HOUSE OF REPRESENTATIVES—*Wednesday, March 23, 1994*

The House met at 11 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

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

HOUSE OF REPRESENTATIVES,
Washington, DC, March 23, 1994.

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

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

PRAYER

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

O gracious God, from whom comes every good gift, we ask that Your Spirit be with all those who turn to You for Your blessing. Where there is illness, may Your healing power be present; where there is timidity, may resolve and courage be our power; where there is haughtiness, give us humility; and where there is any apprehension or anxiety, give us a faith that sees us through. O loving and wondrous God, be present with us and support us all the day long. Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 244, nays 153, not voting 36, as follows:

[Roll No. 83]

YEAS—244

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Barton
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clayton
Clement
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
Deal
DeFazio
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Everett
Farr
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (TN)
Frank (MA)
Frost
Furse
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoke
Holden
Houghton
Hughes
Hutto
Hyde
Inglis
Inslee
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kingston
Kleczka
Klein
Klink
Kopetski
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCrery
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Myers
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Sabo
Sangmeister
Sarpalius
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (NJ)
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Waters
Watt
Waxman
Williams
Wilson
Woolsey
Wyden
Wynn
Yates

NAYS—153

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Calvert
Camp
Canady
Castle
Clay
Clinger
Coble
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Ewing
Fawell
Fields (TX)
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Horn
Huffington
Hutchinson
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kim
King
Klug
Knollenberg
Kolbe
Kreidler
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Machtley
McCandless
McCollum
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Murphy
Nussle
Oxley
Packard
Paxon
Petri
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Solomon
Stearns
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—36

Bonior
Brown (CA)
Callahan
Clyburn
Cox
de la Garza
DeLauro
Dooley
Dornan
Fazio
Ford (MI)
Fowler
Gallo
Gejdenson
Gephardt
Gillmor
Gilman
Hoyer
Hunter
Jefferson
Kennelly
Mazzoli
Natcher
Neal (NC)
Pombo
Pomeroy
Roberts
Rush
Sanders
Santorum
Smith (IA)
Towns
Washington
Wheat
Whitten
Wise

□ 1125

Mr. MOAKLEY changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair will ask the

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gentleman from Texas [Mr. BONILLA] if he would kindly come forward and lead the membership in the Pledge of Allegiance.

Mr. BONILLA led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3355. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety; and

H.R. 3474. An act to reduce administrative requirements for insured depository institutions to the extent consistent with safe and sound banking practices, to facilitate the establishment of community development financial institutions, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 965) "An Act to provide for toy safety and for other purposes" and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLINGS, Mr. FORD, Mr. BRYAN, Mr. DANFORTH, and Mr. GORTON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3355) "An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety" and requests a conference with the House on the disagreeing votes of the two Houses thereon.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3474) "An Act to reduce administrative requirements for insured depository institutions to the extent consistent with safe and sound banking practices, to facilitate the establishment of community development financial institutions, and for other purposes" and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RIEGLE, Mr. SARBANES, Mr. DODD, Mr. D'AMATO, and Mr. GRAMM 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. 208. An act to reform the concessions policies of the National Park Service, and for other purposes.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3958

Mr. SCHAEFER. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SHAYS] be removed as a cosponsor of H.R. 3958. Owing to a clerical error made by my office, Mr. SHAYS was mistakenly added as a cosponsor of H.R. 3958.

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

There was no objection.

JUSTICE DEPARTMENT IS ABANDONING ITS RESPONSIBILITY ON VOTING RIGHTS ACT

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

Mr. FIELDS of Louisiana. Mr. Speaker, I rise today to express a shameful condition, that condition is the Court's consistent attack on the 1965 Voting Rights Act. But what is more shameful than that, is the inaction of the U.S. Department of Justice.

It appears that the Justice Department has aborted its responsibility to defend one of the most important Federal statutes enacted by this Congress in this century.

Many of the lawsuits challenging congressional districts as a product of racial gerrymandering are districts that were precleared and approved under subsection 5 of the Voting Rights Act by the Department of Justice.

I am of the belief, that if they were constitutional then they must be constitutional now. Certainly, no one would even opine the thought that the Department of Justice would approve any congressional plan that violates the constitutional rights of citizens of this country.

The Department of Justice is now leaving the defense of the Voting Rights Act—a Federal statute mind you—in the hands of States that have a history of disenfranchising African-Americans and other minorities. That is like leaving the fox to guard the hen house.

Mr. Speaker, I call on the Department of Justice in general and the Attorney General in particular to live up to its responsibility and fiduciary obligation to defend the Voting Rights Act.

ASSOCIATE COUNSEL AT THE WHITE HOUSE SHOULD RESIGN

(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, it is very clear from today's Washington Post story that William Kennedy III, associate counsel at the White House, should resign today.

The story indicates clearly that he failed to pay his taxes. The story indicates clearly that when he did pay part of his taxes, he did so in his wife's former maiden name, the only occasion on which they ever used the name, and while he denies having done that to avoid the FBI background check, it is a very peculiar circumstance.

The story goes on to say that only in the middle of a divorce proceeding has he in the last 3 weeks decided that he actually should pay his back taxes, because it has become public.

The last thing this country needs is to have an associate counsel to the President of the United States who has failed to pay his taxes and who has acted in ways designed to ensure that the FBI does not know what he was doing, and I think that for public good and for the White House's good that Mr. Kennedy should resign today.

□ 1130

DEALING WITH SHAW VERSUS RENO

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

Mr. TUCKER. Mr. Speaker, I rise today to express my strong support for the efforts of my Congressional Black Caucus colleagues and others in trying to deal with the deleterious effects of the recent case of Shaw versus Reno.

Mr. Speaker, in 1965 the Voting Rights Act was enacted to remedy one of the many wrongs perpetrated against African-Americans. However, in 1994, we find ourselves having to again fight for the right to vote, the right to participate in the political process and the right to be represented.

Mr. Speaker, rest assured this Member will fight every step of the way to protect the rights of African-Americans and those gained by his fathers and forefathers.

Mr. Speaker, I ask the Justice Department to diligently support the Voting Rights Act.

CANCELLATION OF RTC OVERSIGHT HEARINGS RAISES CONCERNS

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

Mr. LINDER. Mr. Speaker, as a member of the Banking Committee, I feel compelled to express my concern about the decision to cancel the semiannual

RTC oversight hearing, which was mandated by law to have been held by December 3.

Mr. Speaker, this is the people's house and the arrogance of power must not undermine the confidence that the American people hold in this institution.

We are not members of some regulatory agency. We are Representatives in the U.S. Congress, and this body has a constitutional oversight obligation on this matter. Across the country, in polls and everyday conversations, there is concern about what is going on in Washington and why the special counsel is issuing subpoenas to top White House officials. It is in the President's best interests that we disclose all the facts related to this matter so that Americans can return our focus to issues of importance to our Nation.

There have been numerous congressional hearings into Presidential activities in the past: 25 in the past 12 years—many for more frivolous matters than this affair. Let us hold hearings, find the truth, and get this matter behind us so we can return to the work the American people sent us here to do.

SUPPORTING HILLARY RODHAM CLINTON

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

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to acknowledge the personal and professional achievements of our First Lady, Hillary Rodham Clinton.

She is an accomplished and passionate advocate for children's rights and public education who has now taken the leadership position on the most significant American social reform since the Roosevelt era—to assure that Americans receive universal, affordable health care coverage for the first time in our history.

When she speaks on issues that strike at the hearts of the American people, like health care, she speaks as a professional woman, a mother, a daughter, a wife, a sister and a friend.

She tirelessly takes the message of health reform to Congress, the professions and most importantly, the hard-working people who want to understand how the administration's plan will affect them. She can speak, but it is her ability to listen that is the key to her leadership in the creation of a realistic and compassionate plan.

The First Lady continues to focus on her family and health reform, despite the naysayers whose personal criticism seeks to distract her from her course.

I applaud her for her extraordinary grace and dedication.

PUT YOUR SCHEMES AWAY

(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, put your schemes away, is the message the American people are sending to the Clinton White House.

Put your socialist health care scheme away. The American people do not want the Government to run their health care system.

They do not want to pay a 7.9 percent payroll tax to get rationed care, diminished quality, and limited choice.

And put your stonewalling scheme away. The American people want full disclosure on Whitewater. They want a date set for the congressional hearings.

They are tired of assurances without facts, promises without merit.

In short, the American people are tired of the sleeze factor surrounding the White House.

So, put your schemes away, for another day.

Or better yet, put them away forever.

THE FIRST LADY, A REAL DOER

(Miss COLLINS of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss COLLINS of Michigan. Mr. Speaker, we have heard a steady drumbeat of attack rhetoric criticizing First Lady Hillary Clinton from the "Pillory Hillary" crowd. The headline grabbers who jump to condemn every step and every sneeze do so because they have so little to offer the American people in the way of concrete proposals to solve our problems.

Where is their health plan? Their jobs plan? Their welfare plan? It is easy to criticize. It is far harder to find solutions.

And yet find solutions is exactly what Hillary Clinton has done. She has accepted the challenge of providing every American, of whatever station in life, health care.

It is abominable that this country has let over 36 million Americans fall through the cracks. It is embarrassing that the leader of the industrial world cannot provide this very basic service to our people.

The First Lady has taken the ball and she has run with it. She has labored long days and nights over the health care bill. She has taken the cause to the American people. She has faced crowds of every persuasion. She has stood up to powerful lobbies. She has delivered a proposal to Congress.

Those who deliver nothing but barbs do so because they have little else to say. Some people are doers and some are talkers. I salute the First Lady, a real doer.

DON'T BLAME THE REPUBLICANS, MR. PRESIDENT

(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, it is getting to be a tired, old refrain. Blame the Republicans and, maybe, all of your troubles will go away.

From the crisis in health care to the saga of Whitewatergate, President Clinton has sung the same, old song. The Republicans are behind it.

I need not remind the President that his health care plan has been discredited, not because of the Republicans, but because the American people don't want it. They don't want the taxes. They don't want the bureaucrats. And they don't want to be told by some all powerful, regional health alliance what doctors they can see and what doctors they can't see.

The President has found himself enmeshed in this Whitewatergate affair, not because of the Republicans, but because he has not been forthcoming. His administration has stonewalled every request for information. His Democrat allies have stood by his side until public opinion finally overwhelmed them.

Mr. Speaker, to find the source of all of his problems, the President need only look in his own backyard. This blame the Republicans business just isn't going to fly any more.

THE FIRST LADY: A FINE EXAMPLE OF GRACE AND INTELLIGENCE UNDER FIRE

(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, I rise today to express my outrage at the recent attacks against First Lady Hillary Clinton. There is certainly no justification for the attacks, Mr. Speaker. Indeed, the First Lady continues to stand as a fine example of grace and intelligence under extreme fire.

She can certainly teach her critics a thing or two about the issues of fair play and due process. As I understand it, there has been speculation and innuendo, but absolutely no formal charge of wrong-doing against First Lady Hillary Clinton. In America we still believe that a person is innocent until proven guilty.

Indeed, this country owes the First Lady a great debt of gratitude. Because of her extraordinary leadership in the development of a plan for national health care reform, all of America is focused on this very urgent need.

For the first time ever, people in coffee shops, and back yards, and beauty shops all over the Nation are engaged in serious debate about the need to change the way we deliver health care. First Lady Hillary Clinton is directly responsible for initiating this debate.

As she carries out her duties as wife to the leader of the free world, mother to her teenaged daughter, and cham-

pion of universal health care, I urge my colleagues to give to First Lady Hillary Clinton the respect and support she clearly deserves.

WHO PAYS FOR HEALTH CARE COVERAGE?

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

Mr. BOEHNER. Mr. Speaker, and my colleagues, the foundation of the Clinton health care plan is a requirement that employers shall pay 80 percent of the cost of health care coverage for their employees.

It is estimated by a number of different organizations that this would cost 3 million Americans their jobs. So as congressional committees begin to look at various health care proposals, including the Clinton plan, they are having their doubts about the employer mandate.

So what they are doing is they are beginning to look at smaller mandates. "Let us just require employers to pay part of it, less than 80 percent; let us begin to give subsidies to small employers," they say. It is the classic strategy of getting the camel's nose under the tent before we stick them with a big bill later on.

We need to fix the current system, we need to help the working poor get affordable health care insurance, but not at the cost of losing their job. Let us oppose employer mandates; let us fix the current system and let us do for the American people what they want, health care, affordable for each and every American.

□ 1140

HILLARY CLINTON, FIRST SMART WOMAN IN THE WHITE HOUSE IN A LONG TIME

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise this morning to express my appreciation and respect for the First Lady, Hillary Clinton. As we speak, she is meeting with people who are interested in what we are going to do about long-term care. Hillary Clinton is a well-educated woman who feels confident in her own abilities, who has felt comfortable in leaving the teas at the White House and going to the people, listening to them and helping to develop a policy to respond to them. We appreciate her because of that.

We realize we are not an ivory tower. We realize that we cannot get policies put together that represent people without talking to people and responding to them. Hillary Clinton has been willing to do that. She has been our First Lady.

Mr. Speaker, we elected Bill Clinton for President, and that is his wife, and we are delighted that in America, for the first time in a long time, we have a smart woman who is willing to leave the teas, leave the receptions, and go to the people, and respond to the people. We thank Hillary. We thank her for the respect she has for the people of this Nation. We thank her for the job that she is doing.

WE NEED A BIPARTISAN EFFORT ON HEALTH CARE

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

Mr. THOMAS of Wyoming. Mr. Speaker, the stampede is growing. The gentleman from Michigan [Mr. DINGELL], chairman of the Committee on Energy and Commerce, is the latest of the big time Democrats to run away from the Clinton health care reform plan. He has introduced his own plan which, according to the Congressional Daily, will do away with mandatory alliances and ease the impact on small businesses.

A step away from the Clinton package is a step in the right direction, Mr. Speaker, but it is only a step. We need a bipartisan effort on health care. We should work together to increase access for every American without including a job-killing payroll tax or quality-killing global budget.

The President has tried to market his package by saying he is the only alternative, that "It's mine or nothing," and his supporters have continued that litany. That could not be further from the truth. The Republican approach to health care will achieve reform for all Americans, the reform that Americans want without government intrusion that most Americans despise.

I urge my colleagues to come together to work toward solutions and turn away from embracing the Clinton plan. Mr. Speaker, the stampede is growing.

THEY DON'T LIKE SMART WOMEN

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

Mrs. MEEK of Florida. Mr. Speaker, I have been dismayed at the concerted and continued vicious attacks on Hillary Rodham Clinton which began in earnest in August 1992. These attacks have continued unabated ever since.

These attacks have originated in what is the extreme right wing of American politics. I have been shocked at the venom of these attacks. I have been wondering what Mrs. Clinton did to create such hatred.

I have had the opportunity to work with Mrs. Clinton.

She is a devoted mother to her daughter, but the right wing believes in motherhood, so they say.

She works hard to support her husband in his endeavors, but the right wing believes that a wife should support her husband's efforts.

She works very hard to improve the quality of family life for all Americans, but the right wing says it champions the family.

For years she worked in the private sector and engaged in capitalistic activities, but the right wing says it reveres capitalism.

I just could not figure it out for the longest time.

Hillary Rodham Clinton is a brilliant, professional woman who has successfully balanced family and career, Hillary Clinton has developed a substantive health care plan for all Americans—she got us started in a debate that will culminate in a health delivery mechanism second to none.

Mr. Speaker, Hillary Clinton is a smart, efficient woman, and I say to her, "Stand by your man, Hillary. We're behind you."

THE SUPERFUND NIGHTMARE

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

Mr. BARRETT of Nebraska. Mr. Speaker, we have an opportunity this year to enact a comprehensive overhaul of the Superfund Program.

We can put an end to the endless litigation that has crippled this program.

We can make the ability to pay a consideration in determining the liability of responsible parties.

And we can, once and for all, resolve the matter of retroactive liability.

Mr. Speaker, it is convenient and popular to think of Superfund as a problem of big business. But I can assure my colleagues that Superfund does not discriminate. It will come after our neighbors, our school districts, our grandmothers, and the corner grocer. Like the endless string of horror movie sequels that Hollywood never tires of making us, Superfund is always looking for a new venue to play. Watch for "Nightmare on Main Street"—coming soon to a location nearby.

I urge all Members to support a comprehensive Superfund reauthorization this year.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The Chair will remind Members to direct their remarks to the Chair and not to anyone outside the Chamber.

WOMEN ARE PROUD OF HILLARY CLINTON'S CONTRIBUTIONS

(Mrs. MINK of Hawaii asked and was given permission to address the House for 1 minute.)

Mrs. MINK of Hawaii. Mr. Speaker, not very many women have the opportunity of public service. There are a few of us in the Congress; I hope someday there will be many, many more in the House and in the Senate. When called upon to contribute to this country, Mr. Speaker, no woman should take a back seat to any man. That is the opportunity that Hillary Clinton has been given as the wife of the President of the United States, and I am so proud of her, and her leadership, her ability to communicate with the American people, to bring down to earth some of these very complicated issues. Her law background, her sympathy to children, her leadership in the Children's Defense Fund and numerous other organizations make her more than qualified to serve the American people, and that is what she is doing in the capacity of the First Lady of the White House and of this Nation. I am proud of her, and I am proud of her leadership, and I wish the American people would understand how proud we women are of her contributions to the current debate on health care.

REVISED ARKANSAS BAR EXAM

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

Mr. SMITH of Texas. Mr. Speaker, the Arkansas State Bar has decided to revise the ethics portion of its bar exam. It seems a number of practicing attorneys have had trouble in this area, despite having passed the old exam. The new test reads:

Question 1: A State attorney general enters into a business deal. He put up no money, but gets a half interest in a land development company that will need many State government permits to operate. Discuss the possible ethics ramifications, if any.

