected sources of pension income to meet the "national pension target" (recommended replacement ratio of final pay in retirement). The chart also illustrates the interdependence of suggested pension income sources in our national retirement income policy proposal.

NATIONAL PENSION TARGET (NPT)

(Recommended replacement ratio of final pay in retirement, in percent)

Final pay	Replacement ratio (based on final pay) ¹	Personal savings	Social Security ²	Mandatory minimum pension	Private plan (to attain 100% NPT)
\$20,000	85.0	6.2	34.5	15.0	29.3
\$24,000	82.8	6.8	28.8	15.0	32.2
\$29,000	80.6	7.4	23.8	15.0	34.4
\$35,000	78.8	8.2	19.7	15.0	35.8
\$42,000	77.3	9.1	16.4	15.0	36.8
\$50,000	76.1	10.0	13.8	15.0	37.3
\$60,000	75.1	11.0	11.5	15.0	37.6
\$72,000	74.3	12.1	9.6	15.0	37.6
\$86,000	73.6	13.4	8.0	15.0	37.2
\$103,000	73.0	14.8	6.7	14.6	36.9

¹ Replacement ratio derived from algorithm in our Income Replacement research paper and on page 5 of this Executive Summary.
² Assuming our recommended Social Security changes have been fully implemented.

INCOME REPLACEMENT IN RETIREMENT

What should be the goal of a national retirement income policy? The Income Replacement in Retirement paper centers on quantifying the goal; determining how much

income retirees are likely to need. In general, other industrialized countries have replacement ratios of from 60 percent to 85 percent of final pay. These countries also have a higher replacement ratio for lower paid workers than for highly paid workers.

Looking at studies done on the subject in the United States, one finds that the Carter administration reported in its 1981 President's Commission on Pension Policy study that retirees need from 85 percent at lower pay levels down to 50 percent at higher pay levels of preretirement income in order to maintain a reasonable standard of living. Colin B. England, FSA, published a study (1987) that took the approach of updating the President's Commission on Pension Policy report to reflect the many tax law changes that occurred in the 1980s. More recently, Georgia State University, in conjunction with the consulting firm Alexander and Alexander, produced a comprehensive study on the subject. Their approach was to utilize Department of Labor statistics on geographical preretirement expense patterns to project postretirement income needs patterns. This study produced tables showing retirement income replacement needs as high as 90 percent at a \$15,000 per year preretirement income level to a low of 66 percent at a \$90,000 annual preretirement level.

The ASPA NRIP Committee believes that statistics from tracking and comparing actual pre- and postretirement spending patterns are needed to more accurately measure appropriate retirement income replacement needs. Also, we need to get reasonably accurate estimates of postretirement medical expense funding requirements to factor them into the retirement income policy.

A comprehensive retirement replacement ratio study should also include the projected effects of—

Federal, state and local tax rates (as the Georgia State study does).

Various levels of taxation on Social Security benefits.

Offsets in Social Security benefits by postretirement earned income.

Factors that cause changes in spending patterns postretirement.

Until the suggested comprehensive study is done and validated statistics are available, we suggest a "national pension target" be established based on an algorithm which ties into the recommendations in our Social Security, Personal Savings, Working Beyond Retirement and Private Plans research papers.

The NRIP Committee's consistent concept is to use poverty level income as a baseline for desired economic need and living pattern change.

Our suggested national pension target algorithm is as follows:

85% of final pay not exceeding three times the poverty level, plus 70% of any additional final pay: 1993 poverty level=\$6,810.

Annual updates of the comprehensive retirement income ratio study will be needed to measure the ongoing reasonableness of the NPT formula. It would not be surprising to find the need to periodically adjust the NPT algorithm. We have developed NRIP research papers whose recommendations interrelate in such a way that our NRIP objectives can be met by working Americans.

Using the above suggested algorithm would result in a comparable table of retirement income replacement ratios as follows:

REPLACEMENT RATIOS

(In percent)

Preretirement earnings	1981 PCPP study (married couples)	Georgia State (1987 study)	Georgia State (1991 study)	Colin England study	Algorithm
\$6,500	86			88	85
\$10,000	78			85	85
\$15,000	71	82	90	78	85
\$20,000	66	75	85	74	85
\$25,000		71	82		82
\$30,000	60			68	80
\$40,000		68	77		78
\$50,000	50	66	73	73	76
\$60,000		66	71		75
\$70,000		66	70		74
\$75,000				74	74
\$80,000		68	68		73
\$90,000		68	66		73
\$100,000				74	73

SOCIAL SECURITY

We recommend significant changes to the existing Social Security system, to be phased in over a 50-year period. The 50-year phase-in gives everyone time to adjust. It avoids taking anything away from current and near-term retirees. Benefits already earned will be fully protected. We suggest these changes as part of a comprehensive national retirement income policy, driven by social and need and practical economics. We cannot continue to mortgage future generations by expecting them to financially carry the entire retirement income burden via increasing payroll taxes. Social Security must be returned to its original purpose—to prevent poverty for U.S. citizens during their retirement years.

Benefits should not be related to the level of preretirement wages. All U.S. citizens must be covered, not just wage earners; and all U.S. citizens should receive the same base level pension income protection. This means spouses who raised children and ran households would have their own full retirement benefit. It will make no difference whether individuals living together are married or not. They each would get full benefits. We suggest that a standard benefit be provided equal to the poverty level (\$6,810 in 1993) which is indexed for inflation and reduced proportionally for less than approximately 45 years of citizenship or residency.

These recommended Social Security system changes cannot occur in a vacuum. They must be accompanied by the rest of our suggestions, in particular:

Revamp the private plan system and coordinate it with the new Social Security system.

Provide incentives for elective work after retirement.