Question 2: A State Governor arranges for a business partner, who controls a federally insured S&L, to make payments on a personal loan that the Governor has taken out. The Governor then claims these interest payments as interest deductions on his own tax return. Are there any ethics complications here?

Question 3: A State Governor arranges for a friend to get a large Federal grant ostensibly to fund projects for disadvantaged business owners. The Governor then induces this friend to lend hundreds of thousands of dollars to a land development company the Governor jointly owns. The true nature of the loan is not disclosed and the money is not repaid. Are there any ethics problem here?

The new test is not hard, but to make it even easier, perhaps Arkansas could get the administration to do the grading.

HILLARY CLINTON IS DOING A GOOD JOB

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

Ms. BROWN of Florida. Mr. Speaker, I rise in support of the First Lady, Hillary Clinton, and say, "Newspapers, get off her back. Republicans, get off her back. We support you, First Lady. We love you. You're doing a good job."

OMNIBUS CRIME BILL OF 1994

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

Mr. GRAMS. Mr. Speaker, by the very nature of its name, the Omnibus Crime Control Act of 1994 implies that this Congress is taking significant steps to reduce the rate of crime in this country and deal swiftly and effectively with criminals. Guess again.

Take the habeas corpus revisions, for instance. The revisions contained in H.R. 4092 liberalize the habeas corpus appeal process, effectively undermining the death penalties in the 36 States that have capital punishment.

It relaxes rules on when a defendant can appeal, reverses several Supreme Court cases that prohibit most appeals based on changes in the law after the defendant's conviction; thus allowing new appeals every time the Supreme Court makes a new procedural ruling; and requires that at least two lawyers be appointed to represent the defendant at every stage of the process. These revisions will prolong, rather than curtail, the lengthy appeals process.

Serious crime reform means getting tough on never-ending habeas corpus appeals, not creating loopholes that handcuff our already overburdened criminal justice system and keep crime weary citizens wondering what the heck we are doing here in Washington.

□ 1150

HILLARY RODHAM CLINTON

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

Ms. MCKINNEY. Mr. Speaker, I rise today to say thank you to Hillary Rodham Clinton, a woman who has become a hero and role model to millions of women of all ages, and colors.

As a new Member of Congress, I know what it is like to be pigeonholed into stereotypes—fighting a constant struggle against how others would like to define me.

Hillary, too, is one who doesn't fit stereotypes. She has said "no" to those who put upon her their own expectations of who she is. And instead, she has carved out her own niche with her own tools of intelligence and eloquence.

Hillary is a strong, positive woman, admired by women across America. She is a risk taker who is not afraid to speak her mind. Hillary, I think you're cool. Give'em health, Hillary.

GRAPHIC BROCHURES RULED UNFIT FOR PRINTING IN CONGRESSIONAL RECORD

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

Mr. HANCOCK. Mr. Speaker, yesterday, during my 1-minute speech, I asked unanimous consent that materials be placed in the CONGRESSIONAL RECORD. I was informed by the Parliamentarian that they were inappropriate for insertion into the RECORD. Given their near-pornographic nature, I cannot blame the Parliamentarian for his decision.

What are these items? They are graphic brochures designed to instruct and entice young people in homosexual sex acts. These same brochures—masquerading as AIDS education—were made available at a New York City youth AIDS conference to students as young as 12. This conference was sponsored by the New York State Department of Education.

This is exactly the type of prohomosexual propaganda the Hancock amendment to H.R. 6 is targeting.

If this is not fit for the CONGRESSIONAL RECORD, it is certainly not fit for grade-school, junior high, and high school students. I urge Members to support my amendment upon our return from Easter break, and oppose any attempts to weaken it.

TRIBUTE TO HILLARY RODHAM CLINTON DURING WOMEN'S HISTORY MONTH

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

Mrs. LOWEY. Mr. Speaker, March is Women's History Month, and I rise today to salute a remarkable woman who is making history today.

First Lady Hillary Rodham Clinton is a talented, intelligent, effective woman who is expanding her role and leading this Nation in the battle to secure comprehensive health care for all Americans.

As a mother, a wife, and a daughter, she understands how critically important health care reform is to American women—and men.

For all her hard work she has taken a great deal of criticism from those who have nothing more constructive to offer. The forces of gridlock find time to criticize her work—but they find no time to tackle the tough issues affecting American families. Thankfully, health care reform is too important to get sidetracked.

Hillary Rodham Clinton sets a new standard for American women and is a model for our daughters. She deserves our praise and respect.

MORE MEMBERS JOIN HUNGER FAST

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

Mr. WALSH. Mr. Speaker, today a number of Members of Congress are beginning a fast. I am joining my colleague, the gentleman from Ohio, Tony Hall, today in this fast because I think that what he is doing is important and courageous. We are all so caught up in our day-to-day existence of working, paying the bills, trying to be a good husband or wife, being an involved parent, that we forget about some of the real problems in the world.

Twenty-four years ago as a newly trained Peace Corps volunteer, I set out to help end hunger in the world. Unfortunately, we still have not accomplished that task. As many as 35,000 people a day are starving to death and not because there is not enough food; farmers, especially American farmers, are doing a marvelous job. It's happening because of political problems and distribution problems. We have the ability to end hunger and we have the resources.

We all need to focus on what we can do collectively and individually to end that tragedy.

MEMBERS GUARANTEED VOTE ON ENVIRONMENTAL ISSUES

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

Mr. TAUZIN. Mr. Speaker, March may have come in like a lamb, but it is going to go out like a lion. This month has been very interesting. This month environmentalists met to discuss the environmental agenda of this body, and they determined in a memo that has just been released that they were going to take off the table most of the environmental reforms before this Congress and not give us a chance to vote on it. They were going to decide the agenda of this body.

They were going to make sure we did not vote on endangered species reform or wetlands reform, the Clean Water Act, the Clean Drinking Water Act, Superfund, and a host of other environmental reforms. Why? Because they were afraid of something they call the unholy trinity.

That is not some new satanic cult. It is just a satanic cult. It is just a few ideas. The unholy trinity to them is private property rights, unfunded mandates, and risk assessment and cost analysis, three important issues to this body and to Americans—in fact, so important that a court on March 10, in the Florida rock decision before the Court of Appeals ruled for the first time in a Federal court that no one should be denied compensation for a taking that occurred because of a denial of wetland permits.

Mr. Speaker, we are going to get a chance to vote on those things regardless of the environmental community's memo and their decision to keep it from the floor. I ask Members to join me in support of the private property owners bill of rights, H.R. 3875. That is our chance to put it on the agenda and have a vote in this body on private property rights in America.

A CALL FOR ROGER ALTMAN'S RESIGNATION

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

Mr. ARMEY. Mr. Speaker, we learn in today's papers that Deputy Treasury Secretary Roger Altman was misleading Congress when he said his meeting with White House officials was nothing more than a "heads up."

Mr. Altman's Monday letter to the chairman of the Senate Banking Committee marks the fourth time the Deputy Treasury Secretary has amended his Senate testimony to disclose additional contacts with White House officials relating to Madison Savings and Loan. The latest revelation points out that the White House wanted to be sure to have a political appointee responsive to the President in a position to decide what civil cases go forward.

Mr. Speaker, this is clearly unacceptable behavior from a high-ranking administration official. Mr. Altman cannot seem to remember the nature of his discussions until he reads them in the papers; then once they have been reported he sends up a letter clarifying his position.

Administration officials withholding information from Congress has in the past been considered a Federal crime. Mr. Altman's actions are clearly unacceptable behavior by a high ranking administration official with far-reaching regulatory authority. Roger Altman has demonstrated time and again that he cannot be trusted to provide Congress vital information, and he should resign today.

COMPREHENSIVE JUSTICE IS CRIME BILL'S GOAL

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

Mr. DERRICK. Mr. Speaker, recent statistics reveal a dramatic increase in violent crime. It is this increase that has everyone frightened. Violent crime creates a climate of fear in our community that has a substantial impact on how we live and go about our daily lives. It is no wonder that people are concerned. They do not want to live in fear. They are ready for tough measures to combat violent crime.

The American people want tougher sentencing. They want more vigilant and effective prosecution. They want it made clear that violent criminals can rely on being pursued, caught, and punished by a society that will not tolerate their actions.

We need a crime bill that implements a comprehensive justice, an uncompromising attack on crime. The crime bill before us today enacts this justice. It is tough and smart. It will remove criminals from our streets, making them safe for our citizens.

□ 1200

BE TOUGH ON CRIME

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

Mr. SCHIFF. Mr. Speaker, the House of Representatives is about to take up the proposed new Federal anticrime bill. I want to say that it is none too soon. Violent crime is the greatest problem facing the United States of America. Why? Because for the obvious reason, that unless we can go to work safely, unless we can send our children to school safely, unless we can be in our homes safely, we cannot address all of our other problems, as serious as certainly they may be.

Of all the different provisions in the crime bill, of which there are quite a number, the most important, in my view, is that which deals with repeat offenders, because it is the repeat offender who is the criminal that will not stop committing crimes and probably commits three, four, five, or more crimes a day, 7 days a week, 365 days a year.

There is a provision in the bill before us that would address this situation that is called three strikes and you're out, meaning three violent felonies or two violent, and one drug felony, and mandatory life in prison.

This would be an improvement over the law today, but it does not go far enough. We need to say if they are truly violent crimes, why get to three? Why should not two violent crimes being committed warrant life in prison?

At the very least, Mr. Speaker, I will offer an amendment that says commission of two serial violent crimes should mean life in prison.

REPUBLICAN SHOW-TIME IN CONGRESS

(Mr. APPLEGATE asked and was given permission to address the House

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

Mr. APPLEGATE. Mr. Speaker, I think the general public is pretty tired of hearing all the rhetorical garbage that is spewed out on Whitewater by the Republicans. They say it is our constitutional duty to inform the public. That is bull. To them it is showtime. It is politics, because they think they now have an issue that is going to cover up their scandalous past.

But let me say this. This is the same party that gave us the Teapot Dome Scandal, the Great Depression, Joseph McCarthy, Watergate, and Iran-Contra. I think we should have learned by the Iran-Contra hearings Congress is not an investigating body. Congress is a legislative body. We do not do too well at that.

Oliver North and John Poindexter are not in jail because the Supreme Court overturned their convictions because of a technicality caused by congressional hearings.

Frankly, I think the public is just tired of all this damn nonsense, and they are saying to us, do what we elected you to do.

SELLING THE DIRT OF WHITEWATER

(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, I thought I had heard it all, I thought I had seen it all, and I thought I almost had smelled it all, Watergate and Iran-Contra, but evidently not. James McDougal of Madison Savings and Loan has taken dirt to a higher level. James McDougal is selling the dirt of Whitewater for $19.95 a cubic foot, ladies and gentlemen. And for $19.95 you not only get the dirt, you get a nonpartisan dirt deed.

Now, look here. I do not know what Hillary did. I still like her. I do not know what the President did. He is doing his job. But I want you to think about something: If these good old boys from Arkansas are willing to sell that Whitewater dirt, those good old boys from Arkansas just might be willing to manufacture some of the Whitewater dirt, too.

I want Congress to think about it, especially Judge David L. Hale, ladies and gentlemen. Let us get down to business and run our country. We do not need to be dumping more dirt on the White House.

VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 395 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 395

Resolved That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4092) to control and prevent crime. The first reading of the bill shall be dispensed with. All points of order against the bill and against its consideration are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the Committee of the Whole House shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House. The requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to a resolution reported on or before the legislative day of March 23, 1994, providing for further consideration or disposition of the bill.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purpose of debate only.

Mr. Speaker, House Resolution 395 is the first rule providing for the consideration of H.R. 4092, the Violent Crime Control and Law Enforcement Act. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary. The rule waives all points of order against the bill and against its consideration. The rule provides that after general debate the committee shall rise without motion and that no further consideration of the bill shall be in order except as subsequently ordered by the House.

Finally, the rule waives clause 4(b) of rule XI against a resolution reported from the Committee on Rules on the legislative day of March 23, 1994, providing for further consideration of H.R. 4092.

Mr. Speaker, this rule will allow the House to begin consideration of H.R. 4092, the Violent Crime Control and Law Enforcement Act. In the State of the Union Address, the President urged Congress to set aside partisan differences and to pass a strong, smart, tough crime bill. In response to this call, the House has before it today a far-reaching bill that does exactly that.

H.R. 4092 is a strong bill that authorizes over $15 billion in funding to address the crime problem on a number of different fronts. This targeting of Federal funds on crime is the largest ever considered by the House of Representatives.

H.R. 4092 authorizes a total of $3.45 billion in Federal grants for 50,000 more cops on the beat. The legislation authorizes a total of $3 billion to help States build new prisons for the incarceration of violent repeat offenders.

H.R. 4092 is a smart bill that focuses on the causes of crime. The bill authorizes $7 billion for community programs intended to prevent crime and targets $525 million for programs providing employment opportunities for young adults in areas with high crime and high unemployment rates. The bill authorizes $100 million to reduce gang activities and the use of illegal drugs by juveniles and authorizes $20 million for programs in which law enforcement and child and family services agencies work together to deal with incidents of violence involving juveniles and children. The bill authorizes $7 million to prevent crime against older Americans.

Finally, H.R. 4092 is a tough bill that expands the Federal death penalty by more than 60 offenses, including drive-by shooting, the murder of a police officer, drug trafficking, and kidnaping. The legislation mandates life imprisonment for a conviction of a Federal violent felony if the defendant previously was convicted of two serious Federal or State drug offenses or violent offenses with a potential sentence of 10 years. It provides that juveniles 13 years or older could be tried as adults for certain violent Federal crimes. The bill overhauls the rules for death row inmates who have exhausted the State appeals process by allowing one Federal appeal within 1 year of the final State decision and requiring States to provide defendants with competent lawyers.

The bill also addresses the problem of violence against women and provides grants to State and local governments for programs to reduce violence against women and punishes those who commit crimes against women. The bill establishes new Federal crimes of interstate domestic violence, stalking, and establishes a national task force on violence against women.

The bill also includes the use of "bootcamps" for youthful first-time offenders. The bill provides $200 million for States to develop new programs to ensure the punishment of youthful offenders, who might otherwise be placed on probation. These grants can be used for alternative punishment such as "bootcamps" which would teach troubled youngsters the value of hard work and instill discipline.

Mr. Speaker, far too many of us no longer feel safe in our own neighborhoods. Violent crime is on the rise across our Nation. H.R. 4092 cannot solve all of society's problems which result in increased violence, but it is an important step in taking hold of the situation and turning this country's crime problem around.

Mr. Speaker, House Resolution 395 is a fair rule that will begin consideration

of this wide-reaching crime bill. I urge my colleagues to support the rule and the bill.

□ 1210

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

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

Mr. Speaker, some say that the House Democratic leadership has been stung by criticism that it has not done enough to combat crime in America—but, not to worry. In an extraordinary election-year frenzy to get an anticrime bill passed before we head home for a 2-week recess, the Democrat leadership has placed the Rules Committee in the center ring of a circus. This circus has provided us with this bill, H.R. 4092, the 1994 omnibus crime bill. It is a compilation of almost two dozen freestanding anticrime proposals, all rolled into one bill. The distinguished chairman of the Judiciary Committee, Mr. BROOKS, described this bill as carefully balanced and primarily made up of measures this House has dealt with in the past. But, Mr. Speaker, we have 114 new Members of this House who were not here for debate the last time an omnibus crime package came through. Even Members who have been around for awhile believe this bill needs to be improved.

These amendments, weighing in at a modest 10 pounds, are the 179 amendments that were filed with the Rules Committee for consideration along with the crime bill—99 by Democrats and 80 by Republicans—offered by more than 100 Members, almost one-fourth of this House. All of these ideas come even though there is no composite committee report for H.R. 4092.

We now embark on a contorted and confusing process of debate that will lead us through three separate rules. That is why I have labeled this sort of a three-ring circus, but given the nature of what we are talking about. Perhaps we should call this the "three strikes and you're out" rule. And it is the Members who are out. This rule invokes a special procedure known as the "two-thirds martial law rule," designed to pave the way for a second crime bill rule later today, without the customary overnight layover. The second rule will likely include a batch of amendments of high priority to the majority and the minority, so we can advance this debate throughout the day. Then we can expect a third rule tomorrow, to deal with the remaining amendments and wind this whole performance up in time to go home and tell people we did something about crime.

There is no dispute about the importance of beefing up our Federal crime laws—in fact, the Republicans introduced a comprehensive anticrime initiative last August 4, a bill that now carries 95 cosponsors. Late last fall, when the other body passed a substantive crime control bill, the minority pleaded with the majority leadership to consider our bill in the House. No chance. But now things look a bit different. After all, it is 1994 and Americans go back to the election booths in just a few short months with concerns about the rise in crime foremost on their minds. Perhaps that explains the seemingly sudden sense of urgency on the part of our Democrat counterparts.

We all know that our constituents do not feel safe—in neighborhoods, shopping centers, schools, and even homes and cars. As Federal legislators we walk a narrow tightrope—setting the tone, providing the tools and then getting out of the way so local law enforcement can do its job. Above all, we must not pass a gutless crime bill simply to say we did something. Logic tells us if we put criminals in jail, they cannot commit more crimes. If we ensure that justice is swift and sure by doing away with endless appeals, we save the States money that can be channeled into other crime-fighting initiatives.

When people know they will be caught and punished if they commit a crime, fewer will take the risk. And if we reinforce the importance of our children saying "no" to drugs, "no" to sex and "no" to criminal behavior while saying "yes" to responsibility, then we can put a stop to the tragic cycle of juvenile violence.

Still, as important as tough and meaningful Federal legislation is, it is only one step along a very long road. The violence and despair we face is rooted in our communities, not within the thick white walls of this Capitol building. We simply have to restore education, discipline, and adherence to some basic values, especially respect for others, decency, a sense of community and individual accountability.

Back in my district recently, I saw a very disturbing sign of the times. Instead of the familiar "my child is an honor student" bumper sticker, a car boasted the slogan, "my child beat up your honor student." How far have we come?

Mr. Speaker, in the next day and a half Members will have a brief chance to explore some of the things that this Federal Government can do to assist communities and law enforcement in reversing the trend of violence, drug abuse and broken homes. It is just not enough time and the American people expect more. I wish we had organized full debate and deliberation after the Easter recess to take up this crucial topic—in a more orderly and less-rushed format. For that reason, I must oppose this rule. Crime control is simply too important to be used as a convenient election-year gimmick.

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

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of this rule and in support of H.R. 4092, the Violent Crime Control and Law Enforcement Act of 1994.

H.R. 4092 is the strongest anticrime bill this House has ever considered. I am glad that we have finally moved it to the floor, so that we can translate our rhetoric about crime into reality.

The answer too many children give when asked, "What do you want to be when you grow up?" is: "I just want to grow up." Far too many of America's young people live in an atmosphere of pervasive violence that destroys their hope for the future.

I would like to read part of a letter I recently received from one young constituent. He wrote:

> I am a freshman at Cornell University. I grew up in Rochester, New York and I have been personally affected by the deterioration of our American cities. Last summer, when we were 17 years old, a friend and I were carjacked and driven around Rochester at gunpoint by two other 17-year-olds. We survived, but two weeks later another friend was murdered by gang members. Upon returning from Cornell for [Christmas], I learned that an 18-year-old girl from my neighborhood was carjacked and then shot in the head and chest. She died, too. Homicide statistics in the morning paper sure become a little more vivid when you become a part of them.

Mr. Speaker, this bill fights crime on two tracks. On one hand, it strengthens our neighborhoods with ounce of prevention programs, community policing, and efforts to reduce gang activities. At the same time, the bill's provisions on law enforcement and three-time losers ensure that serious offenders are prosecuted and put behind bars—for good.

Our first responsibility is to those who sent us here. We owe them a bill that restores their freedom to walk the streets without fear—and even to daydream about the future sometimes. We cannot afford any further delay in fulfilling this promise.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Wisconsin [Mr. SENSENBRENNER], a member of the committee.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to this resolution. I do so not because the time is not here to debate the crime bill, because it is, but because this resolution takes away a significant tool for the Members to know what they are voting on.

By waiving all points of order, which this resolution does, and this waiver will be applicable toward rules II, III, and IV, the requirement that a committee report explaining the arguments and the details of what is about ready to come before the House is

waived. That committee report is very important from a number of standpoints.

First, it is important to describe the various features of this comprehensive bill, which is an amalgamation and a conglomeration of several other bills that have been reported from the Committee on the Judiciary.

Second, the committee report would inform the Members as to the total cost of this legislation, because the rules require that committee reports contain a cost estimate by the Congressional Budget Office, as well as an estimate as to the impact on inflation.

We are dealing here with major amounts of money, and we ought to be giving thought to make sure that this money is being effectively spent, rather than going back to the knee-jerk reaction of the Great Society, where Congress simply threw money at problems and was not very concerned about the administration of those funds or what good those funds would bring about.

I have heard estimates that say the cost of this bill ranges from $12 billion to $22 billion over the next 5 years. That is not small change. I think that that requires a very good look by the House as a whole as to how these programs are being set up and how these funds are to be administered.

Second, I am concerned that there is no funding mechanism involved in this legislation. When the other body passed the crime bill, they established a trust fund which would be used to finance programs like cops on the beat and drug treatment in prisons and things like that, for which there is no real substantive argument.

Here we are not establishing a trust fund. There is no amendment to make a trust fund in order, so we are just having an empty promise of an unfunded authorization bill at a time when the Congress and the country are living under discretionary spending caps. Without a funding mechanism, every dime that is authorized in this bill will end up requiring a 10 cent for 10 cent reduction in other programs that are presently funded by the Congress.

To combat crime, we have to be tough on prevention, as well as backing up our promises.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 4 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker I am proud to support the bill and the fine efforts of the committee to bring this bill out. As a former sheriff, I have a couple of amendments that I would like to discuss on this bill. I think they are important and make the bill favorable.

First of all, many times you have individuals that provide the testimony that gets a conviction in a courtroom. Some of these individuals are convicted and some of these felons say, "When I get out of jail, I'm going to hurt you. I'm going to get you, Judge," or "I'm going to get you who turned that evidence against me."

After they come out, as evidenced by an article in the Reader's Digest, too often they come back and live up to that promise, and they literally at times have not only hurt some of those victims or some of those people who have brought the evidence, they have killed them as well.

The first Traficant amendment says 30 days prior to release they notify the principals that this felon is being released into the community, the victims, the people that gave the testimony against them, the judge and the jury, anybody who was involved in that that may be a principal.

Second of all, we are talking about nonviolent offenders and the deterrence of crime. The worst day I had as a sheriff is when a young man was raped in the Mahoney County jail. That's right, raped. There was no reason for that nonviolent offender to be in that jail.

The Traficant amendment says the judge will have options, and could in fact put the wrist bracelet on, with the devices where they could monitor them in their own home, and let them pay big fines. The bottom line is, though the Traficant amendment says that the judge could also order that their picture be published with the offense they have committed, and they are responsible to pay for that photograph, and let the community know. That would probably serve as the greatest deterrent Congress could possibly pass.

The last amendment deals with disabled police officers, those who have been injured or disabled in the line of duty. It calls for the establishment of counseling centers for many of these disabled, wounded, or officers who end up losing their homes, losing their marriages, because of their job and because of the injury they sustain. It creates a fund, $3 million, to establish these regional counseling centers that can work with the policemen that are so affected to try and help to bring them around.

I would appreciate it if the committee would give an opportunity for these amendments as we come down to a more specific rule, and I would hope that they would be included in the list of amendments.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from San Dimas, CA, Mr. DREIER, a distinguished member of the Committee on Rules.

Mr. DREIER. I thank my friend from Sanibel for yielding me the time. I congratulate him for his very fine statement.

I listened to my friend, the sheriff from Ohio, talking about his amendments that he hopes to include in this bill. The fact that he is talking about his amendments and the other 177 amendments that we are now hearing upstairs in the Committee on Rules leads me to join the gentleman from Florida [Mr. GOSS] in opposing this rule.

Why? Well, here we are talking about a very important crime bill, and this rule grants an hour of general debate, but what are we going to debate?

□ 1230

We do not know what amendments are going to be allowed under this rule that is finally going to come down that will make that determination. So it is a very sad commentary on where we are today when we want to proceed with discussions on legislation that we have not even seen.

Yes, we have the bill upstairs. The bill is this thick, as the gentleman from Florida [Mr. GOSS] pointed out. The stack of amendments is about three times as thick, so let us do this in an orderly way. Let us make a determination what amendments are going to be considered when we bring this to the floor and allow general debate to take place around those amendments. I thank my friend for yielding.

Mr. DERRICK. Mr. Speaker, I yield such time as he many consume to the distinguished chairman of the Committee on the Judiciary, Mr. BROOKS.

Mr. BROOKS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of the rule.

The debate over the crime bill last Congress is instructive in considering the rule today. At that time, the Rules Committee permitted about 50 amendments to be made in order under the rule adopted by the House. As usual, I think that the Rules Committee both then and now is striving to achieve exactly the right balance and mix: enough amendments and alternatives to allow a good healthy debate of the major issues, but not so many that the House cannot finish its work because of overlapping and duplicating amendments.

I should note that during the recent markup in the Judiciary Committee of 13 of the underlying bills included in H.R. 4092, 63 different amendments were proposed: 24 of them were adopted, another 24 were defeated, and 15 others were either ruled nongermane or withdrawn. And let us also remember that almost half of the provisions of the bill before us have already been formally adopted by the House by votes such as 421 to 0, 422 to 0, 413 to 23, and 394 to 32.

Some of the issues garnering considerable debate in committee included the three strikes you're out proposal, the grants to States for prison construction provisions, death penalty and procedures, the crime prevention pro-

posals, habeas corpus, and racial justice.

It is my belief that the alternative proposals made in order under the rule for the major sections of the bill are both fair and appropriate to the offerors on both sides of the aisle. As I said at the Rules Committee yesterday, I believe that my colleagues on the other side should be given a fair chance to debate their major proposals and this rule addresses that need.

I know there are some who ask why we do not delay consideration of the bill because so many amendments have been filed and because the House has not had sufficient time to consider the committee's work product. But in response to that argument I say to all of my colleagues—do not fall for the delay trick. The bill tracks very closely the work product of the crime conference report adopted by the 102d Congress. I reject those who want to wait till late spring or early summer to vote. We have had an overabundance of process in crafting this bill and remaining open to major amendments. It is time to move forward. I urge a "yes" vote on the rule so we can get on with passing the crime bill.

Mr. GOSS. Mr. Speaker, I will just briefly tell the distinguished chairman that I have here what looks like the "Congressional Directory" in front of me. It is not. In fact it is just a list of the Members that wish to testify at the other ring of this circus up in the Rules Committee right now, and I know he appreciates the hard work the Rules Committee does and we appreciate the hard work his committee does. But we do not want to do your work and you do not want to do our work, and we are simply suggesting perhaps, Mr. Speaker, that the work is not yet complete because there are so many Members who feel that they have something to contribute to this piece of legislation.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from the Commonwealth of Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, one of the important elements that is contained in the bill that we are going to be considering in both general debate and then which will itself be subjected to amendments later, is the death penalty to which the chairman has alluded in his remarks.

In the past, we have had monumental discussion and debate over this important issue. We ought to begin this debate and make it abundantly clear that the American people support by overwhelming majorities the imposition of the death penalty in the brutal murders that they read about day after day or see depicted on television.

We have been struggling for a generation in this Chamber to convince those who oppose the death penalty, those Members of Congress who oppose the death penalty, that first we ought to have a death penalty and second that they should not stand in the way, those who oppose the death penalty, in crafting procedures so that the death penalty, when imposed, will meet the constitutional standards and not just line up people on death row who, with appeal after appeal, will avert the final judgment that has been conferred upon them by their fellow citizens.

This is an important portion of the debate which is forecast now by me in which I want to lay down some forecasts and some warnings.

The bill as it is now contained on the death penalty allows so much discretion in the jury that will be deciding life or death for the brutal murder who has already been convicted theoretically in a previous trial, and now the punishment is being decided, a brutal murderer has been convicted of that murder and now the convict is in front of the death penalty jury.

The way the bill is now crafted there is so much discretion left in the jury as to what guidelines to confer on the process to determine whether or not a person should have the death penalty that it becomes unconstitutional and reverts back to the 1970's where the Supreme Court said with too much discretion in the jury they can, on the basis of favor or prejudice, find either death or life not on the facts but on how they feel about a certain defendant and how that defendant looks to them.

And so my amendments, which I hope will become in order, will tighten up the procedure and allow guidelines for the jury to be able to impose the death penalty in proper brutal cases and be confirmed by the Supreme Court.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the distinguished gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman from South Carolina for yielding me this time.

Mr. Speaker, I would simply say to my colleagues, what is all of the fuss about? The folks on the other side of the aisle have been importuning us that we must do something about crime. I have agreed with them.

□ 1240

I felt we have to do more about crime. I feel that we have a comprehensive and broad bill, and we have to have a bill that is paid for, and so what is happening is because we have been, since session has gotten back with hearings and subcommittee and full committee markup, we do not want to get caught in a conference that drags on through the summer.

Yes, we are moving as quickly as we can to get a crime bill on the floor.

Now, I understand all of our concerns. I have amendments, the gentleman from New Mexico has amendments, everyone has amendments; they want to see them in order. But I can tell you this, that there will be a second rule, and maybe a third. Nothing wrong with that, in my judgment.

The question is, Will the rule be fair or unfair; will it allow the great debates to occur on the issues that face us; will they allow us to debate the death penalty; will they allow us to debate three strikes and you are out; will they allow us to debate the programs that we have put into the bill? My strong feeling is that they will.

So I would ask my colleagues on the other side of the aisle not to prejudge but wait and just see. Sure, we do not have to do the rule now. We could wait until everything is worked out in the Committee on Rules, and I admit that that is the regular order, and then maybe we will not have a bill for 3 more weeks come to the floor.

We have momentum now. We have some degree of consensus. We do not agree on everything, but the broad outlines of a crime bill that says punish those who commit violent crimes toughly and prevent, particularly, smartly, by focusing on youth who could go one way or the other. That is basically in agreement. The details do remain to be worked out, but I would plead with my colleagues not to slow down what we are doing. Wait and see. See what the rules yield.

My guess is that my colleagues will be quite pleased that every major issue will be debated and voted upon by this body and that we will emerge by Friday afternoon with a bill that almost every one of us can be very proud of, a bill that for the first time deals with both punishment and prevention and for the first time puts its money where its mouth is and says we are not going to just talk about programs, we are actually going to create them and implement them.

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

Mr. Speaker, I found the remarks of the gentleman from New York very interesting, because this is the part of the debate about the Committee on Rules. The Committee on Rules is trying to determine what we are going to bring to the floor. About half the reports on this bill have not yet been filed. Yes, some have been filed, as the chairman, the gentleman from Texas [Mr. BROOKS] said, but a great many have not.

It is very hard for us to tell what the debate is going to be about and who is or is not going to have a chance to have deliberative democracy at work on their proposals and ideas on this, because we do not know yet.

Why are we here trying to pass a rule when we do not know what the rule is?

Mr. Speaker, I yield 4 minutes to my colleague, the very distinguished gentleman from New Mexico [Mr. SCHIFF], who is a former prosecutor and a former defense attorney who knows a good deal about this subject.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to continue with the subject I brought up before my colleagues earlier this morning about the subject of repeat offenders.

Of all the different aspects of trying to solve the problem of crime, which is a complex problem in my judgment, the single most identifiable problem is the repeat offender. That is the individual who has chosen to commit crimes as a career. That is why they are also called career criminals. These individuals, depending on the crime they have selected, may commit three, four, five offenses a day, but whatever it is, it is 7 days a week, 365 days a year.

The career criminal, the repeat offender, is addressed in this bill under the provision three strikes and you are out. Three strikes and you are out is commonly discussed across the country. The problem is that in general it means three crimes, in this case, three violent crimes and mandatory life in prison.

Nevertheless, that is a general idea. The idea of the specifics of three strikes and you are out can vary considerably from legislature to legislature to the Congress.

For example, the legislature in the State of New Mexico where I am from just passed a three-stikes-and-you-are-out bill, but the definition of the crimes that would apply to become one of those strikes is so narrow that I doubt it will apply ever, ever to very many criminals. It is not effective in the least.

Here in this bill, a strike is not defined as an offense. The list of offenses, although I think it can be increased and improved, is basically a decent list of offenses. Nevertheless, a strike is not a crime by itself.

In other words, if somebody commits three murders, murders three people in a row sitting right here, that is one strike. If a person murders someone on Monday, murders someone on Tuesday, and murders someone on Wednesday, that is one strike, not three strikes. Neither of those examples are three strikes.

Why not? Because the definition of a strike in the bill before us is not the crime but the conviction for the crime. Before you can move from a crime or set of crimes as a first strike to a second strike, there has to be an intervening conviction. There has to be a conviction so the individual can be punished, have a chance to reflect on their ways and decide not to be a repeat offender.

With that in mind, I would suggest that if we are going to be dealing with violent criminals, two strikes, that is, two convictions for violent crimes should warrant mandatory life in prison.

Now, in committee, in the Committee on the Judiciary where I serve, that idea was rejected by the majority on the idea that somebody could make, well, a mistake when they are 19 years old and then, well, another mistake when they are 39 years old, and, hence, be subject to mandatory life in prison.

In all honesty, Mr. Speaker, I do not think it works that way. I do not think somebody commits a murder, a rape, an armed robbery, goes to Harvard, gets an MBA, joins the Peace Corps for a couple years, comes back, and commits another murder or rape or armed robbery. I do not think that happens.

I submit essentially you have a career criminal.

I am going to offer the two strikes and you are out to the Committee on Rules. I have done so, and I hope they make it in order and we can vote on it.

But I have offered an alternative. If two strikes, that is, two convictions for violent crime is rejected for the reasons given, the alternative I would offer to the House of Representatives is as follows: if the first strike, that is, the first conviction is for a series of the same crime, that is, two or more armed robberies, two or more rapes, or two or more murders and so forth or the equivalents under Federal law and then there is a conviction and then there is another series of the same offense, two or more armed robberies and so forth, that person is a career criminal. That person, under my alternative amendment, would have committed at least four individual acts of violent felonies.

Under that situation, I am arguing that those should be two strikes that put a career criminal away for life. It makes no sense to give a serial criminal a third chance to go out and be a serial criminal.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida [Mr. McCOLLUM], a member of the Committee on the Judiciary.

Mr. McCOLLUM. Mr. Speaker, I think that the gentleman earlier has made good points about the process.

I do not have any question at all about the genuine sincerity of the Members working to prepare a rule or to bring this bill forward, but to suggest that those of us who are concerned about how quickly this process is moving and how kind of messed up it seems to be over these 3 days, for them to suggest we want to delay this bill is disingenuous. We do not want to on this side. We very strongly want to see crime legislation out.