Provide incentives for personal savings. Establish a national retirement income policy.

As the new Social Security system is phased in, funding be gradually transferred from the existing payroll tax to general revenue. The existing separate Social Security trust fund would, upon exhaustion, cease to exist. This eliminates any expectation that taxes paid should equal benefits received. It substitutes a progressive funding arrangement for the existing regressive one.

A "standard retirement age" would be created that would automatically change to reflect current life expectancy. This encourages working longer and controls the retirement benefit liability. It also uncouples the progress of the standard retirement age from political and revenue considerations. Benefits would begin at the standard retirement age regardless of when active work ceases. There should be no gain by deferring retirement and no subsidy for early retirement.

We suggest retaining the existing tax treatment. Benefits are tax free for individuals with adjusted gross incomes below certain thresholds. They are partially to fully taxable for individuals with higher levels of income. Thus Social Security pension benefits are maximized for those who have the greatest economic need. Also, we suggest Social Security survivor, disability and Medicare benefits remain the same. These are health and welfare benefits that need to be addressed within the context.

The table shows how our recommended transition will affect benefits provided to citizens born 1930 through 1979. Citizens born after 1979 would be 100 percent under the new system.

TRANSITIONAL BENEFITS

(Under current and proposed laws for the average worker)

Year of birth	Current law	Proposed	Proposed (as percent of current law)
1930	\$11,051	\$10,981	99.4
1935	14,309	13,692	95.7
1940	18,521	16,901	91.3
1945	25,090	21,579	86.0
1950	32,480	26,053	80.2
1955	42,049	31,051	73.8
1960	57,035	38,068	66.7
1965	73,844	45,863	62.1
1970	95,592	51,499	53.9
1975	123,758	55,991	45.2
1979	153,947	57,940	37.6

Benefits are stated in current dollars as of each year. Thus, all benefit amounts fully reflect expected inflation at an assumed long-term rate of 4.0 percent. The average worker is a long-term employee assumed to be employed at the economy-wide average wage throughout a working career. Wages are assumed to increase in the future at an average rate of 5.3 percent.

WORKING BEYOND RETIREMENT AGE

Traditionally, there have been three sources of retirement income: Social Security benefits, personal savings and private retirement plans (qualified plans). The ASPA NRIP Committee suggests working after attaining retirement age as an optional fourth source of retirement income. Adding work after retirement fulfills several objectives. First, it makes sense to encourage and utilize the experience, skills and vitality of our older citizens. This is a valuable national resource. Second, we must recognize that 65 is not "old age" anymore. Life expectancy has been significantly advanced due to medical breakthroughs. Moreover, there is hard evidence that continued work improves the quality of life.

Of critical importance is the practical problem that traditional pension income sources will be insufficient for future generations. The option to continue productive employment can help fill the unfunded income need.

But, we also suggest a life planning option. Why not leave it up to the individual to choose between saving more before retirement (so continued work won't be needed) or saving less while expecting to work, at least part time, after retirement age?

We suggest social and legislative changes that will foster these options and will capitalize on the valuable experience of our older population. Such changes include the following:

Offer income tax credits for expenses incurred for career changing education for older citizens.

Provide tax credits to businesses that employ older workers.

Eliminate current law requirements of coverage for workers already beyond retirement age on health and pension plans. The extreme cost to employers is a great disincentive to hiring older workers. Let bene-

fits beyond retirement age be optional so older workers can negotiate their own pay package.

Repeal the "excess earnings" test so that people who are otherwise eligible may draw full Social Security benefits. Reducing Social Security benefits by income earned from employment is a major barrier for retirees to stay in the work force.

Provide public education on the business value of tapping the knowledge and vitality of our long-lived citizens.

PERSONAL SAVINGS

A SPA's National Retirement Income Policy Committee suggests that pension income be provided by four sources—Social Security, personal savings, work after retirement and private plans. This paper addresses changes needed to aid and encourage personal savings so people can attain accumulation levels described in the Targets for Personal Savings research paper.

We must begin with the recognition that savings in the U.S. generally has been declining. There are many ways to measure savings. It makes no difference which approach you choose, savings on a relative basis has declined and lags many other industrialized nations. A critical fact is that without the savings created by qualified retirement plans, IRAs and tax sheltered annuities, the rate at which U.S. citizens save has been negative for many years. Of even more concern, because of the avalanche of adverse legislation and regulations, pension plan funding and coverage have been declining since the mid-1980s.

What do we do to increase savings? How can we aid and provide incentive to individuals to reach reasonable retirement savings levels and, thus, fulfill the personal savings portion of the national pension target? We suggest the following:

Legislate universal 401(k) plans which are available to all employees who want them. All nonhighly compensated workers should have access to tax deductible retirement savings via payroll deduction.

Simplify 401(k) plan rules, so highly compensated employees can easily participate at reasonable levels. Our suggested personal savings goals requirements are greater for higher paid people. Our suggested changes in the Social Security system reduced benefits for higher paid people.

Educate the public on retirement savings and income sources, such as annuities and reverse mortgages.

Require standard information disclosures for annuities to help the public understand and effectively utilize them.

Develop guarantees for home equity conversions to avoid the risks of value depreciation, outliving the arrangement, or experiencing adverse taxation.

Permit tax deferred transfers from 401(k)s and IRAs to purchase homes. And, permit tax deferred transfers of home sale proceeds into 401(k)s or IRAs.

Personal savings is a vital element in meeting the national pension target goal and provides needed capital to fund national economic growth. It makes good sense to include personal savings in our national retirement income policy.

TARGETS FOR PERSONAL SAVINGS

We introduced the concept of work after reaching retirement age as a fourth source of retirement income in the Work After Retirement paper. This concept encompasses various alternatives including:

Gradual reduction in work.
Cliff retirement.

New careers.
Personal savings to eliminate the need to work after retirement.

People should be able to decide on their own retirement scenario. But they need to be able to appropriately plan to carry it off successfully. The preretirement personal savings or postretirement work trade-off can be viewed in terms of how much savings is needed to reduce or avoid postretirement work.

The Targets for Personal Savings research paper includes calculations that relate to the amount of preretirement savings that would be needed to offset income available from various postretirement work patterns. A general conclusion is that the postretirement work leg can be avoided or fully funded by preretirement savings of 4 percent of pay per year from ages 40 through 49, followed by a 5 percent per year increase in the savings rate from age 50 through age 64. For example, the savings rate at age 50 would be 4.2 percent of pay (4 percent x 1.05).

This certainly raises the question of whether the underlying 4 percent of pay savings rate assumption is reasonable. Our committee felt the need to present a beginning point for discussion. Our reasoning behind the 4 percent assumption is as follows:

Citizens under age 40 are forming families, buying homes and beginning their careers and have a very low propensity to save. They are primarily driven by the need to attain a reasonable standard of living.

Most people ages 40 through 49 are supporting families, expanding careers and planning for their future. If they know what a 4 percent savings rate will accomplish, they will be encouraged to save at that level.

Beginning at age 50, most citizens have founded their children's education, have easily manageable mortgage payments and have an increasing savings capacity.

In no way do we believe these assumptions are absolute or applicable to every citizen. They are a base point from which to work. With this information, citizens can plan their own savings or work after retirement pattern. They can adjust the pattern over time to meet their own personal goals and abilities to save. This knowledge gives people the opportunity to provide their part in the national retirement income policy goals.

PRIVATE PLANS

Private retirement plans have evolved since the early 1900s as voluntary employer sponsored programs. Tax incentives, labor negotiations and good business practices fostered rapid growth of IRS qualified pension plans, whose own success created the need for regulation in the 1970s. Unfortunately, this was followed by unbridled, piecemeal legislation and regulation during the 1980s which, in turn, stopped private plan growth entirely.

We need to start anew and discard almost all of the existing framework governing the private plan system. The sole purpose of private plans should be to attain the national pension target (NPT). Instead of dwelling on preventing discrimination in favor of the highly compensated, we should focus on preventing discrimination against lower paid people. Our major concern should be providing coverage for all employees.

The responsibility of private plans should be to fill the gap between the national pension target and pension income provided by Social Security, personal savings and work after retirement. Regulation of private plans should become need driven and benefit design driven. There should be a requirement for all employers to provide a base level of benefits. Incentives for employers to go be-

yond the base level and fill in the gap to reach the full NPT should be included. There should be no incentive to exceed the NPT. Here are our specific suggestions:

Do away with all existing qualified plan rules and regulations except valuable nonplan design rules, such as fiduciary responsibility, asset management responsibility and participant protection.

Require all employers to provide base level pension benefits. (Remember that Social Security taxes will be phased out for employers and employees). These minimum benefits can be funded via simplified defined benefit or defined contribution plans. Flexibility must be built in to accommodate inherent differences in the needs and resources of employers.

Remove all existing benefit and contribution limits in favor of limitations which relate to obtaining the NPT.

Eliminate Social Security integration rules; NPT goals will dictate benefit structures.

Change multiple government agency regulatory control over private pension plans to a single government agency responsible for attaining NPT goals.

Inflation-protect all private pension benefits.

Keep private pension funding reserves in the private sector as a vital source of national savings and investment capital.

Simplify and coordinate rules regarding funding and plan solvency. Actuarial factors for the Pension Benefit Guaranty Corporation, minimum funding, termination liability and full funding limits must be consistent.

The Private Plans paper fully develops how to establish and manage private plans under NPT concepts. It includes simplification to make retirement plans "user friendly" and provides credit for the value of existing retirement plans. Suggestions on vesting and full portability are included.

There are innovative incentives for employers to provide greater-than-minimum benefits that include built in design-directed controls over benefits for higher paid employees. For instance, the benefit levels available to higher paid individuals increase as rank and file benefits increase. But, there are tax benefit losses if benefits exceed the NPT. Overfunding and excess benefits become a business judgment decision, because any excess tax benefits (including use of money) are measurable and are required to be returned to the government. A "make sense" formula is suggested to calculate such excess tax benefits.

Models for various approaches to provide the minimum required benefits are provided. Employers can use defined benefit or defined contribution approaches, whichever works best.

CONCLUSION

By weaving together gradual change in Social Security, incentives for personal savings, facilitation of optional work after retirement and a new needs and design driven approach to private plans, attainment of the suggested NPT can be accomplished. If we begin now, the rapidly emerging retirement bubble of post-World War II baby boomers can look forward to their retirement years. Retirement funding can provide vital capital for our economy. Our younger generations can look forward to investing and saving for their own retirement, instead of having to sacrifice for those already retired ahead of them.

CONGRESSMAN HORN HONORS PARAMOUNT HEALTHY START COLLABORATIVE, AN INTEGRATED CHILDREN AND FAMILY SERVICE

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. HORN. Mr. Speaker, I rise today to pay tribute to Paramount Healthy Start Collaborative, a program that provides an invaluable service to the Paramount Unified School District and embodies the spirit of cooperation for which we all strive.

Paramount Unified School District is located north of Long Beach and is one of the lowest wealth districts in Los Angeles County. In recent times, this district has had to severely limit noninstructional services while also being ravaged by the scourge of violent crime and heavy gang activity.