In fact, a lot of Republicans were concerned because we did not see this bill out last year before the August recess, certainly before the November recess, and we made our complaints known at the time that the serial bills were brought up, some of the smaller bills that are incorporated in this larger one we are going to debate today and tomorrow and presumably the next day.

Our concern is how, over the last couple of weeks, we have suddenly rushed to judgment with so many times and hours in markup in the subcommittee and then the full committee, and now to get this bill out just before we go on this recess, the haphazard process with which the Committee on Rules is considering the amendments before us, which makes it very difficult for the minority to get its amendments in order, to get itself heard, to make those decisions that are important to go to the floor.

A number of my colleagues have expressed those concerns to me. They are simply procedural in nature, and I think they should be recognized as that with some justification.

Sixty-five Americans are murdered and 288 Americans are raped each and every day in this country. A boy born in 1974 stands a greater chance of being a homicide victim than a soldier in World War II stood of dying in combat. Nine hundred and seventy-nine criminals are released early from prison every day, and approximately 6,000 convicted rapists received no prison sentence at all last year.

I would suggest those figures and that data tell us why the American people are so anxious for us to enact Federal criminal laws that provide leadership across the board to the States and to everybody involved in this war against the violent criminal and why this legislation we are about to consider is so important.

□ 1250

The product that is coming out today is a hobgoblin of all kinds of things, many of them well intentioned. But the primary concern that this Member has and I think most on our side of the aisle have is that when all is said and done, the limited resources we have are devoted to the real problem, the primary problem that we must address, which is applying a tourniquet to those bleeding to death, in the straight, literal sense of the word, from violent repeat offenders, those who are getting out, those 6 percent or so who are committing 70 to 80 percent of the violent crimes and serving about a third of their sentences in this country.

We must stop that revolving door, we must incapacitate those who are committing these heinous, violent crimes again and again. And only when we do that can we turn our attention and the limited resources the Nation has to fight crime to some of the root-cause problems that exist. That is not to say we ignore them in the meantime, it is just to say that the high priority out of this legislation and all others in the States going on today has to be directed to this violent criminal crisis that we have in this country.

To anything less than that, to do anything less than moving toward truth-in-sentencing so that we really

send a message that puts deterrence back in our criminal justice systems, with swiftness and certainty to send a message to the criminals is to not do the job the American people expect us to do because we will not be stopping the crisis we have today.

So as we look at the amendments that come down the road, the most important ones deal with this subject, how do we move on, how do we send a message? Put truth-in-sentencing so that we require everybody to serve at least 85 percent of their sentences. There is a big incentive to the States to do that; Federal laws are not sufficient. We have got to be able to encourage the States, though we do not pass the State laws here, we need to find ways to do this, such as the prison grant program, attaching eligibility requirements that encourage in reasonable fashion States to do such things; get to pretrial detention, get to appropriate mandatory sentences for these very bad people and take them off the streets; end the endless appeals of death-row inmates that do not have the burden that this bill would do that would cause the prosecutors never to be able to carry out or have carried out the death penalty again in this country.

We need to get to the point where we are sending the message to deter the violent criminal and take the worst off the streets for a very long period of time, including the "three strikes and you're out" legislation, which all of us certainly support not only here but in the States.

So I do not know what the rest of the rule is going to look like any more than anyone else here does today, but I am deeply concerned, I say to the gentleman from Florida, because it might not contain the things we want to, because we must have the opportunity to amend the bill. The bill, in its present form, is not a good bill. It has some good features in it, but it is not doing the job that is necessary.

So I thank the gentleman for yielding and letting me explain the thought premises involved in this debate.

Mr. DERRICK. Mr. Speaker, I reserve the balance of my time, and I reserve the right to close. I have one speaker remaining.

Mr. GOSS. Mr. Speaker, we have no other speakers besides myself. So I presume we can get on with this rather quickly. I yield myself the balance of my time.

I want to say in summation what we have been talking about here on this rule—and we are talking about the rule—this is very serious business. We are talking about a criminal justice bill, but we are talking about the rule, and that is a little something different.

In terms of criminal justice, we all know we want a program that is smart, we want a program that is tough, and we also want a program that is complete. And that is what our concern is. We have so much to weigh in such a short period of time that it is virtually certain that we cannot complete it in an organized, efficient and accurate management way. It just simply cannot be done, given the volume of paper.

That means somebody is going to get left out, some good ideas are going to be missing, and we will probably have some unintended consequences that will be extremely negative. That seems to be what happens when we rush legislation.

Nobody can say the Republicans have delayed or tried to delay. We have been ready and willing since August 4 with a package—August 4 of last year—and now here we are on March 23, suddenly confronted with a work period or holiday deadline saying, "Oh, my gosh, what we talked about in August and pleaded for in August of last year we suddenly now have to get done so that when Members go home they are comfortable and do not get asked embarrassing questions about 'why haven't you done anything on those initiatives about getting tough on crime that the Republicans brought forward last August?'"

Well, I understand that. I sympathize. Everybody would like the comfort of being able to say what is going on. But nobody wants to report that we did a sloppy, incomplete, or poor job on a bill that is so important.

I think that I am speaking of the rule now, and I am characterizing, I think, the way in my view it is being sold. That is the way the rule is being sold by the leadership on this. They are trying to convince the Members that this is a little bit like buying baloney, you get it a slice at a time, "Trust us, it is going to be good, but you are just going to get it a slice at a time." But we are going to take at least three cuts at this rule.

Let me tell you what that means: If you come in here and say, well, this is not a malevolent rule, 1 hour of general debate, no problem, I can support that. But what you do not know is how much further you are going to be brought along, it is like a fish nibbling ever closer to taking the bait and grabbing that hook, because by the time we get to the third slice of this particular piece of baloney, you are going to find that you do not have a choice and a lot of Members are going to find they got locked out, left out, and we will not have completed deliberation. That is my big concern with this. We start out with what is benign and we end up with something that is not quite as benign when we are through.

I would guess it is not fair to say that 1 hour of general debate is enough on this. How many hours have we debated on the balanced budget amendment? How many hours have we debated other subjects? Crime is probably No. 1 out there in the polls in this country. One hour is not enough, surely.

What are we going to debate anyway? Are we just going to discuss—go back and check that in the process indeed about half of the reports have not been filed? So we really do not know what is in the bill or what is not going to be in the bill, because we still have all these amendments to do as you go along.

We have had testimony upstairs, alternating our time between the floor and our hearing room. The committee upstairs had testimony coming from Members. "Well, I didn't have a chance to finish this," in front of the committee, or, "We are trying to work this out with Chairman BROOKS in some other way," or, "We are going to try to work this out in some other way," or, "We are going to get together and see if we can communicate some amendments."

This is really a strange way to go through the legislative process. Frankly, in my 5 years, I have never seen anything quite like this so far.

I guess what I conclude with is that this is simply just not ready to bring forward to this House. I know there is greater urgency to move this bill. I want to move it too because I want to say Congress has done a great job on crime. But it is more important to me to say we have done a great job on crime and then be able to deliver the product than to say we have done a great job on crime and come up with a gutless bill.

That is my fear, and that is why I am going to urge a "no" vote on this rule.

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

Mr. DERRICK. Mr. Speaker, I yield myself the balance of my time.

This is a fair rule, and it is not unprecedented. This is the way we have handled bills that get as involved as this one. There are before the Committee on Rules at this time 176 amendments that we are trying to deal with. It is impossible to deal with all of that in the so-called one ball-of-wax. What we are trying to do is get a crime bill passed as expeditiously as possible. It makes, to me at least, common sense that we go ahead and take care of the general debate.

What will be made in order will be voted on this House, whether it be one more rule, two more rules, or three more rules. I cannot think of a fairer way to do it.

You know, I do not think there is a more important bill that comes before or that is going to come before this Congress.

We are daily giving up our freedom in this country or ours. For over 200 years we have been known as the land of the free. We are no longer the land of the free because we are no longer free to walk the streets and byways of this country without fear of great bodily harm to ourselves and to our families and to our friends.

There is no more important bill than this. I hope that we are going to make some concrete steps forward.

You know, we have more people incarcerated in prisons in this country per capita than any other nation in the world, and we keep building them. We cannot build them fast enough. But it does not seem to help the crime rate. I was looking at a television program last night.

□ 1300

I see where the Chinese shipped over 1 million cheap rifles into this country last year. Now these are not rifles used for hunting. These are rifles that are used to kill people. And what are they doing with the profits? According to the news, Mr. Speaker, they are using it to help build up their military.

As my colleagues know, we have lost whatever judgment we ever had about this society of ours and what we are letting happen to it daily. I say to my colleagues, "I mean, you know, you don't have to be locked in a jail to lose your freedom. All you have to do is to be like me, to have a home within four or five blocks of our Nation's Capitol with the most sophisticated burglar alarm, to pull up in front of your house and to look up and down the street to make sure you have a quick run into the house so that you know there aren't any suspicious characters around. As you ride down the street and you stop at stop lights, you look over next to you and wonder, wonder if there might be a gun on the seat of that car next to you and, just for the heck of it, your head will be blown off."

Mr. Speaker, this is imprisonment. This is imprisonment, and we daily are becoming more and more imprisoned in this country. And why? We fail to realize it, but we fail to take steps to do anything about the gun culture in this country.

And then I ask, "Why don't we take steps to do something about the abuse of drugs in this country that contribute to 80 percent of the people who are locked up in State and Federal incarceration today?"

It is beyond me. I do not know what it is going to take.

But I can assure my colleagues that it is not going to be pleasant, what is going to happen if we do not do something, and we are going to have given away everything that this country ever meant. We are going to have given away everything that our forebears fought and died for just because we do not have the intestinal fortitude to deal with the problem today.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 240, nays 175, not voting 18, as follows:

[Roll No. 84]

YEAS—240

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

NAYS—175

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

NOT VOTING—18

Andrews (NJ)
Bryant
Gallo
Gonzalez
Lambert
LaRocco
Mazzoli
McMillan
Moran
Natcher
Ortiz
Pelosi
Spratt
Taylor (MS)
Towns
Washington
Weldon
Woolsey

□ 1322

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to House Resolution 395 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4092.

□ 1324

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the State of the Union for the consideration of the bill (H.R. 4092) to control and prevent crime, with Mr. TORRICELLI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 30 minutes, and the gentleman from Florida [Mr. MCCOLLUM] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to appear today on behalf of the Committee on the Judiciary to begin general debate on H.R. 4092, the Violent Crime Control and Law Enforcement Act of 1994. The legislation is the result of perhaps the most extensive review of policy and substance surrounding the complex issue of crime in the past 15 years.

There is a simple, irreducible reason why crime—both its punishment and prevention—is the preeminent issue on the minds of most American citizens: it is because no force is more damaging to the fabric of national life than acts of violence against person and property. We cannot as a people be truly free when we live in fear; and there is none among us who has not at one time felt fear in the workplace, in one's neighborhood, and, yes in one's own home.

Crime also has a corrosive effect on a society. By draining the energy and resources of the Government from more productive pursuits, crime stifles economic progress and impedes the development of a standard of living to allow our citizens to enjoy the fruits of their labor, and their freedom as Americans.

The omnibus legislation before you is carefully balanced: it's hardnosed about punishment yet forward looking in seeking to prevent a whole new generation from going down the wrong road. We can do no less. From the outset, our purpose has been to construct a bill that can reach the President's desk and not be a hodge-podge of ill-conceived initiatives. To this end, the legislation before you is respectful of the States and the important historical role they have played in this arena. Unlike some other legislation, H.R. 4092 avoids placing undue burdens on the States in the area of prison enhancement, and, equally important, does not seek to federalize every crime under the Sun. That is because we have to be realistic and acknowledge up front an undeniable fact: As hard as we try at the Federal level, no omnibus legislation can be a panacea for crime afflicting our neighborhoods. Only 4 percent of all serious criminal convictions are obtained in Federal courts; 96 percent of all crime control efforts occur at the State and local level. We cannot forget that fact in placing our efforts in perspective today.

Will we be able to maintain this balance between punishment and prevention between Federal assistance and primary authority vested in the States? Judging from past experience it will be difficult, indeed. All of us have witnessed the spectacle in the other body where a 962-page bill was created—almost in a spirit of default. Sponsors of amendments accepted widely divergent amendments on the stipulation that their amendments would be accepted in turn. When we go to conference, conferees will have their hands full, trying to see that the equilibrium represented by H.R. 4092 is not torn asunder.

I am proud to say that Members on both sides of the aisle in this body have labored diligently to craft a cohesive, comprehensive piece of legislation. Subcommittee chairmen SCHUMER, HUGHES, and EDWARDS conducted some of the most probing hearings on crime issues seen on the Hill in the past 20 years. They were ably assisted by Republicans such as Congressmen MCCOLLUM, HYDE, SENSENBRENNER, SCHIFF, and RAMSTAD in trying to create a crime policy that makes sense and lays the framework for future work. I commend them all.

It is clear to me that our work here today is really part of a larger debate—a debate among the national family of citizens about what values we wish to address and be identified with as a people. As with any family decision, there has to be firm resolve to make hard decisions and abide by them—but also spend the time needed with the young among us to help them understand what is needed to lead productive and fulfilling lives.

□ 1330

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

Mr. MCCOLLUM. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, all of us are here today for the same purpose. We all want to see the crime crisis that faces this country today, the repeat violent offender crime crisis addressed the best way we know how.

Federal law itself is not the total answer, because most of these crimes, as the distinguished chairman from Texas has said, are State crimes. We need to form a Federal-State partnership. We need to reach out. We need to provide leadership. We need to do those things that are essential to solve this critical problem facing our Nation today.

Statistics do not tell everything, but they tell a lot. Five million Americans are victims of violent crime every year in this country. Sixty-five Americans are murdered and 288 are raped each and every day. A boy born in 1974 stands a greater chance of being a homicide victim than a soldier in World War II stood of dying in combat. Nine hundred and seventy-nine criminals are released early from prison every day, and approximately 6,000 convicted rapists received no prison sentence at all last year.

An estimated 60,000 violent offenders will not go to prison this year, including 1,100 convicted murderers and 6,900 convicted rapists.

If that sounds shocking to Members, it should. The fact of the matter is that 6 percent of the criminals of this country are committing an average of about 70 to 80 percent of all violent crimes of this country. And they are serving only about a third of their sentences, somewhere around 37 or 38 percent.

We have a revolving door that is letting them out of prison again and again and again. So the first thing we have to do, when we look at this crime legislation today, as thick and voluminous as it is, is to say, is it good enough to do the job of getting these violent criminals off the streets who are repeat offenders and locking them up for long periods of time and throwing away the keys? Anything else that we do in this bill is secondary to that.

I would suggest the bill in its present form does not begin to solve that problem. We need to reach out with a partnership to the States. We are not allowed, because of the germaneness rules of this House, to offer the so-called regional prison concept, but some of us will be supporting an effort to approve a grant program to build more prisons that are absolutely essential under this bill to help the States to provide money to States and State compacts to build them for housing serious violent offenders or alternative nonviolent offenders who would free up prisons for those violent offenders.

But in order to get that money, there should be conditions those States go through to apply and to be eligible for it. One of those conditions is that they pass truth-in-sentencing laws that basically abolish parole for those who are serious violent felons in this country, the repeat offenders who are causing this problem. Make them serve at least 85 percent of their sentences, at least. Have pretrial detention laws denying bail that are at least as restrictive as Federal law. Pass certain minimum mandatory sentences that are appropriate in the most heinous of crimes and provide a three strikes and you are out provision for life sentences like the Federal Government is doing in this bill to apply to the States where most of these crimes are committed.

If we do not do at least that, we will not have accomplished the task that the American public expects or at least to begin that path.

The fact of the matter is, we need to send a message of deterrence. We need to apply a tourniquet, the country is bleeding, the wound is there. It is open,

and we need to apply a tourniquet to stop that bleeding. We have somebody who has been run over by a car and has a severed arm. He may have some other injuries and things that need to be repaired, but before we can get to those other injuries we must apply a tourniquet to stop the arm's bleeding. If we do not stop the bleeding by getting these violent criminals off the streets, we will not have the resources to devote to get at the root causes of crime that some of my colleagues want to do. So I think the measure of this bill needs to be judged on the basis of how we address that problem first and foremost.

Sending a message, saying to somebody that if they get 20 years, they are going to serve 20 years, if they do these violent crimes. If they get the death penalty, it is going to be carried out instead of having endless appeals.

If there is an essence to this legislation, it has to fall in that category. We need to recognize that there are problems that Federal law has created beyond the question of the death penalty procedures and the issue of needing more incarcerations for these criminals to stop the repeat violent felons.

We have court rules today that prohibit search and seizure evidence from coming in to get convictions that we should be getting. We are holding the hands of the police officers behind their backs, and we are not getting the kind of convictions that we should get. Prosecutors and police have demanded a change in the so-called exclusionary rule for years. We should have the opportunity to do that.

We should double the sentences for those who are under 18 and over 65 in order to send a message that when one commits a crime against a young person or an old person, they are going to serve an extra length of time; a message of deterrence by putting swiftness and certainty of punishment back into the system again, to make the criminal justice system work.

I hope that the amendment process, when it is over, and we do not know what it is going to be. We do not know what the rule is on the amendments to be allowed out here today. I hope that when it is all said and done that we will have done enough, that we will have provided this basic framework, this partnership with the States that is required to stop the revolving door and keep violent criminals locked up and put deterrence back in the criminal justice system.

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

Mr. BROOKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. KREIDLER].

Mr. KREIDLER. Mr. Chairman, I rise in support of this measure.

Mr. Chairman, the plague of violence sweeping across this country threatens every family, every neighborhood, every community. Crime statistics fail to tell the full story. Even though some crime rates are down, the fear of crime—especially random, senseless violence—is destroying the quality of life for millions of Americans. In Washington State, the percent of homicides in which the victim was killed by a stranger increased from 12 percent to 28 percent from 1984 to 1992.

We used to think of crime as a problem of the inner cities, and it still is among the greatest problems in urban areas. The congressional district I represent is almost entirely suburban. But in one community of 20,000 people, there were 1,500 violent crimes last year—a rate three-and-a-half times New York City's. Suburban schools are installing metal detectors. Driveby shootings can happen anywhere. Children are killing children.

In the 9th district, we have had our share of tragedies in just the last few months:

Thirteen-year-old Larry Rodgers, stabbed to death in Lacey last November by reputed gang members because of the color of his clothes.

Sixteen-year-old Zachariah Spears, shot to death a few days before Christmas at Sea-Tac Mall.

Fifteen-year-old Shaun Proctor, shot to death in the back on New Year's Day in an apparent robbery attempt in Tukwila.

Sixteen-year-old Tyrone Leon Anthony, gunned down in February during an argument with other teenagers at a Milton convenience store.

Youngsters like these, their families, and our communities deserve security and justice. Those who prey on them deserve punishment. Whatever else we think about the role of government, we all agree that government's first duty is to assure public safety. State and local governments have assumed this duty throughout history, and continue to have primary responsibility. But the Federal Government can and must do more to help.

That is why I support this Violent Crime Control and Law Enforcement Act—a comprehensive, balanced strategy to combat crime and violence.

This bill authorizes $3.45 billion in the next 5 years to pay for up to 50,000 more local police officers across this country. This will help cities in the 9th district like Renton, Sea-Tac, Tenino, and Yelm, which have applied for the more limited funding we authorized last year. Communities like these need more police to patrol the streets, work with neighborhoods and business owners, respond rapidly to crime reports, and arrest offenders. Without adequate policing, we cannot hope to get criminals off our streets.

The bill also includes new sentencing laws that send a powerful message to violent criminals: "Three strikes and you're out!" As a cosponsor of the Three-Time Loser Act, I'm glad we are enacting in Federal law the principle Washington State voters approved last year by a 3 to 1 majority: Anyone who commits three violent felonies, anywhere, gets locked up for good. That's how to protect society from the small group of criminals who do the most harm, over and over again. And it sends a message to all those who might consider violence as a way of life.

Tough sentencing laws won't work unless we have the prison capacity to make them stick. Too often, dangerous offenders have to be released before their sentences expire because prisons are full. Prison construction and operation is very expensive for States as well as the Federal Government. This bill includes $3 billion in the next 5 years to help States ensure that prison space is available for violent repeat offenders.

But no one can afford all the prison cells we'll need if we don't do more to keep young offenders from beginning criminal careers. In one year, more than 18,000 children were held in detention facilities in Washington State. Too many first-time juvenile offenders are either put on probation or locked up with more serious criminals. Some get the message that crime goes unpunished; others get advanced training in criminal behavior, their own "lawbreaking" degree. States like Washington are experimenting with programs like "shock incarceration" or boot camps, restitution and community service, to send a different message to youngsters: Crime does not pay. This bill provides $200 million a year to help these States send that message.

The best way to fight crime, of course, is to prevent it in the first place. That's not just a job for law enforcement, it must involve the whole community. This bill includes $7 billion for community programs to prevent crime, involving schools, parents, social service agencies, and community groups, as well as law enforcement agencies. Programs like after-school tutoring and athletics, job training and placement, substance abuse prevention and treatment, gang and drug resistance education, and others can make the essential difference in thousands of lives.

For women, the greatest threat of violence comes not from strangers but from those whom they know. Roughly 80 percent of sexual assaults against women are committed by someone known to the victim. And more than 4 million women suffer from domestic violence, which Secretary of HHS Donna Shalala rightly calls "terrorism in the home." I am especially pleased this crime bill includes the Violence Against Women Act. I am a cosponsor of this legislation, which would increase training for police and court officials, fund rape prevention and domestic violence shelter programs, toughen laws on protective orders, make interstate stalking a Federal crime, and establish a national task force on violence against women.

No one who cares about public safety can ignore the traffic in illegal firearms and the tremendous damage guns in the wrong hands can do. That's why I support the Youth Handgun Safety Act, which is part of this bill, making it a Federal crime to sell or transfer a handgun, or handgun ammunition, to anyone under 18, or for a minor to possess a handgun. The number of weapons in our schools is hard to believe: In Washington State, school districts reported more than 1,700 guns or knives in possession of students last year.

Another important provision in the bill is the Crimes Against Children Registration Act, which would require States to register people who have committed crimes against children, including sexual offenses, for 10 years after their release from prison. I have also cosponsored legislation to allow the Federal Government to garnish Federal pensions for court-ordered child abuse payments.

The crime bill also allows State and local governments to use Federal funds for improving DNA identification systems, and provides for standards for the accuracy of DNA testing. This new technology allows identification of criminals, especially those who commit violent crimes, from evidence that would not have been available just a few years ago. DNA testing offers the chance to convict criminals who would otherwise go free.

I also strongly support the provisions in this bill that would require enhanced sentencing for those who commit crimes motivated by racial or religious hatred. There is no place in our country for those who commit hate crimes.

Laws like these will help make our communities safer for everyone. But every community's first line of defense against crime is its own citizens. No matter how many police officers patrol our streets, how many years we lock people up, how much we spend on social services, we will never be safe unless we reclaim our own neighborhoods. That means we must rebuild the sense of community and the strengths of family life that once sustained us.

We must not allow children to grow up in a world where violence is a way of life, where gangs and drug dealing are the only future they can see, where deadly weapons are easy for a child to obtain, where children have children and fathers walk away, where there is no refuge from violence in the school, the neighborhood, or even the home.

Of course we have to see that the laws are enforced and criminals punished. We have to support our police and send the strongest message to those who would prey on the helpless. But there will never be enough prison cells in this country to hold all the children who are at risk, right now, in every community, if we let them grow up without values, without discipline, without strong families, and without hope.

As a parent and former school board member, I know we can all do more to make our children, our families, and our neighborhoods safer. As Members of Congress, the least we can do is enact this legislation.

Mr. DINGELL. Mr. Chairman, H.R. 4092, the Violent Crime Control and Law Enforcement Act of 1994, contains an important proposal that I, along with my colleague, the chairman of the Judiciary Committee, introduced last year. This bill, H.R. 665, is now title IV of H.R. 4092. It would make it a Federal crime to defraud an insurance company. I believe that this new statute will help prevent many of the serious crimes perpetrated by some unscrupulous individuals in the interstate insurance arena.

Title IV of the crime bill is the result of 3 years of hearings conducted by the Energy and Commerce Subcommittee on Oversight and Investigations. These hearings demonstrated that the enforcement of insurance laws and regulations is one of the weakest links in the present insurance regulatory system. States apparently are not collecting adequate information, investigating wrongdoing, or taking legal action against the perpetrators of insurance fraud even when an insolvency results from that fraud. Statutory penalties and remedies also seem out-of-step with the realities of today's insurance market and the interstate and international nature of the business of insurance today. The hearings showed that there is little fear of meaningful administrative sanctions or criminal prosecution, and that there is no Federal deterrent for most complex insurance fraud schemes.

In February 1990, as a result of its hearings, the Oversight and Investigations Subcommittee focused public attention on the need for Federal criminal legislation with its report, "Failed Promises." In this report, the subcommittee examined four major insurance company failures and concluded that existing State remedies were ineffective against the fraudulent behaviors that drove these companies into insolvency:

> [M]ost people involved with obvious wrongdoing at insolvent insurance companies simply walk away with no real investigation of their activities. Many of them continue to be active in the insurance business.

The subcommittee also found that:

> Federal enforcement efforts are greatly restricted because looting an insurance company is not itself a Federal crime, and the 5-year statute of limitations on mail and wire fraud has often run before a case can be successfully developed.

Based on this record, Chairman BROOKS and I introduced the insurance fraud bill, H.R. 3171 in 1991. H.R. 3171 was the predecessor to H.R. 665. It was included in the crime bill that passed the House (H.R. 3371) and a similar bill was included in the Senate crime bill. The insurance fraud provision was ultimately a part of the conference report on the omnibus crime bill in 1992 (H. Rept. 102–405). This conference report was passed by the House but never acted on by the Senate. Chairman BROOKS and I reintroduced the provisions in the 103d Congress as H.R. 665, and it now constitutes title IV of H.R. 4092.

The Dingell-Brooks insurance fraud provision amends the United States Code by adding two new sections to title 18 and by amending existing statutes to provide adequate enforcement against insurance fraud.

New section 1033 establishes specific Federal crimes and strong penalties for willful and material insurance fraud. This section contains five subsections. Subsection (a) would make it a Federal crime to file fraudulent statements with insurance regulators for the purpose of influencing the regulators' decisions. Subsection (b) would make it a Federal crime to embezzle or misappropriate insurance company money, funds, premiums, or credits. Subsection (c) would make it a Federal crime to falsify company records or to deceive its policyholders and creditors about the financial states of an insurance company. Subsection (d) would make it a Federal crime to obstruct the proceedings of insurance regulatory authorities. Subsection (e) would prohibit those who have committed a felony involving dishonesty from engaging in the business of insurance for 5 years.

New section 1034 would authorize the Attorney General to bring a civil action for a money penalty against any person who has violated the provisions of new section 1033. This provision also authorizes injunctive relief to prevent continuing conduct that violates section 1033. Under section 1034, any civil fines for violations of section 1033 would, if the violation contributed to the insurance company being placed in receivership, be remitted to the appropriate State regulator for the benefit of the policyholders, claimants, and creditors of that insurance company. This provision will ensure that those harmed by fraudulent acts will be made whole to the maximum extent possible.

Finally, the provision makes several miscellaneous amendments to other enforcement provisions of title 18. Among these is the adoption of a 10-year statute of limitations for offenses committed under section 1033. This provision reflects the conclusion of "Failed Promises" that more effective deterrence, detection, and punishment of those who perpetrate insurance fraud is critical to safeguarding the solvency of the insurance companies on which American policyholders rely.

There are a few parts of the insurance fraud provision that may benefit from further explanation as to the intent of Congress in enacting them.

Section 1033(a) would make it a Federal crime to file material statements and reports with insurance regulators or to make overvaluations of land, property or securities that are filed with regulators in an attempt to influence their decisions. This subsection requires that the false statements must be "material" to constitute an offense. This is intended to clarify that this subsection applies only to those statements or reports that are materially false in the sense that the statement could reasonably be expected to make a difference in the actions that the regulator takes in reliance on the statement. It is similar to the securities context, in which a "material" fact is one that could reasonably be expected to cause or to induce a person to invest or not to invest. *TSC Industries* v. *Northway, Inc.*, 426 U.S. 438, 449 (1976). See also *United States* v. *Palolicelli*, 505 F.2d 971, 973 (4th Cir. 1974). Thus, under this subsection, a material fact is one that could reasonably be expected to lead an insurance regulator to take an official action.

This concept of materiality is also embodied in the subsection (a) prohibition of overvaluations of land, property, and securities. The prohibition focuses on act—that is, overvaluations—that, by their very nature, involve elements of individual, subjective judgment. By employing the higher standard that the overvaluation be "willful" in order to constitute an offense under this subsection, it is intended, as is the case under this same subsection as to false statements, to incorporate the concepts of materially described above. In fact, under the provision, both the overvaluation offense and the false statement offense specifically require that the prohibited act be done for the purpose of influencing the actions of regulatory officials in order to constitute an offense.

Section 1033(b) makes the willful embezzlement or misappropriation of money or funds an offense. A statute that requires an act to be "willful" in order to constitute an offense requires that the person have the necessary "intent"; that is, the person intended both to commit the act and to violate the law. Therefore, although this provision does not specifically require an "intent to defraud" as an element of the crime, because of the inherently corrupt nature of the prohibited acts, "intent to defraud" is nevertheless an essential element of an offense under this subsection.

Finally, section 1033(e)(1)(A) would exclude from the business of insurance those who have been convicted of any criminal felony involving dishonesty or breach of trust. The term "convicted" is intended to mean a conviction which is final and for which all direct appeals have been exhausted or waived or for which the time in which to file such appeals has lapsed. See, for example, *Martinez-Montoya* v. *INS,* 904 F.2d 1018 (5th Cir. 1990); *In re Ming,* 469 F.2d 1352 (7th Cir. 1972) and *State* v. *Bridwell,* 592 F.2d 520 (Okla. 1979).

Mr. Speaker, insurance fraud is white collar crime. Prosecution, conviction, and incarceration have proven to be very effective in deterring such crimes, yet most people involved with recent cases of obvious fraud at insolvent insurance companies simply walk away with no real investigation of their activities. In fact, many of them continue to be active in the insurance business. It is clear from my subcommittee's hearings and the testimony of the State insurance regulators themselves that the current State criminal statutes and penalties are inadequate to deal with complex insurance fraud, and that States have neither the resources to devote to criminal enforcement of insurance fraud at the State level nor the adequate legal authority to address complex national and international insurance fraud schemes. Title IV of this bill will remedy these problems.

I would like to note that this provision has broad support. The National Association of Insurance Commissioners, the National Conference of State Legislators, the National Association of Casualty and Surety Agents, the National Association of Professional Insurance Agents, the National Association of Mutual Insurance Companies, and the Coalition Against Insurance Fraud have all called for a Federal criminal statute to help insurance regulators deal with the interstate and international nature of many insurance fraud schemes that drive insurance companies into insolvency and harm U.S. insurance consumers.

Insurance is truly an interstate and international business and abuse of insurance companies has also become interstate and international. This new Federal insurance fraud prevention bill will be a strong enforcement tool to bring a stop to criminal fraud in the business of insurance.

I want to thank my colleague, Chairman BROOKS, and the Judiciary Committee for including this insurance fraud provision in H.R. 4092, and I urge its enactment by the House.

Mr. BUYER. Mr. Chairman, I rise in strong support of legislation that is tough on crime. For this reason I must state my opposition to this measure, H.R. 4092, the Violent Crime Control and Law Enforcement Act, because once again Congress is attempting to posture itself as the leader in providing a safe environment for all Americans by getting criminals off the streets. But, do not let the title fool you—what is inside could prove hazardous to Americans' health and property.

H.R. 4092 has been brought before the House with the same Washington mentality of glitz and glamour—a lot of tough talk—only to be backed up by weak substance and misdirected spending. Reading through this bill and you can see the titles: "Federal Death Penalty," "Habeas Corpus Revisions," "Mandatory Minimum Sentencing," "Three Strikes, You're Out," "Violent Repeat Offender Incarceration," "Racial Justice Act," "Crime Prevention and Community Justice," "Victims of Crime Act," "Juvenile Prosecution Act," "Assaults Against Children," "Child Sexual Abuse Prevention," "Insurance Fraud Prevention." These titles give the impression of focusing in on the heart of this Nation's crime epidemic. While a look at the fine print shows several good measures, it clearly defines how this bill places a greater emphasis on funding "hug-a-thug" programs than it does on true law enforcement.

The symptoms of this Nation's ailing crime problems are clear. The Bureau of Justice Statistics has shown that 7 percent of the criminals commit 80 percent of the crimes, yet these violent criminals serve, on average, 37 percent of their sentences. Congress needs to show criminals their actions will not be tolerated. Criminals will receive this message if Congress enacts and expands a true, Federal death penalty and reforms the death row appeals provisions; requires truth-in-sentencing provisions as it provides the necessary funding to incarcerate criminals for their entire sentences and replace the revolving door we now have on our prisons; provides funds for State and local law enforcement agencies to hire additional police officers and acquire the resources they currently lack; enacts stiffer and new mandatory minimum sentences; and, most importantly, corrects the problem our current system has of protecting the rights of the criminal rather than the victim.

H.R. 4092 claims to add 25 new Federal crimes which would be subject to the death penalty; however, it never requires the imposition of the death sentence. The "Racial Justice" provisions undermine the imposition of the death penalty where it is determined to show that race was a statistically significant factor in decisions to seek or impose the death penalty. This provision confuses the question of guilt or innocence with racial considerations that inappropriately merge the issues of capital punishment and racial quotas. If you do the crime, you should do the time. Criminal laws must place the responsibility upon criminal behavior, not society.

Criminals should not serve on death row for life. Congress should limit successive death row appeal petitions to questions of guilt or innocence. H.R. 4092 claims to revise the appeals process. Our current process is plagued with petitions which totally lack merit, clog the Federal district court dockets each year, and allow prisoners on death row to almost indefinitely delay their punishment. However, H.R. 4092 would prolong the process even more. It would generally allow one habeas corpus appeal within 1 year of the final State appeal, relax the rules on when a defendant can appeal by allowing new appeals every time the Supreme Court makes a new procedural ruling, and require a new and costly requirement that at least two lawyers be appointed to represent the defendant at every stage in the process.

H.R. 4092 attempts to provide facilities to keep career criminals locked up; 7 percent of career criminals commit three-fourths of all the rapes and robberies, and virtually all the murders. Statistics have shown that over 60,000 of these convicted, violent criminals never even serve a prison sentence. It is obvious that in order to effectively stop the proliferation of violent crimes and to remove the recidivist criminals from our towns and streets, we must ensure that State's have the resources necessary to incarcerate these criminals for the duration of their sentences.