Results of extensive assessment revealed a dramatic need for access to services and treatment for the following: health problems, including prenatal care, sexually transmitted disease, education, and mental health. Additionally, there exists a need for counseling in substance abuse intervention and prevention, alternatives to gangs, family financial support, parent education, nutrition counseling, and services for pregnant minors and teenage mothers. Currently, the number of children considered at risk far outweighs the district's capacity to provide services to meet their non-instructional needs.

To address these urgent needs, Paramount quickly embraced the concept of coordinated, integrated social services and reached out to city, county, private, and other agencies to join in a collaborative effort. Responding to the needs of their community, nine agencies committed themselves to develop a Health Start grant to integrate school and community services for the children and families of Paramount.

Following this response, a Family Service Center was opened on the Wirtz Elementary school site which provides services to students and their families attending Paramount High School, Clearwater Intermediate School, and Wirtz Elementary School. Students and families are referred by the school staff or come directly to the Family Service Center. Treatment plans are developed for the students and their families with input from each participating agency. Services include assessment, counseling, parent education, and referrals for substance abuse, child abuse and neglect, health, mental health crises, and alternatives to gangs.

As a result of the success of the Paramount Healthy Start Collaborative, the circle of sponsors has grown rapidly. Lending their support to the program are the following: Bellflower YMCA; The School of Social Work at California State University, Long Beach; City of Paramount; County Office of Education, Department of Children's Services; Department of Health Services; Department of Mental Health; Department of Probation; Department of Public Health; Department of Public Social Services, El Nido; International Institute of Los An-

geles; New Beginnings; Southern California Alcohol and Drug Program; Southwest Regional Laboratories; United Way; and the Women Infant Children Program. In the first year of Paramount Healthy Start Collaborative, over one thousand children and adults have benefited from its services.

This impressive outpouring of concern and support in Paramount is tribute to the spirit of community involvement that will help us all overcome the troubles afflicting cities across the United States.

AMERICAN AIRLINES AND UNITED AIRLINES PROHIBIT SMOKING ON SOME FLIGHTS

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. DURBIN. Mr. Speaker, I rise to call my colleagues' attention to the recent actions taken by American Airlines and United Airlines to prohibit smoking on some of their overseas flights. This is a great step forward for all of those associated with the ongoing struggle to protect nonsmokers from the dangers of secondhand smoke.

In 1987, this body adopted my amendment to ban smoking on short domestic flights. In 1989, we expanded that ban to cover virtually all domestic flights. We took this action because smoke-free flights are healthier and safer for passengers and crew alike. The dangers of secondhand smoke are equally present on international flights.

In 1992, a campaign to establish smoke-free skies worldwide was initiated by the American Lung Association, the American Heart Association, and the American Cancer Society, united as the Coalition on Smoking or Health. The member nations of the International Civil Aviation Organization have adopted a resolution calling for a smoke-free travel environment on all international flights by July of 1996. This action taken by United and American Airlines is an important move, and a victory for the thousands of international travelers who will be able to fly free from the risks associated with secondhand smoke.

Mr. Speaker, I applaud the recent efforts of United and American Airlines in joining this battle. I would strongly encourage other airlines to do the same and to extend the smoking ban to all flights.

TRIBUTE TO ROBERT C. "DOC" MCANESPIE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. MEEHAN. Mr. Speaker, thousands of residents of Dracut, MA, are paying final tribute to a man who dedicated his life to his community—Robert C. "Doc" McAnespie.

As a young man Doc McAnespie served with distinction aboard the U.S.S. *Turner* during the Korean war.

When he returned home, Doc began his career as an active participant in local politics. He understood his community's needs, and he knew the value of loyalty and honesty. Doc was one of a vanishing breed of politicians whose word is their bond.

He has been praised and recognized by many local groups, and he was often called "Mr. Democrat" or Dracut's Tip O'Neill.

Former State Senator, Phil Shea summed up Doc's unique commitment when he said, "If there is one word Webster did not put in the dictionary, it was 'loyalty,' because Doc put that word in there."

I join my friends across Massachusetts today in their sorrow at the loss of a great role model, leader, and loyal friend. I also share their pride and their respect for a man who epitomized what public service is all about.

A TRIBUTE TO THE PENNSYLVANIA CHAPTER OF THE NATIONAL COALITION OF 100 BLACK WOMEN

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. BLACKWELL. Mr. Speaker, it is with the greatest sense of pride that I rise today to pay tribute to an organization in the great city of Philadelphia, which has distinguished itself as one of the Nation's premier nonprofit organizations. As the Pennsylvania Chapter of the National Coalition of 100 Black Women convenes this weekend to celebrate the annual Madam C.J. Walker Awards Luncheon, I would like to take a moment to pay tribute to this outstanding organization, and the remarkable accomplishments which they have achieved.

The National Coalition of 100 Black Women is a national nonprofit organization with a membership of more than 80,000 African-American women, representing more than 250,000 African-American women throughout the Nation. The coalition serves as an advocate for women and children in the areas of education, economic development, arts and culture, world affairs, health, and politics. Their voice is a powerful one, which plays an essential role in policy debates in Washington, on a wide range of issues.

Mr. Speaker, the Pennsylvania Chapter of the National Coalition of 100 Black Women has without a doubt been one of the strongest chapters of this vital organization. They have been at the forefront of such programs as the Women in Partnership Mentoring Program, and the Rites of Passage Program for teen girls, the first of its kind in the Nation, having already served 150 girls in its first year of operation. They have conducted their nationally respected Women in Business training seminars, and have taken an active role in international affairs, including projects for survival for women and children in Liberia, Gambia, South Africa, Haiti, and Somalia. Furthermore, Mr. Speaker, the Pennsylvania chapter has been extremely active in the establishment of the coalition's educational scholarship fund, a most important endeavor which will ensure the education of future generations of African-American women and children for years to come.