Congress must provide sufficient resources to the States to accommodate all criminals without strapping them with burdensome requirements or providing luxuries which many Americans do without, such as cable television, carpeting, and air conditioning. H.R. 4092 authorizes $3 billion in Federal grant money to help States build new prisons or improve existing ones. The bill recommends that each State provide assurances that its correctional policies and programs provide sufficiently severe punishment for violent criminals and that criminals serve these sentences.

The title of this bill is just as deceiving as are the provisions included in its prison program. H.R. 4092 does not require States to adopt policies which assure that criminals serve at least 85 percent of their sentences, establish pretrial detention programs, require life imprisonment after a certain number of offenses, allow a defendant's victim or the victim's family to make a statement at the time of sentencing, and notify the victim or the victim's family whenever the defendant is released.

Congress needs to adopt a plan which would provide a flexible, Federal-State regional prison partnership to allow sufficient funds to be used to expand or operate current facilities, as well as construction of new prisons. It should also allow funds to be used to incarcerate both violent and nonviolent offenders, and allow for the Federal Government to fund up to 75 percent of the costs, as long as these funds do not replace State funds.

Finally, H.R. 4092 misdirects spending. More than half of the $15.2 billion authorized by this bill goes to support 10 alternative programs. I do not dispute the merit of many of these programs, nor do I ignore the fact that the disintegration of the family unit, illegitimacy, and government dependence are some of the causes of crime. Congress should deal with these aspects through welfare reform, enterprise zones, and family tax credits. A crime bill should focus on the specific aspects of the criminal justice system to make our streets safe. The Government should realize that it cannot assume the role of head of the American family.

We must empower local communities with the resources they need to address crime in their areas. Congress cannot continue to fight the war on crime from Washington. We must build on the positive aspects already included in H.R. 4092 and enact tougher crime legislation as I have stated.

Mr. BROOKS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I want to thank the chairman not only for his generous offer of time but for his leadership and steadfastness on this, a very difficult and comprehensive bill.

Mr. Chairman, I rise in support of the bill. In my opinion, it is the best crimi-

nal bill we have written since this Congress started. I am proud of it. Members should be proud of it. Because the crime bill is tough, and it is also smart.

It is tough where we need to be tough. It hit violent offenders with severe punishment measures. It helps States build prison space to house their worst criminals.

But it is also smart where we need to be smart. It targets help on protecting children from violence and breaking cycles of crime and drugs and poverty. It answers urgent pleas for communities overwhelmed by violence. It sends them real solid help that will make a difference to millions of Americans.

My colleagues, this bill is historic. It is a carefully-reasoned balance of punishment and prevention. And we need both.

I urge every one of my colleagues to remember that balance as we debate the bill. Do not focus on one little part here or another little part there. Keep your eyes and, most importantly, your minds on the bigger picture. See the grand strategy that holds this bill together.

We have already approved some of the titles in this bill, cops on the beat, drug treatment in prisons, alternative punishments. I will not address them other than to say they are a vital part of the overall package.

Let me, instead, talk for a few minutes about the new parts of the bill we are considering.

On the punishment side, the bill focuses on the most violent offenders. Violent repeat offenders who prey on the rest of us will face life imprisonment under the "three strikes and you are out" measure. But this is not a mindless three-time loser law. It is a smart law that takes reality into account.

We have carefully narrowed the crimes that qualify as strikes to target truly violent repeat offenders, and we have added a review so that prisoners over 70 who are no longer dangerous can be released from prison. This is not simply compassion. It is hard common sense. It will free up prison space for the most actively violent and dangerous criminals. In a sense, what the bill does is rationalize what we have been doing in the criminal justice system. Is it not absurd to have somebody serve five years in jail if they are caught for the first time in a nonviolent crime with a small amount of marijuana and have somebody who commits burglary after burglary after burglary serve virtually no time at all?

□ 1340

That is what we are trying to do here. So we have a carefully drafted safety valve in the bill. It allows but does not require the release of first-time nonviolent drug offenders, or their incarceration for 2 years and then their release, for cooperating with the Government. That is another smart moderation of our tough, mandatory minimum sentencing laws.

We must keep those laws. I believe mandatory minimums are appropriate and proper, but they should be applied intelligently and carefully, to be aimed at the most violent, the most repeating, the worst criminals, the ones who make us afraid, not symbolically to take a 21-year-old who has some marijuana plants in his house and say, "You get 5 years and the violent guy gets 2." That does not make sense.

We put $3 billion in this bill to help States build prisons. These funds will help the States build prison space for violent criminals, but the bill does not impose unnecessary Federal mandates on the States. It recognizes that they are ultimately the best judges of how to structure their systems of punishment and incarceration.

Now let me turn to the other side of the balance, the targeted funding for smart crime prevention programs, the first time that this House and this Congress is taking a look not only at punishing crime, but at preventing it. The bill contains $7 billion in Federal support for programs to help root out the causes of crime.

These get right to the heart of urban and rural America's crime problems, which are basically problems with our kids. Kids these days are pushed in two directions in many parts of America, rural, suburban, and urban. They can take the life of crime, or they can take the life of being a productive citizen. If they take the life of crime, we are going to punish them, but before that path is taken, we ought to use our funds intelligently to see that they become productive, hardworking American citizens, rather than criminals.

Mr. Speaker, the "ounce of prevention" programs put more than $1 billion into communities for after-school, weekend, and night programs, to give kids a constructive place to hang out after the 3 o'clock bell rings. It will help children develop their minds and bodies in healthy ways and safe havens, with programs in sports, education, and the arts. There is a jobs program for the young people who are most at risk of falling into a life of crime. Is it not better if kids will take jobs than become criminals? We can help. We can make a difference in this bill. We do.

Mr. Chairman, let me close by repeating, the bill is a careful balance. I know that some of my colleagues on the right say that the policies of the sixties and seventies prove that prevention does not work, and some on the left say that the crime programs of the eighties prove that punishment does not work.

Mr. Chairman, these simplistic, ritualistic positions miss the point. The fact is that there are punishment programs that work and there are punishment programs that do not. The same goes for prevention. We need a law that combines the best of both, and this bill does just that.

We must not, Mr. Chairman, bog down in partisan debate, or in picking the parts away from the whole. Our constituents are anguished about the lack of safety. They are pleading with us to do something, and do something real.

Do you have an ideology or partisan debate that means nothing to them. Get them the cops on the streets, get them the prisons, get them the tough punishment, get them the after-school programs, the job training programs, the drug treatment programs, so that we can finally do something real.

Mr. Chairman, in conclusion, Americans are fed up with violent crime. They are scared, they want help, they want it now. This bill sends them smart, tough help. America needs it, and we should pass it.

Mr. MCCOLLUM. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Chairman, this bill is full of a lot of coddling for criminals and a lot of hug-a-thug programs.

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I want to start out to praise the gentleman from Texas [Mr. BROOKS] and the gentleman from New York [Mr. SCHUMER]. They are two extremely partisan but extremely fair Members. They are even generous. They know this subject and they have contributed a lot, and I want to acknowledge that.

At the same time, Mr. Chairman, I must say it is an embarrassment to have 1 hour to debate the subject of crime. If we were to ask anybody in America, "What are the two or three biggest problems," invariably we will hear crime as one of those. We have spent over 1 month debating education in H.R. 6. We have not finished with that yet. However, we have 1 hour to debate the subject of crime. As I say, that is a disservice, that is an embarrassment.

This bill, if we were to analogize it to a dance, is hardly a tarantella, it is more a minuet. I have never heard so many strong words about how vicious crime is assailing the home and hearth of Americans, and yet seen so little done about it.

I do not mean that there are not some very good things in this bill, there are, and we are supporting them. But we have habeas corpus revisions which are no reform, they are regression. They are a leap back from present law. They weaken present law.

Mr. Chairman, I will have an amendment to strike the habeas corpus provisions in the bill and in an amendment

that will probably be offered by the gentleman from South Carolina [Mr. DERRICK], which does nothing to remedy the bill's relaxation of existing weak controls over the process of habeas corpus.

One of the most interesting and bizarre features of the habeas corpus aspect of this bill states that a defense lawyers' group that will be set up will have the job of appointing two, not one but two, highly qualified criminal lawyers to defend a defendant at the trial level, at the direct appeal level through the State courts, collateral appeal through the State courts, and then collateral appeal through the Federal courts; two lawyers who are highly qualified, have experience in capital cases, have experience with psychiatric testimony and the rest.

Until this defense lawyers' group appoints these two defense lawyers, all proceedings stand still. This is one of the most unusual and unsatisfactory aspects of the habeas corpus provision.

Let me say, when we want to reform something, we ought to make it better. We ought not to weaken it and make it worse. This bill, insofar as habeas corpus is concerned, is a worsening, a weakening, a regression from existing law, and it ought to be defeated.

Mr. BROOKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. MANN], a member of the committee and an outstanding jurist.

Mr. MANN. Mr. Chairman, I want to begin by commending Chairman BROOKS and Chairman SCHUMER for their leadership on the crime bill. It has been a real pleasure as a member of the Subcommittee on Crime and Criminal Justice of the Committee on the Judiciary to work with both of the gentleman on this piece of legislation, which I think is a powerful piece of legislation, for it very neatly balances the two things that a comprehensive crime bill needs: on the one hand, swift, sure, and severe punishment, and on the other hand, programs that speak to prevention.

Mr. Chairman, I want to share with this body a news clip from the morning paper in Cincinnati. Last night a 17-year-old teenager was killed on the streets of Cincinnati.

All too often in Cincinnati and cities around this country juveniles are victims of crime involving handguns and other weapons. All too often juveniles are those who are committing crimes, some against themselves, some against those that are adults. There is a very real need for this legislation.

Mr. Chairman, I applaud the three strikes and you are out legislation. It is appropriately and narrowly crafted. It makes clear if a human being in this society three different times is convicted of a violent crime, then on the third strike, that individual is going to be put away for life.

I think it is appropriate that the death penalty provisions have been restored, and once more those who commit capital crimes under Federal law can be incarcerated, and if need be, sentenced to death by execution.

Mr. Chairman, I come from a community that has experimented quite successfully with the concept of community-oriented policing. In Cincinnati, police officers walk beats instead of riding patrol cars. They devote themselves not to responding always to problems, but to working with citizens and neighborhood groups and youth groups to try to prevent problems. It is a proactive kind of policing. I will tell the Members that in Cincinnati it is working extremely well.

The crime bill will authorize 50,000 additional police officers for this country of ours. That is a 10-percent increase in the officers that will be available to agencies around this country. I know that Cincinnati and other communities in my district are already preparing the applications by which they may seek to support this funding, and in Cincinnati it will be very welcome indeed.

□ 1350

I urge my colleagues to act quickly, not to approve weakening amendments when we get to that stage in this bill. The American people badly want the crime problem in our society addressed, and this Congress can do no less than respond quickly to that cry.

Mr. MCCOLLUM. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. FISH], the ranking member on the Committee on the Judiciary, who we are going to miss because this is the last of the crime bills, I guess, that we will have the pleasure of debating with him. And indeed it will be a pleasure to have him here today, and we are going to miss you terribly, HAM.

Mr. FISH. Mr. Chairman I thank the gentleman very much for those remarks.

Mr. Chairman, violent crime is a devastating national problem—it is the most serious domestic problem facing America today. Violent crime has increased over 23 percent since 1988. A violent crime is committed once every 22 seconds—a murder is committed every 22 minutes. A rape occurs every 5 minutes and a robbery every 47 seconds. Over 70 percent of the violent crimes committed in our country are committed by repeat offenders.

These are not just statistics. The victims are real people and the ultimate victim is our society. The crime epidemic has brought with it the pestilence of fear. We need to address this complex problem in a comprehensive but realistic way.

I believe that we need to address the root causes of crime—we need programs fostering education, health care, housing, and jobs. But the root causes approach is not the short term answer to what is an immediate problem. We have to deal with the results of violently anti-social behavior, whatever its causes. The role of government is to protect its citizenry and insure that law and order prevails. In short, government at all levels, has the obligation to provide a safe atmosphere so that real freedom can flourish.

Generally speaking, the crime bill reflecting the Judiciary Committee's work is a measured step in the right direction. In particular, the provision requiring life imprisonment for three-time violent offenders—three strikes—is most laudable. I also strongly support the bill's provisions on victims of crime, assaults against children, and mandatory minimum sentences.

But colleagues, more—much more—needs to be addressed.

This includes Congressman MCCOLLUM's amendment requiring the States to adopt truth in sentencing policies before they are eligible for prison construction and expansion grant funds. In addition, Congressman MCCOLLUM seeks to offer a drug kingpin death penalty procedures amendment and a very important amendment providing a good faith exception to the exclusionary rule. The last amendment mentioned is terribly important and has passed the House on prior occasions. If a police officer has a reasonable, good faith belief that he or she is acting in compliance with the fourth amendment, then the evidence seized should be admitted into evidence.

Congressman LAMAR SMITH of Texas has put forward an extremely important proposal on criminal aliens that should also be made in order. It would assist in the identification, incarceration, and deportation of criminal aliens by establishing a criminal alien tracking center. Most importantly, the Smith amendment recognizes a Federal Government responsibility for the undocumented, criminal alien population. My State—New York—for example, spends of $62 million annually to incarcerate undocumented criminal aliens. This amendment says that the Federal Government will either take the responsibility to incarcerate these persons or compensate the States for their costs of incarcerating them.

Congressman DUNCAN HUNTER has submitted a related amendment calling for an additional 6,000 Border Patrol agents. Effective control of our borders is an important aspect of the war against crime and the Hunter amendment should be made in order and this too is a laudable amendment.

Congressman JIM SENSENBRENNER, our ranking member on the Subcommittee on Crime and Criminal Justice, has proposed an amendment striking the so-called Local Partnership Act from title X of the bill. This would result in a cost savings of $2 billion. Title

X proposes a series of hastily-conceived and ill-planned social programs. Without more thought they will merely waste taxpayers' money. Allow the Sensenbrenner amendment as well.

Congressman MCCOLLUM is also proposing to double the penalties for serious violent felonies committed against minors or senior citizens. This is another excellent idea—aimed at protecting those among us who are very often least able to protect themselves. Crimes against children or against the elderly, are abhorrent and should be dealt with accordingly.

In conclusion, I want to compliment my Republican colleagues on the Judiciary Committee who are working so hard to fashion a strong and effective crime bill. The gentleman from Illinois [Mr. HYDE], the gentleman from Wisconsin [Mr. SENSENBRENNER], the gentleman from Florida [Mr. MCCOLLUM], the gentleman from Texas [Mr. SMITH], the gentleman from Minnesota [Mr. RAMSTAD], the gentleman from New Mexico [Mr. SCHIFF], the gentleman from Florida [Mr. CANADY], these gentleman have worked hard to bring the bill to the Members today. The amendments we have proposed, all of which have been considered in the House Committee on the Judiciary during our markup, I hope will be made in order under the rules to come to the House. They deserve our support in order to have a comprehensive and effective bill.

Mr. BROOKS. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, some time ago, Jeffrey Dahmer was interviewed on television, no less, and he was asked a few questions he did not like. And he said, "I do not have to answer those questions. I have rights, too."

Jeffrey Dahmer stated the fact that he had constitutional rights, and he did, and he does. He did not have to bear witness against himself. He could have taken his fifth amendment, he could have sat back, and he did, and he utilized all of the rights that he had.

I would like to talk a little bit about the rights of victims today. I think that we have record numbers of tombstones popping up around America, and everybody is beating their chest about crime, and basically victims' rights have been overlooked by the Congress of the United States. We go out of the way to protect the rights of murderers and everybody, but overlook victims.

One of the most specific concerns I have as a former sheriff, and this has happened many times, and Readers Digest has written about it, someone gets convicted of a felony, and they look over at the prosecutor, or they look over at a witness and they say, "When I get out of here, I'm going to get you." And when they are released, many of them come back to the areas, find those people and hurt them, sometimes kill them.

I have an amendment, because I believe this bill is silent on victims' rights, in regards to that. It says 30 days prior to release of these convicted felons, the principals involved, the judges, the witnesses, the policemen that made the arrest, they are notified that this person is coming back so they can at least be aware of that.

The second victim, in my opinion, is the taxpayer. Nobody wants to be tougher on crime than I do. But many times the victim is the taxpayer who has people in jail feeding at the trough, especially when they are nonviolent. An amendment I have offered says look, for these nonviolent offenders, give the judge some discretion. Why have them stay in jail? When I was sheriff, I had a young man who was a nonviolent offender who was literally raped in jail. Now he will present more problems to society with a tougher sentence that we patted ourselves on the back for than if we had just let the judge have discretion, put his wrists in a bracelet, let him pay a huge fine, let the judge put his picture in the paper and force him to pay for that photograph in the paper.

Third, this bill is also silent on one other major aspect. Where does a policeman go who has been injured, or retired, or is suffering from problems domestically, for counseling? Do they go to the mental health center, where they may have arrested everybody sitting in the front row? Do they go down to the community counseling center? They really cannot.

There has been a program developed in Maryland which has become a standard for a program around the country where policemen can go for counseling. My amendment calls for us to expand upon that. There is a small authorization of $3 million so these police counseling centers can deal with some of these problems.

Finally, for years I have been attaching fraudulent label laws onto many of our different respective bills. The fourth amendment does something a little different. It says not only do we have a fraudulent label, but we can put up to $100,000 in penalties for a company that puts those fraudulent labels on. The victim is the American workers, ladies and gentleman. Time after time, people are sending imports into this country or putting fraudulent labels or deceiving the American purchaser and the American consumer. And who is hurting? The victim is the worker in our own country.