Mr. Speaker, this annual luncheon is named in celebration of Madam C.J. Walker, America's first self-made woman millionaire, philanthropist, and patron of education and the arts. Madam Walker's granddaughter, Ms. A'Leia Bundles will present a prestigious award in her grandmother's name. The theme of the luncheon is the very worthy promotion of achievement of African-American women in economic development and business. In conjunction with other women's groups throughout Philadelphia and the Nation, the coalition will also unveil their plans to establish a national research document entitled the "State of Women Report." This crucial study will focus on the presence, progress, and patterns of women in all areas of the social structure, and will assess the need for and direction of necessary changes.

Mr. Speaker, in a day and age when we constantly seek to identify positive role models for young people throughout the Nation, I can hardly think of a better organization that embodies all of the characteristics which we should want to pass on to the next generation. Mr. Speaker, for this reason, and for all of their substantial achievements over the years, I would like to ask my colleagues to rise and join me in paying tribute to the Pennsylvania Chapter of the National Coalition of 100 Black Women. I wish them a wonderful event in Philadelphia this weekend, and continued success as they chart a course of progress for the future.

WESTSIDE JEWISH COMMUNITY CENTER'S 40TH ANNIVERSARY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in paying tribute to the Westside Jewish Community Center of Los Angeles on its 40th anniversary.

As a longtime honorary member of the Westside Jewish Community Center, I feel especially strongly about the magnificent work of this pluralistic, nonsectarian organization. Center services range from nursery school to senior citizen programs to English language classes for Russian emigres to a unique swimming program to aid arthritics.

The Westside Jewish Community Center has been the focal point of a dramatic stabilization of a racially integrated neighborhood. Both the neighborhood and the center's membership reflect the harmony among ethnic groups that has prevailed largely through the efforts of the center.

I ask my colleagues to join me in congratulating the Westside Jewish Community Center on its 40th anniversary and extend best wishes of continued success to its officers, directors, members, and participants.

A NEW ROLE FOR URBAN HEALTH CARE

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. FOGLIETTA. Mr. Speaker, I rise today to call attention to a recent editorial in the Philadelphia Inquirer. This very insightful editorial written by my friend Iqbal Paroo, president of Hahnemann University, articulates the mission that all urban health care professionals must promote—efficient, accessible, and affordable health care delivery to adequately serve the needs of their urban neighbors. As we debate the reform of our health care system, we must work together to change the traditional roles of urban health care professionals. We must move health care delivery, research, and education out of institutions and into our neighborhoods and communities to truly benefit residents of urban America. I wish to enter this article in the CONGRESSIONAL RECORD so that others may be made aware of the ever-changing roles our health care system must play in serving our communities.

[From the Philadelphia Inquirer]

PHILADELPHIA HAS LOTS OF DOCTORS, BUT FAR TOO MANY INFANT DEATHS

(By Iqbal F. Paroo)

This is a time of unprecedented change in the health-care market, as medical institutions merge and Congress debates plans for national health insurance. For many individuals and groups, the changes are discomfiting—especially in Philadelphia, where health care is a highly sophisticated cornerstone for the region's economy.

We have six medical schools, 37 hospitals, more than 7,000 physicians, 49,000 nurses and thousands of associated health-care professionals within our city limits—a greater concentration than most places in the United States. And there are 4,260 medical students and 2,400 nursing students in training in Philadelphia and the five-county surrounding area.

It is understandable, then, that one of the recent themes in public discussions on health care in Philadelphia is a fear of change and a preoccupation with hospital mergers, downsizing and closings. Rather than focus on how health-care institutions are configured, we should ask whether they respond to community needs. Responsiveness and relevance to the community should be the true test of viability.

To be responsive, Philadelphia's health-care institutions must help make health care more efficient and less expensive—and more accessible. That will require caring for people outside traditional hospital settings, as well as a greater appropriate reliance on well-trained allied health-care professionals.

Today, Philadelphia has 450 doctors per 100,000 people, almost double the national average, and about 300 acute hospital beds per 100,000 people, though many health-care analysts believe only 200 are needed.

The obvious implication? Philadelphia needs fewer inpatient hospital beds, and may require fewer medical schools and subspecialty training programs for specialists and subspecialists.

Clearly then, change will occur. Some institutions will merge or refocus their energies and others will downsize or close. Our

choice is whether that change will be chaotic or orderly. Will we let the marketplace arbitrarily decide which institutions live and die, regardless of the impact on the surrounding community? Or will we accept responsibility for carefully planning the changes and for assuring that the community's health needs are efficiently met?

Several area institutions have taken the latter course. Thomas Jefferson and Pennsylvania hospitals in Center City; Sacred Heart and Suburban General hospitals in Norristown; and my own institution, Hahnemann University, and the Allegheny Health, Education and Research Foundation have all decided to consolidate operations, to one degree or another. Most recently, the Graduate Health System and Independence Blue Cross announced a planned merger.

These "partnerships" should reduce costly duplication in health-care delivery, medical and health-care education, and research. They should also create new opportunities for community education and for neighborhood-based clinical programs.

Hahnemann's relationship with Allegheny will enable us to pursue two of our long-standing goals. The first is establishment of a Philadelphia-based School of Public Health. This school, the only one in the region, would provide Philadelphia with centralized educational, clinical and research leadership in the field of urban health, an aspect of our health-care delivery system that is sorely lacking. The second goal is creation of formal relationships with the businesses and schools in our communities, enabling us to be more directly involved in our communities' economic, cultural and educational programs.