That amendment says put a fine, let the judge have an option of putting a $100,000 fine on these people, in addition to the bad publicity, and let us put a little bit of damage into their pocketbook.

□ 1400

So I appreciate the time that the chairman has yielded to me.

Let me say this: This bill is better when this bill deals with the rights of victims. We have gone overboard for the rights of killers and murderers; let us not overlook the rights of victims.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. SCHIFF].

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

Mr. Chairman, previously on the floor I discussed the repeat-offender section of this bill. I would like to address another section. I offered an amendment to the Committee on Rules, which I hope they will make in order so that we can vote on it today, which will strike a provision of the bill that requires States to have alternatives; that is, nonprison-type sentencing programs. Now, what is wrong with nonprison sentencing programs? The answer is: By itself, and in appropriate cases, there is absolutely nothing wrong with it. I do not believe that every single person who commits any kind of crime serves society best by being placed in prison. The problem is, this requirement to have alternative sentencing is in a provision that deals with violent criminals. The message that the combined section gives to the States is, "You should let certain offenders go, let them out of prison," or, "Don't put them in prison," not because they deserved it through individual rehabilitation or remorse, not because they are not a threat anymore to commit the crimes that they were committing, but specifically to create space for more serious offenders.

Now, what that means, for example, is that the States are being encouraged to release car thieves but to jail armed robbers. Now, is armed robbery a more serious offense than auto theft? I think in most cases it most certainly is. But the people of the United States do not want their cars stolen any more than they wish to be robbed at gunpoint.

The point is this is a question of which is the cart and which is the horse? The horse ought to be the determination: who belongs in prison and who deserves alternative sentencing. We should not make that decision solely by the number of spaces in existence or where will it end? We may have to let armed robbers loose to jail someone who is even more dangerous to society. I cannot imagine anything more destructive to our society than releasing people to the streets who we know will commit crimes just because we do not want to provide the space to keep them off the streets.

I urge adoption of my amendment.

Mr. BROOKS. Mr. Chairman, I yield 4 minutes to a distinguished Member, the gentleman from California [Mr. BECERRA].

Mr. BECERRA. I thank the chairman for yielding this time to me.

Let me first thank the chairman of the Committee on the Judiciary, the

gentleman from Texas [Mr. BROOKS] for his efforts so far to try to bring to this floor a bill that all of us could support and to be able to tell the American people that we are trying to do something about crime in this country.

It is alarming when you think about the statistics on crime. I must say it is very difficult to fashion a bill that will get the majority support of all the Members on both sides of the aisle on this particular issue. I must say this is a crime bill that the House has proposed that has a number of different proposals in it, much different in many ways from the version of the other body. I would say it is a great improvement of what the other body has done. Though I have some concerns about some of the programs, let me mention some of the things that I think will help us fight crime.

First of all, let me refer to those programs that are preventative in nature. When you take a look at the close to $7 billion that we will be spending to prevent criminal activity, when you take a look at those programs that are geared to prevent children from becoming at-risk youth or from becoming juvenile offenders and then adult offenders, I think you find that this crime bill tries to go in the right direction. We are trying to prevent crime, not only take care of those who have committed crime.

One of the big problems I see these days when it comes to crime prevention and that type crime measure is that all we do is deal with the crime after the fact. We have victims when you deal with crime only after the fact. We do nothing to take care of the problem about the person who is behind that criminal who will not begin committing these same kind of crimes.

What we have found over the last 10 to 20 years is we increased sentences for prisoners, and yet the crime rate continues to be about the same. We do not get a decrease even with all the prisoners we are putting behind bars.

When you take a look at a State like California, where over 117,000 people right now are behind bars and you realize that in California we spend $4,200 to keep a child in school and $32,000 to keep that same child locked up behind bars, you see that we have gone in the wrong direction.

I would hope when we finish with a crime bill, with all the amendments, what we will do is we will say let us be tough on people who commit crimes, let us try to compensate the victims, but let us also close the door behind the criminal whom we lock up, so we do not see a young person following their footsteps. And unless we realize that we need the prevention programs that will make that possible, we are sunk.

I would hope that the Members of this particular House will see it judicious to come before this particular body and say that we need prevention programs; it is time to start talking not only about incarcerating people but also stopping children from becoming the delinquents that become those major adult offenders.

Three strikes and you're out, we are going to have people in geriatric wards imprisoned and we are not going to do anything about those 14 to 25 year olds who are really committing all the crimes. We have to do something to make sure that if we are going to be tough on a prisoner and tough on a criminal, we are also going to be sympathetic but tough on the youth to make sure that we prevent them from becoming the criminals of the future.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. RAMSTAD] a member of the committee.

Mr. RAMSTAD. I thank the gentleman for yielding this time to me.

Mr. Chairman, Edmund Burke put it best when he said the primary function of Government is to keep people safe in their homes and neighborhoods. If that is the primary function of Government, then Government at all levels has failed the American people.

Mr. Chairman, the bill before us today is far from perfect. Members combing through the 386-page document will surely find provisions they don't like.

Enacting comprehensive legislation to respond to the epidemic of violence in our society is not an easy task.

But we were not elected to do easy tasks.

We cannot afford to fail at passing a crime bill this Congress. Partisanship killed the anticrime bill in the last Congress. Bipartisanship must govern this time around.

It is time for us to take off our Republican hats, take off our Democrat hats and work together to pass a bill most Members can support.

I am pleased that three bills I authored comprise three titles of this bill.

Title III incorporates H.R. 1120, the Assaults Against Children Act. This bill closes an alarming gap in Federal law which does not allow felony prosecutions of child abusers who inflict such substantial injuries as broken bones and burns.

Title XII incorporates H.R. 3993, the Child Sexual Abuse Prevention Act, which I introduced with Mr. KENNEDY and Mr. BLILEY.

This bill addresses the world-wide tragedy of child pornography and prostitution. It makes it a crime to produce and traffic in child pornography intended for importation into the United States.

It also strikes a blow at "pedophile sex tourism," by making it a crime to travel overseas for the purpose of sexually abusing children.

Finally, title XIII incorporates H.R. 324, the Jacob Wetterling bill, which this body passed last fall. Named for an abducted Minnesota youth, it would require individuals convicted of certain crimes against children to register with law enforcement for 10 years after their release from prison.

I want to thank both Mr. BROOKS and Mr. SCHUMER for their support for these bills.

Mr. Chairman, the House has the opportunity to make this bill even better with amendments in the next few days. Let's work together to enact a tough but smart crime bill that balances punishment and prevention.

The American public, and the millions of crime victims in this country, deserve nothing less.

Mr. MCCOLLUM. Mr. Chairman, I yield 1 minute to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. I thank the gentleman for yielding this time to me.

Mr. Chairman, I congratulate the gentleman from Florida [Mr. MCCOLLUM], and the gentleman from Texas [Mr. BROOKS], and all those who worked on this package. I commend you for it.

Mr. Chairman, by addressing the crime problem in this country, we really are addressing the problem that concerns Americans the most at this particular time. We have a lot of amendments to debate. I am not sure what is going to come out. Essentially, we have to start with the legislation, and I hope we can improve it as we consider the amendments which will be following.

I have introduced a bill which passed here and is now part of this crime bill, the Youth Handgun Safety Act, which is cosponsored with my distinguished colleague from Kansas, DAN GLICKMAN, and it will prohibit minors under the age of 18 from possessing a handgun except for use in hunting, target practice, or a gun safety course under the supervision of an adult.

□ 1410

Handguns in the hands of our youth is just not a problem on the streets of the big cities of America. Consider these cases in schools in my small State of Delaware:

A 15-year-old brings a loaded semiautomatic weapon to school. A 14-year-old pulls a gun on another student at a junior high school. A high school student packs a handgun in his book bag for protection.

Interestingly, Mr. Chairman, in a survey I conducted in a Delaware high school a couple of weeks ago 80 percent of the 255 students who responded support the Youth Handgun Safety Act. The students agree with the premise of the legislation, that it would send a strong message that guns are not wanted in our schools and that minors who possess guns, or adults who give them guns, will face tough penalties.

I am pleased this legislation is part of the omnibus crime bill.

Mr. McCOLLUM. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GEKAS], a member of the committee.

Mr. GEKAS. Mr. Chairman, I thank the gentleman from Florida [Mr. McCOLLUM] for yielding this time to me.

Mr. Chairman, I repeat:

An important feature of the bill that is in front of us is the death penalty.

Mr. Chairman, we must indulge in a little bit of historic review here so that we can inform the American public about what we are considering voting on here today.

Back in the early 1970's, Mr. Chairman, the Supreme Court of the United States struck down the death penalty largely because the Justices felt, and they so recorded in their opinions, that there was such a large discretion granted to the jury that the courts could not be sure that the jury found either for the death penalty or against the death penalty as a result of prejudice, hate, bias, or some other freakish, and that is their word, "freakish," consideration that forced them in their minds to acquit, or release the man from life imprisonment, or to impose the death penalty. So the Supreme Court, as I say, struck it down.

What happened? They left a window opened to determine, to allow the States to determine, how they could construct the death penalty that would meet the constitutional standards. So, Gregg versus Georgia and Proffitt versus Florida, two death cases from those two States, came up to the Supreme Court where the Supreme Court then decided, "ah hah, the procedures that have been set up in Georgia and in Florida, a bifurcated hearing where the jury, after determining guilt or innocence, presumably finding that the individual was guilty of murder, would then have to sit in a separate session to determine the penalty, whether it's death or life."

Now here is what has to be made clear:

We have in front of us this jury in the second procedure, a man or a woman who has been found guilty of a brutal murder. He is convicted; he is a convict. There is no question of guilt or innocence. Now the jury has to decide, under the constitutional standards, death or life imprisonment.

Now the question is, What did the Supreme Court find in the Georgia and Florida cases to their liking where they found it constitutional? Here is what it is:

The jury is supposed to take the circumstances presented to them by the prosecutor, which could be considered to be aggravating factors, and aggravating factors are something like the individual before he killed the women raped her. That is an aggravating factor. And the jury is to take into account a mitigating factor like tender years. He was only 16 years old when he committed this act, a mitigating factor. Another aggravating factor would be that the man ran from the scene and did not try to help the lady after shooting her, after raping her. That is another aggravating circumstance. Another mitigating circumstance might be that he came from a poverty background,

Now the jury has in front of it aggravating factors and mitigating factors. Under the Profit case and the Gregg case, weighing those and coming out in favor of aggravating circumstance, they outweighed the mitigating factors, the jury would be justified in finding the death penalty.

Well, now let us come back to 1994 and the bill that is in front of us. The bill that is in front of us allows the jury so much discretion, and where have my colleagues heard that before? I just talked about it, so much discretion that they could in the final analysis find death or life based on their whims, not guidelines, not aggravating or mitigating circumstances, but on whether they liked the defendant's looks and, therefore, gave him life imprisonment or did not like the defendant's race or his background and so caused the death penalty to be applied.

So, Mr. Chairman, we are back to pre-1972 where the Supreme Court found the jury discretion so wide that they could not fairly allow the death penalty to be imposed. The amendments that I will offer later in these proceedings will try to bring back to a sense of sanity what the jury instructions should be so that we could put in proper place the aggravating and mitigating circumstances and allow a jury with guidelines to produce a death penalty or a life imprisonment for a brutal murder, depending on how these aggravating and mitigating circumstances show up in the minds and hearts of the jury, not on their whims or on their prejudices.

Mr. Chairman, that is the only way that I will be able to support the death penalty that is inherent in these bills.

Mr. BROOKS. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the distinguished gentleman from Texas [Mr. BROOKS] for yielding this time to me.

Mr. Chairman, it is wonderful that we finally have this bill on the floor, and I thank all of the members of the committee who worked so hard.

Yesterday I had the opportunity to listen to the majority leader's speech at a school about crime, and he pointed out some very important things.

First of all, of the crimes that have victims in America, 91 percent of those crimes there is no arrest made. The other thing that we know is that, if we do not look at the certainty of arrest, we are in real trouble. The certainty of arrest motivates people a whole lot more than the severity. And finally we looked at statistics, and we looked at prior crime bills and said, we have spent megabucks, we have spent gigabucks, we have gotten tougher, we have made it more severe. We have done all these things, and the crime rate looks worse than it did 16 years ago.

So, Mr. Chairman, the good thing about this crime bill is it goes a different direction. It goes a different direction in that, while it deals with crime very firmly, it continues to tighten loopholes. It also tries to lift people up and prevent crime, prevent it before it happens, and it does this with a multitude of things.

The Violence Against Women Act is a very historic bill. It is the first time that we are saying that the Federal Government is going to take this very seriously and try to get localities to take this seriously because one of the things we know is very often criminals had violence that started in the home, and, if they have seen every single dispute solved with violence, it is very difficult to suddenly learn conflict resolution with an hour course. So, as a consequence, this has been a very, very important part.

We have other things in there for youth that have been mentioned by prior speakers. One of the ones I am very excited about is the midnight sports program. We have seen some pilot projects in the private sector on this. They have been incredible. Maybe many of my colleagues have heard about Chicago where right in the middle of the toughest housing project around they put in midnight sports, and they got these young boys interested in it. They have to come to study hall first. They get their grades up, they get their degree, and they go on, and they have had a terrific, terrific success with that. This helps local communities get those going by paying just the tiniest little bit that is required to help run the electricity a little longer, or pay the janitors, or pay a little on the liability insurance for keeping the place open a little longer so they can run these programs.

□ 1420

But this is why I think this bill is really a groundbreaker, and it is a direction-changer. Heaven only knows, we need it. We can keep doing the things we have done before, but in that way we do not get there. This is the way we need to proceed to get balance in the bill.

Mr. McCOLLUM. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. MOORHEAD], who is the ranking member of one of the subcommittees bringing the legislation to the floor today.

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

Mr. Chairman, in the midst of the debate on health care, welfare reform and Americans' concern about the future of our economy and its rapidly changing nature the polls clearly show that the problem of violent crime in our society is the issue most often on the minds of Americans. The real crisis in America is the crisis in our streets—the crisis in public safety and the crisis in our criminal justice system.

Statistics show that a violent crime is committed every 22 seconds, one aggravated assault every 28 seconds, one rape every 5 minutes and one murder every 22 minutes. Furthermore, 7 percent of the criminals commit almost 80 percent of the violent crimes in America. On average, these violent criminals serve only 37 percent of their sentences.

To deliver a knockout blow to violent crime and stop the revolving door which spins violent criminals out of prison too early so they commit more violent crimes requires setting priorities and passing laws that put punishment and deterrence back in the system.

To his credit, our colleague BILL MCCOLLUM has developed such a proposal entitled the "Violent Offender Incarceration Act" which he will offer as an amendment to H.R. 4092. The McCollum amendment will provide $10 billion in Federal grant money to the States over the next 5 years to be used to incarcerate violent offenders. To be eligible, States would have to establish truth in sentencing laws under which offenders will serve no less than 85 percent of their sentence for conviction of a second violent felony. In addition, States would be required to adopt three strikes and you're out laws that would mandate life in prison for anyone convicted of a third violent felony. The McCollum amendment is a solid proposal that will go a long way towards eliminating the revolving door and taking violent criminals off the street and I urge Members to carefully consider and support it.

Finally, Mr. Chairman, Congressman DUNCAN HUNTER and I hope to be able to offer an amendment to H.R. 4092 that would provide for an increase in the number of Border Patrol agents from 4,000 to 10,000 over a 5-year period. In a recent letter, Pete Wilson, the Governor of California, highlighted the fact that: The message is growing loud and clear: "There is a national crisis in Federal immigration policy, and State and local governments cannot continue to pay the bill for Federal failure. By State fiscal year 1994–95, California's prisons will house more than 18,000 illegal immigrant felons, at a cost projected to exceed $375 million."

The Border Patrol is the first line of defense against illegal immigration and drug smuggling and can be an effective deterrent to crime if substantial manpower and resources are in place.

Last year was a turning point for our Border Patrol, when the House overwhelmingly passed the Hunter-Moorhead-Schenk amendment appropriating $60 million for 600 additional agents for this fiscal year. We must continue this trend by authorizing the personnel and resources needed to enforce our laws and make our national borders secure. We have shown we can stop the revolving door by a strategy of deterrence through prevention as demonstrated recently in El Paso, TX. We need to implement the same operation in San Diego and accordingly I urge my colleagues to support the Hunter-Moorhead amendment.

Mr. BROOKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Chairman, first I commend the chairman of the Committee on the Judiciary, the gentleman from Texas, [Mr. BROOKS], and the minority for bringing us a good bill.

Mr. Chairman, all across the Nation, each and every American has been telling their Representative to be strong and to make their schools, neighborhoods, and homes safe again. Mr. Chairman, the time has now come. Today, we are prepared to pass a crime bill that represents the largest commitment to stopping crime that the House has ever considered.

This is the first serious effort this Congress has undertaken to deal with the crime problem in the past 10 years. Every year, we pass crime bills that basically are not funded and have not responded to the crime problem. A good crime bill needs provisions that effectively reform the current system. Mr. Chairman, the bill today contains these provisions, and that is why it is an effective bill. This crime bill, for example, includes provisions which reform the laws regarding parole and mandatory minimum sentences to ensure that our sentencing system is reformed.

President Clinton has called upon Congress to vote for a crime package that is strong, smart and tough. A package that will punish offenders, yet will also promote measures to prevent crime. I am proud to stand here today to speak in favor of a crime bill that does just that—it punishes criminals and offers good prevention measures.

Mr. Chairman, this crime bill sends the message to repeat offenders that enough is enough. It tells them that if you do violence to others, you will be punished. The three strikes you're out provision will send criminals with three serious offenses to prison for life with no possibility of release until they are 70 years old, and have served at least 30 years in prison.