Make no mistake, structural change of our health-care institutions cannot be an end unto itself. It is justified only if Philadelphians receive better health care as a result. Unfortunately, there is plenty of room for improvement there. According to the most recent statistics, Philadelphians die at a rate of 727 per 100,000 people compared to the national rate of 523. And our infant mortality rate is double that in the nation as a whole.

Why? Cities complicate illness and complicate care, and too few health-care professionals fully understand how to deal with complications unique to urban settings. Urban health-care requires insights and skills beyond those taught during most health professionals' training.

The emergence and spread of disease in cities often does not follow textbook descriptions. In urban areas, a "manageable" illness quickly becomes serious and, too frequently, leads to death. For example, asthma—theoretically easy to treat—causes more hospitalization than any other common medical problem among urban children, because it is virtually impossible to separate the children from exposure to conditions that trigger asthmatic attacks.

To address urban needs effectively, we must fundamentally change the way we educate the professionals providing health care to urban residents. If we do not, we may find our health-care practitioners in the next decade still lacking the knowledge necessary to improve our city's health.

Philadelphia and the nation need a new generation of health-care professionals prepared to work with urban residents and to address environmental and cultural factors as elements of total patient care.

To be able to relate most effectively to their patients, these urban health professionals should reflect and respond to the diversity of our city's population. To under-

stand their patients' environment, they should be educated primarily where health care need first arises—in homes, elementary schools, inner city and neighborhood clinics, and emergency rooms. To assure that their patients receive comprehensive and appropriate care, they must study and work in teams that include physicians, nurses, social workers, physician assistants, counselors, linguists, nutritionists and ethicists.

Clearly, urban health is no longer simply a function of how many hospitals and medical schools there are and who runs them. On their own, traditionally-configured institutions cannot meet the extensive training needs of future health-care professionals—especially the urban health professional. We are entering an era when health-care delivery, research and education increasingly must move out of the institution and into the community.

PROMISES, PROMISES CHINA'S
WORD TO SUBSTITUTE FOR SIG-
NIFICANT PROGRESS?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. SMITH of New Jersey. Mr. Speaker, today's Washington Post and news wire services reporting on Assistant Secretary of State John Shattuck's meetings with Chinese officials indicate that the administration may be backtracking on its commitment to human rights in China.

Instead of talking about significant progress in human rights, United States officials now seem to be hoping that China will make a grand gesture which would allow the administration to say that China has finally joined the rest of the world in respecting the human rights of its citizens. Some seem to feel that the release of a few dissidents from prison would prove China's willingness to meet the conditions.

Mr. Speaker, this is business as usual. This is the same grand gesture that China has used year after year without having to make any significant progress in human rights. It is the reason why we find ourselves each year discussing the same issue.

Some seem to think that China's pledge to make human rights improvements could substitute for significant progress as well. Mr. Speaker, a few weeks ago when I was in China, government officials gave their word to me that there was complete religious freedom and that there were no religious prisoners. Since then we have learned of new arrests of religious believers and of the promulgation of new draconian laws designed to crush religious expression. Their words and their promises are as empty as their actions.

Faced with ever growing evidence that China is regressing rather than improving in the area of human rights, the administration now appears to be trying to whitewash China's record. Since MFN was extended last year—with conditions for renewal—the Chinese Government has refused to meet any of the conditions. They have even detained U.S. citizens, refusing to allow them to contact the Embassy.

Mr. Speaker, thousands of Chinese citizens daily risk their lives to practice their religion, to protect their cultural heritage, to decide for themselves the number of children they want to have, to strive for the freedoms and rights which we take for granted. They do not count the cost—and the cost for them is quite high. We should not betray the courage that these brave people have demonstrated by capitulating to the blustering and the threats of China's repressive leaders.

If we backtrack now, Mr. Speaker, if we settle for promises rather than action, for one-time grand gestures rather than seeking long-lasting significant progress the cost for us will be high, too. We may have trade with China, but we will have lost our integrity. What good is our word if it is not backed up by action? No better than the promises that the Chinese Government gives us.

TRIBUTE TO THE CENTURY
COUNCIL

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Ms. MOLINARI. Mr. Speaker, I am pleased to take this opportunity to recognize the accomplishments of the Century Council in reducing alcohol abuse across the United States, and specifically for their commendable efforts in the formation of Project Long Island: A Century Council Coalition.

Since its creation in 1991, this nonprofit organization has focused its attention on drunken driving and underage drinking. These are serious problems that do not confine themselves to certain geographic areas or demographic groups—they plague every community. Fortunately, the Century Council has been very successful in obtaining the support of the licensed beverage industry. Originally founded by 17 members, the Council now receives support from over 450 brewers, vintners, distillers, and wholesalers.

The Council's work includes such activities as support for tougher laws on drunken driving, national point-of-sale messages for use by retailers, and a statewide model Hispanic program. In addition, grassroots laboratories called Century Cities have been established to test community coalition strategies and determine the effectiveness of model programs. The Century Cities program has proven successful at numerous sites throughout the United States.

One important reason for the success of the Century Council is their 3 year commitment to each city. This commitment, combined with the gradual decrease in the annual level of Council funding, ensures stability while allowing the community to take a more active role in maintaining the program long term.

Mr. Speaker, alcohol abuse is the cause of so many tragedies in our society, but with the continued support of organizations like the Century Council, the number of tragedies can be reduced. It is an honor for me to commend the Century Council on its outstanding contribution to the United States, and most recently to the Long Island community. Further-

more, I hope my colleagues will pass legislation to expand the program to include other communities throughout New York State and the country.

TRIBUTE TO BONNIE BLAIR

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. EWING. Mr. Speaker, I rise today to praise and honor the greatest career of any American winter Olympic games athlete and any U.S. woman Olympic ever—Champaign, Illinois' own Bonnie Blair. On Wednesday, in Lillehammer, Norway, Bonnie skated to victory in the 1,000-meter speedskating event—for her second gold medal in Lillehammer and a recordbreaking fifth gold medal overall. She has one bronze medal to go with her five golds—and she twice finished fourth, just missing two other Olympic medal opportunities.

On her most recent visit to the medals podium, Bonnie proudly sang the "Star Spangled Banner" and skated her victory lap waving the American flag. I do not think it would be inaccurate to say that Bonnie Blair is truly an all-American athlete.

But there is another story behind Bonnie Blair and her Olympic triumphs—and that is the story of Bonnie Blair 12 years ago when she fought and scratched for local financial support to further her speedskating career. The story of her family who never doubted Bonnie and her dreams to be an Olympic champion. And the story of a young lady who has stolen the hearts of not only those in central Illinois—but the entire world as well.

Bonnie Blair will be remembered as the greatest women's speedskater ever, perhaps one of America's finest athletes ever. But most importantly, Bonnie Blair represents the hopes and dreams of every American, because she overcame countless obstacles—including injuries, financial hardships, and worldwide competition—to become the best ever in her field.

That is what America is all about—hard work, commitment, sense of purpose, and discipline. That is the formula Bonnie Blair used. I salute her for the honor and glory she has brought herself, her family, her hometown of Champaign, IL, and America.

INTRODUCTION OF THE MNI WICONI ACT AMENDMENTS OF 1994

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. JOHNSON of South Dakota. Mr. Speaker, today, I am introducing legislation to expand the Mni Wiconi Rural Water Supply Project. The Mni Wiconi Project is a critically important drinking water project for the western half of South Dakota, and I am proud to introduce this legislation which will bring a clean and dependable source of life's basic necessity—water—to even more people than

was originally envisioned in the authorizing legislation of 1988. The legislation I am introducing today will give the Mni Wiconi Project the opportunity to serve more people and a larger geographical area, including the Rosebud Sioux Tribe on the Rosebud Indian Reservation and Lower Brule Sioux Tribe on the Lower Brule Indian Reservation. Also, additional people in the originally authorized service territory, which includes the Oglala Sioux Tribe of the pine Ridge Indian Reservation and the West River/Lyman-Jones Rural Water System service areas, will have access to safe drinking water.

Mr. Speaker, Congress has become familiar with the Mni Wiconi Rural Water Supply Project in recent years, after passing authorizing legislation in 1988, Public Law 100-516, and providing almost \$20 million in appropriations through fiscal year 1994. But I want to once again emphasize the importance of this project. A large number of South Dakotans are forced to subsist on water of awfully poor quality. This water exceeds Safe Drinking Water Act standards in a number of areas and the current delivery systems are often either insufficient or nonexistent. Most water sources in this part of South Dakota, whether community water supplies or personal wells, do not meet standards set by the Safe Drinking Water Act due to high levels of total dissolved solids, sodium, sulfates, chlorides, iron, and even radium. Many reservation water sources are increasingly polluted with biological contaminants and some residents currently must drive or walk for miles to a community pump, filling up buckets and barrels for their daily water needs.

Obviously, the poor water throughout the project area contributes to the health problems in the region. Diabetes, kidney disease, hypertension and a high infant mortality are particularly prevalent on the reservation. On average across the project area, drinking 2½ quarts of water per day for a year is equivalent to drinking 2 pounds of rock. On top of the poor quality, drilling a well in this region can cost up to \$50,000.

In addition to improving the health of residents in the region, I strongly believe that this water delivery project will stabilize the rural economy. Water is a basic commodity and is essential if we are to ever foster new rural development. Several communities have lost new businesses because of questions over water quality. Water development and economic development are especially important in helping the residents of the Indian Reservations break the cycle of poverty. Several of the counties in this part of South Dakota are among the poorest in the Nation. I am confident that by providing one of life's key commodities to this region, Congress will take a fundamental step in meeting its trust responsibility to these Indian communities.

The Mni Wiconi Rural Water Supply Project will deliver reliable, good quality drinking water from a dependable source, the Missouri River, and will result in an improved quality of life, as well as economic development and job creation. The five project sponsors, the Oglala Sioux Tribe, the West River Rural Water System, the Lyman-Jones Rural Water System, the Rosebud Sioux Tribe and the Lower Brule Sioux Tribe, have done an excellent job in

working together, and I commend them for the level of cooperation and understanding they have all demonstrated.

Mr. Speaker, I also want to thank Chairman MILLER of the Committee on Natural Resources and Chairman BEVILL of the Appropriations Subcommittee on Energy and Water Development for the continued support they have demonstrated over the years for the Mni Wiconi Project and water development efforts in South Dakota.

The current administration and the Bureau of Reclamation have also demonstrated their support for this critically important project by including funding in the budget requests made by the Bureau of Reclamation. Commissioner Beard and the many Bureau of Reclamation officials who have worked on this project should be commended for their diligent efforts in working with the project sponsors and helping to make Mni Wiconi a reality.

I do not believe our needs get any more basic than good quality, reliable drinking water, and I appreciate the fact that Congress has shown support for the Mni Wiconi Project over the past few years. I look forward to continuing work with my colleagues and to the continued support of Congress for the Mni Wiconi Rural Water Supply Project.

TRIBUTE TO THE HONORABLE WILLIAM NATCHER

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. PICKLE. Mr. Speaker, it is now history—BILL NATCHER's voting record has been ended. The record looms unparalleled and we will never see the likes of it again.

What I admire most about BILL NATCHER is not his voting record alone, but his magnificent presence as Acting Speaker. He is the most knowledgeable, firm and effective Acting Speaker that we have ever had. He knows the rules and the principles of democracy, he follows the debate and keeps the House in control. Yet all the while, he is courteous and kind—the epitome of the southern gentleman.

Mr. Speaker, we sometimes get bogged down in the various issues and heated debates of the moment, and we lose sight of what this wonderful body is about. Fortunately, we have been blessed for some four decades now with a calm, soothing voice of reason—a voice that in its own inimitable, drawing way never fails to call us back to the true aims, purposes and spirit of the U.S. House of Representatives, the greatest legislative body on Earth.

Mr. Speaker, I'm sure all my other colleagues join me in saluting the Honorable WILLIAM NATCHER and wishing him Godspeed in his recovery. Get well and come on back, BILL. Your country needs you.

LEGISLATION TO CORRECT TAX CODE

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. CARDIN. Mr. Speaker, today I am introducing legislation that would correct a fundamental inequity in the Tax Code. The change I propose affects the alternative minimum tax [AMT] treatment of circulation expenditures made by taxpayers operating small, expanding publishing companies. The AMT rules presently impose AMT burden on small publishing businesses that frequently exceeds the net income of the business, forcing the owner to borrow money just to pay the taxes. The tax treatment does not affect large, established publishing houses, leaving small, growing companies at a competitive disadvantage.

Enactment of this legislation would encourage increased growth and investment by small publishing companies while ensuring that these businesses pay their fair share of taxes. Their owners would still be subject to appropriate regular or AMT taxation. In addition, the bill would provide relief only to owners who are actively involved in the operation of the business, thereby denying any opportunity for tax avoidance through the use of tax shelters.

Under present law, individuals, either directly or through partnerships or S corporations, are permitted to deduct circulation expenses currently for regular tax purposes. For small, expanding companies, circulation expenses are crucial to the effort to develop, increase, and maintain subscription levels of magazines and other periodicals. Under the AMT, however, taxpayers must amortize circulation expenditures over a 3-year period.

For a small, expanding publishing business, circulation expenditures can consume up to 40 percent of gross revenues. Because these expenditures must be amortized for AMT purposes but can be deducted immediately for regular purposes, these companies face larger AMT liability and are trapped in the AMT as long as they continue to expand. Furthermore, since AMT credits cannot be used to offset AMT liabilities, these companies accrue tax credits they can't use. The effect is to create a disincentive to grow.

By contrast, large, established publishing houses with stable circulations do not spend as large a proportion of their revenues on developing and expanding their circulation base. As a result, they are not forced indefinitely into the AMT, and do not build up unusable AMT credits.

In 1989, Congress amended the Internal Revenue Code to permit individuals operating

a business as a partnership or S corporation to currently deduct research and experimental [R&E] expenditures for AMT purposes, provided the individuals materially participate in the operation of the business. The material participation requirement was designed to ensure that taxpayers would not use this provision to create abusive tax shelters. In permitting the deduction of R&E expenditures, Congress recognized the need to eliminate an AMT advantage that had been bestowed on C corporations at the expense of individuals operating S corporations and partnerships. Given the similar fundamental nature of R&E expenditures and circulation expenditures to a growing business, we should provide the same AMT tax treatment for taxpayers who materially participate in operating the business.

This bill will extend immediate deductibility to circulation expenditures, thereby removing a serious inequity from the law. By limiting this treatment to individuals who materially participate in operating the business, the bill avoids the creation of shelter opportunities. By providing rational treatment of circulation and R&E expenditures, the bill removes from the Tax Code a disincentive to expansion for small publishing companies, which will help in the creation of jobs and economic growth.

REPUBLIC TO THE HONORABLE WILLIAM PATTERSON

HON. J.J. PICKLE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1994

Mr. PICKLE. Mr. Speaker, I am introducing legislation that would correct a fundamental inequity in the Tax Code. The change I propose affects the alternative minimum tax [AMT] treatment of circulation expenditures made by taxpayers operating small, expanding publishing companies. The AMT rules presently impose AMT burden on small publishing businesses that frequently exceeds the net income of the business, forcing the owner to borrow money just to pay the taxes. The tax treatment does not affect large, established publishing houses, leaving small, growing companies at a competitive disadvantage.

Enactment of this legislation would encourage increased growth and investment by small publishing companies while ensuring that these businesses pay their fair share of taxes. Their owners would still be subject to appropriate regular or AMT taxation. In addition, the bill would provide relief only to owners who are actively involved in the operation of the business, thereby denying any opportunity for tax avoidance through the use of tax shelters.

Under present law, individuals, either directly or through partnerships or S corporations, are permitted to deduct circulation expenses currently for regular tax purposes. For small, expanding companies, circulation expenses are crucial to the effort to develop, increase, and maintain subscription levels of magazines and other periodicals. Under the AMT, however, taxpayers must amortize circulation expenditures over a 3-year period.

For a small, expanding publishing business, circulation expenditures can consume up to 40 percent of gross revenues. Because these expenditures must be amortized for AMT purposes but can be deducted immediately for regular purposes, these companies face larger AMT liability and are trapped in the AMT as long as they continue to expand. Furthermore, since AMT credits cannot be used to offset AMT liabilities, these companies accrue tax credits they can't use. The effect is to create a disincentive to grow.

By contrast, large, established publishing houses with stable circulations do not spend as large a proportion of their revenues on developing and expanding their circulation base. As a result, they are not forced indefinitely into the AMT, and do not build up unusable AMT credits.

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This bill will extend immediate deductibility to circulation expenditures, thereby removing a serious inequity from the law. By limiting this treatment to individuals who materially participate in operating the business, the bill avoids the creation of shelter opportunities. By providing rational treatment of circulation and R&E expenditures, the bill removes from the Tax Code a disincentive to expansion for small publishing companies, which will help in the creation of jobs and economic growth.

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