A strong message will also be delivered to those who are making money from the sale of drugs to innocent children, and to those who murder in the course of committing a violent Federal offense. Our message is clear. The death penalty will now apply to you. The death penalty provisions, however, have been well thought out to ensure that racial discrimination is prohibited in death sentencing. Furthermore, the provisions will guarantee that State death row prisoners have access to competent legal counsel at all stages of the trial and appeal process.

I also support the committee's approach to issues affecting native Americans. The best thing we as Congress can do is to allow tribes to exercise sovereignty. The opt-in provisions for both the death penalty and the three strikes you're out provision will allow the tribes themselves to determine the applicability of these provisions. I also agree with the exemption the tribes received with regard to the prosecution of teenagers as this would have a disparate impact on Indian people.

Furthermore, the crime bill includes provisions which helps crime victims. It permits victims of crime and sexual abuse to present information or make a statement at the defendant's sentencing. It is time to pay attention to the rights of victims. It also compensates victims and helps them get counseling.

Mr. Chairman, today is the day that we will send a message to criminals, a simple message. We will no longer stand by and allow you to terrorize families. The time has come to stop crime, and to give all Americans a chance to have a future that is free from fear. Mr. Chairman, we must send a message to criminals that if they proceed to commit a crime, they will be punished and our courts will be supportive of this message.

This crime bill also strengthens laws against individuals who sexually abuse children and who deal in child pornography. It is time that we protect children against the merchants of filth.

Smart crime prevention measures are also included in this crime bill. Literally billions of dollars will be directed to youth crime prevention including measures to keep kids occupied and off the streets. This crime bill also allows grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking. It also supports drug treatment programs within State and local correctional facilities.

Yesterday, with the majority leader, the gentleman from Missouri [Mr. GEPHARDT], several Members visited a school in downtown Washington that will receive assistance to keep kids in school after school hours day and night so they can get involved with activities like basketball. Such assistance will also encourage others to work with kids in youth recreation programs and will give young people an opportunity to exercise athletics in the hopes that this will build teamwork incentives and get them off the streets.

A message will also be sent to the woman who enjoys walking her dog at night. The message is that her chance of having the police patrolling her neighborhood has now been increased. With 50,000 new cops on the beat, criminals will want to think twice before harming anyone. And let us make sure that we not forget the rural areas in community policing. This measure should not just benefit big cities like Los Angeles and New York, but small communities as well. The bill also contains a wide variety of provisions intended to reduce violent crimes that are committed against women.

Mr. Chairman, our local police have been working around the clock to provide residents with safe streets. However, they cannot be alone in their endeavors. Perhaps most importantly, we must recognize that in our efforts to deter crime, we have to involve families, local communities and local police. Everyone, from the mayor to the high school student, must realize that stopping crime is a joint effort, and the battle against crime will not be won unless everyone participates. For this reason, our crime bill helps local governments and local police find new ways to best protect those who live in their communities. The best solutions to crime are local, and this bill emphasizes local solutions.

Mr. Chairman, this is a good bill that contains a good mix of punishment and prevention.

Mr. McCOLLUM Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, what today we are dealing with is a bill that is designed to solve the big crime problem or at least go a long way to solving that with the States. And there are some good things in this bill. There is no question that the cops-on-the-street provision is good; the "Three strikes and you're out" needs improvement, but it is basically a good idea. There is no question there are things in this bill to address the juvenile problem with boot camps, but there are a lot of things wrong with this bill and we need amendments to correct those. One of the most egregious things some of my colleagues have pointed out is that there are provisions in this bill which mean if enacted there will never be another death penalty carried out in this country because of the procedures and hoops that would have to be gone through by prosecutors in giving the opportunities to appeal every year. There are things in this bill that really are wrong in the terms of how they are balanced or not balanced.

There is $8 billion in the title of this bill to go to crime prevention, but there is only $3 billion for more prisons, and what the States are crying out for is something to help them with the overcrowded prisons.

There is nothing in this bill, though amendments are being offered to help address it, that would remedy the problem of our Federal system interfering with the prisons in the overcrowding area that would cause more problems then good. And there is no carrot in here for encouraging States in prison construction and in housing violent criminals, to go to truth-in-sentencing and to abolish parole for the violent criminals and make them serve at least 85 percent of their sentences.

As I said earlier, we need to do something about "Three strikes and you're out," which needs improvement. We also need improvement in the death penalty procedures in here. There is a drug kingpin death penalty technically in the bill but without the kind of procedures necessary to make sure that it would withstand the challenge of constitutionality under the Supreme Court guidelines.

We need to make significant amendments to this bill. In its present form, it is actually not a good bill; it is a bad bill, even though there are good things in it.

So in the next couple of days and with what the rule produces that is going to come out here in a few minutes to allow amendments, that is absolutely crucial to this legislation. Above all else, as I said in opening this general debate, we must have a partnership with the States where most of the crime is committed to solve the revolving door problem where the violent criminals of this country are getting back out on the streets having served only a fraction of their sentences. We talk about 6 or 7 percent of the criminals in this country committing 70 to 80 percent of the violent crimes and serving only an average of 37 percent of their sentences.

Mr. Chairman, if we do not address that problem, this bill will not be a good crime bill.

□ 1430

Mr. BROOKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in closing, I just wanted to say we feel this bill is a constructive bill, one that will help to solve crime problems in the United States, and one that will help the States cope with their problems. It is one that realizes four percent of the violent crimes are in the Federal domain, and 96 percent, State and local.

This bill recognizes that fact and tries to give the States alternative proposals to set up ways to help nonviolent prisoners regain their citizenship and their contribution as citizens. It is a worthwhile bill. I hope the Members will support it. We will be back tomorrow at the same time and place.

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

The CHAIRMAN. All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. McNULTY) having assumed the chair, Mr. TORRICELLI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4092) to control and prevent crime, had come to no resolution thereon.

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained during rollcall number 84. Had I been present, I would have voted "yea" on House Resolution 395.

CONFERENCE REPORT ON H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 393 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 393

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1804) 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 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 393 provides for consideration of the conference report on H.R. 1804, the President's Goals 2000: Educate America Act. Under the rules of the House, conference reports are privileged and are considered in the House under the 1-hour rule with no amendments in order. The rule waives all points of order against the conference report and against its consideration. The rule further provides that the conference report shall be considered as read.

Mr. Speaker, today's world is much different than it was 50 years ago. Advances in technology have changed the entire nature of our work force. No longer is it enough to equip our children with basic skills. We must also provide our children with the skills to

compete in today's global economy. The conference report for H.R. 1804 seeks to accomplish this goal through the improvement of education for all children.

Under the conference report over $400 million in grants would be awarded to the States as an incentive to improve their elementary and secondary schools. Each State could apply for these funds through the development of State plans which set standards for education. Participating States would establish voluntary content and student performance standards—or what children should know in English, math or other subjects at certain points in their education. Local school districts would also be eligible for subgrants from the State to develop and implement comprehensive reform at the local school district level as well.

The conference report establishes a national education goals panel charged with building a national consensus for education improvement and reporting on the Nation's progress in meeting the national educational goals. It also establishes a national education standards and improvement council. This council would develop criteria for certifying voluntary national content, student performance, and opportunity-to-learn standards, as well as standards developed and voluntarily submitted by the States. These national standards enable America to set voluntary goals for students and would become available for use by States as guides or models in developing or modifying their academic standards.

The conference report further establishes a national skill standards board intended to serve as a catalyst in stimulating the development of a voluntary system of skill standards. The board will encourage and facilitate the establishment of voluntary business-labor-education partnerships to develop skill standards systems. The conference report further provides that the skill standards meet or exceed the highest standards used in other countries.

Mr. Speaker, this conference report is a departure from the way the Federal Government has previously dealt with education. Not only does the legislation call for voluntary national standards, but it calls for the relaxing of regulations and emphasizes academic achievement instead. The conference report supports creativity to develop new and innovative approaches to educating our Nation's children.

Mr. Speaker, House Resolution 393 is a fair rule that will expedite consideration of the President's education reform bill. I urge my colleagues to support the rule and the conference report.

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

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

Mr. Speaker, the able gentleman from South Carolina [Mr. DERRICK] has described the provisions of the rule. Mr. DERRICK, we are going to miss you after this session of the Congress. We are sorry you are retiring from this House and this body. You are a Trojan hard worker, and we are going to miss.

Mr. Speaker, as my colleague and good friend, the gentleman from South Carolina [Mr. DERRICK] has described, this rule provides for the consideration of the conference report to accompany H.R. 1804, the Goals 2000: Educate America Act. The rule waives all points of order against the conference report and its consideration.

Although I do not generally favor waiving the 3-day layover requirement—particularly on comprehensive bills such as this—it is necessary for both Houses to complete action on this conference report expeditiously. Funds have been appropriated for fiscal year 1994 for this program, and this bill must be signed into law before April 1 in order to use these funds for the purposes provided by this bill. Therefore, I will not oppose this rule.

This bill sets out to improve the quality of education for all students while maintaining the principle that although education is a major Federal concern, it is primarily the responsibility and function of State and local government. Thus, the opportunity to learn standards contained in Goals 2000 would be voluntary, and States can establish their own standards.

Mr. Speaker, I want to commend the conferees and the committee staff who worked through the weekend to get this conference report to the floor. Hundreds of differences had to be worked out by the conferees, and they did a tremendous job. However, the House instructed conferees to accept specific Senate language regarding school prayer. The school prayer language in the conference report is not the same as the original Senate language, and my colleague from Tennessee [Mr. DUNCAN] intends to offer a motion to recommit the conference report with instruction to include the original Senate language. I urge my colleagues to support this motion, and I urge adoption of this rule so we can move this legislation forward.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

□ 1440

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me. I think that it is useful to put this particular action into context. I do not think any of us are opposed to this rule. It allows us to bring the Goals 2000 bill to the floor. It waives certain points of order that need to be waived in order to have that happen. I am always a little concerned when we are waiving points of order, but in this particular case, I do not see any great harm to be done.

However, this is a part of the ongoing saga of trying to assure that we get school prayer language that is widely and broadly accepted in both the House of Representatives and in the other body, the U.S. Senate. It is clear at this particular point, from a number of votes, that the advocates of school prayer have been successful in trying to move toward a standard that has each school district set a policy to assure that constitutionally protected school prayer can in fact take place.

There have been votes in the Senate on that. There have been votes here. They have been passed overwhelmingly. There is no doubt that that is the direction that Congress wants to go, and it is a direction that the American public has wanted to go for a long, long time.

Now we come back with the Goals 2000 bill, where this language originally arose in the Senate and where language has been included that is almost exactly the same as language that was rejected by the House just a few hours ago. And what the action that is going to be taken here on the conference report will be is to say, let us get all of our language together. It is broadly accepted now. We know what we want to do. Let us get all the language together. We cannot drop it out of this bill. That is not something which is going to happen.

Why in the world do we adopt language that the House has rejected and then will set up a competing standard of what school prayer really means?

Why not stick with the similar kind of approaches?

In our view, what needs to be done is the conference committee needs to meet again and adopt the language that everybody in both bodies has now agreed is the direction to go. I believe that we will have, in the next little while, such a motion to recommit. I cannot see why other than simply to block the inevitable, why anyone is now moving to try to adopt language that has been specifically rejected. It seems to me that all we have in those kinds of instances is a situation where having been thwarted on one bill, that Members are coming back and trying to do what they can to stop this movement in another bill. And then, because they hope that if we passed different languages in different bills, I guess what they think is that the regulatory agencies then will have trouble working it out and it may never take place.

Let us get this thing settled once and for all. We can do it by having the motion to recommit be successful.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to my friend and colleague, the gentleman from Tennessee [Mr. DUNCAN].

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

Mr. Speaker, I rise not to speak directly to the rule before us but to in-

form Members that I will offer a motion to recommit this bill with instructions.

Mr. Speaker, the House finds itself in a very awkward position today. My motion to recommit with instructions is intended to do something this House overwhelmingly voted on last month, when I offered a motion to instruct House conferees on this bill to agree with the Senate language concerning school prayer.

Mr. Speaker, that motion to instruct passed this body by a huge margin of 367 to 55. Moreover, the Senate passed the exact same language by an overwhelming vote of 75 to 22.

And just 2 days ago this House again passed the exact same language, the Johnson-Duncan school prayer amendment to H.R. 6, by a vote of 345 to 64. Mr. Speaker, these are very, very lopsided votes.

Now, we are here today considering this conference report on the Goals 2000 bill and we find that the school prayer language that we instructed conferees to agree to is not included.

Instead, a handful of Members decided to ignore the Senate vote, ignore the motion to instruct, and then included the Williams school prayer amendment.

At the time this closed-door decision was made, neither the House nor the Senate had even seen the language. Mr. Speaker, this is incredible. This is wrong.

I need to mention that the school prayer language included in this conference report, the Williams language, was defeated by this House, just 2 days ago, by a vote of 239 to 171.

Mr. Speaker, the House and the Senate have been very, very clear on this issue. I find it very disturbing that a few Members can ignore the mandate that the overwhelming majority of this Congress has spoken on.

I urge my colleagues to support the motion to recommit with instructions so that we can right this wrong and include the school prayer language that we have all agreed to on a number of occasions in this conference report.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. SAM JOHNSON].

Mr. SAM JOHNSON of Texas. Mr. Speaker, just 2 nights ago, 345 Members of this body supported a vitally important amendment to H.R. 6 which protects voluntary prayer in schools.

On February 23, this body overwhelmingly instructed conferees on another education bill, Goals 2000, to agree with this identical language.

The other body passed this same language by a steadfast 75 to 22 vote. Judging from the vote margins on three separate occasions, this Congress supports protecting the constitutional right of children to pray.

Mr. Speaker, I am disappointed that a handful of Members have taken the school prayer amendment and, I'm afraid, the constitutional right to pray, and played the shell game within the confines of a conference committee.

Let's be consistent on this. We should return to the original language which has already been affirmed by both bodies of Congress.

Let's protect the rights of our schoolchildren and recommit this bill back to committee and insist that the will of Congress prevail, not the will of a handful of conferees.

I urge a yes vote on the motion to recommit Goals 2000 with instructions. After the overwhelming support that voluntary school prayer received this week, there is no better time than today for Congress to take action to protect the constitutional right to freely exercise one's religion.

If you supported Mr. DUNCAN's instructions to conferees on Goals 2000, if you supported the Johnson amendment to H.R. 6, if you support voluntary school prayer, you should support the motion to recommit.

Mr. QUILLEN. Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Speaker, I rise today in opposition to the conference agreement to H.R. 1804, Goals 2000. I do so with some apprehension, because I strongly support the establishment of national education goals, as originally envisioned in President Bush's Educate America 2000. These goals sought common ground with every parent and teacher in America to create a national benchmark for education performance. It made good sense then, as it does now.

That is why I voted to support this legislation last year, even though I had serious reservations about certain mandates included in the bill. Unfortunately, those provisions are still in Goals 2000, going far afield of the original intent to establish a national education benchmark.

It seems to me that this Congress is becoming more and more intent on micromanaging local education decisions. But is more Federal Government involvement the solution, or is it becoming part of the problem? Real reform should allow local school officials and parents the flexibility and choices to meet the goals and needs unique to their local educational system. As much as some in Congress and the Federal Government may like to think so, we are not smarter or wiser than the parents and teachers who are, and should be, responsible for the education of individual children.

With Goals 2000, federal interference in education only gets worse. I am speaking in particular of the so-called opportunity-to-learn standards included in this bill. H.R. 1804 mandates that each State develop a strategy to implement opportunity-to-learn standards, although they may or may not actually implement those strategies.

This is a massive Federal mandate, any way you look at it. Why does this bill force States to develop a strategy even if they have no intention of implementing the plan? Once we establish federal meddling as the standard, where does it stop? You cannot take just one step down a slippery slope.

Those Members who originally fought for a more comprehensive mandate will be back next year to force implementation as well.

Mr. Speaker, in a recent Wall Street Journal article, Charles Kolb, former Deputy Undersecretary of Education in the Reagan and Bush administrations, argues that:

> Opportunity to learn is the latest euphemism concocted by professional educrats to mask their single-minded determination to boost education spending. To cut through the Orwellian mist, read "opportunity to spend," whenever you see "opportunity to learn." In essence, such standards would mean that we cannot hold our children, schools and teachers accountable for better education performance until we first equalize—and then raise—per-pupil spending across America.

Unlike some members of this body, I do nct believe that Federal spending, per se, is the key to improving education.

As a Nation, we are already spending well over $400 billion annually to educate our children. The problems with our education system are not caused because we spend too little, but because we spend with too little thought. Too much of the money we currently spend goes to the education bureaucracy, not students.

But don't take my word for it. Both President Clinton and Education Secretary Riley oppose opportunity-to-learn standards. Here is what the President wrote regarding opportunity-to-learn criteria:

> Our proposal deliberately makes no mention whatever of "opportunity-to-learn" standards. * * * Both the Department of Education and my staff here at the White House will work vigorously at every stage of the legislative process to ensure that when the ESEA reaches my desk, it does not contain opportunity-to-learn standards. The same principles have guided, and will continue to guide, the Goals 2000 bill.

Mr. Speaker, beyond the opportunities-to-learn mandate, there are plenty of other mandates and restrictions included in this legislation, such as a mandated one-year expulsion for any student caught carrying a gun in school.

No flexibility, no questions asked.

Mr. Speaker, support common sense—and President Clinton—by opposing H.R. 1804.

□ 1450

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DELAY].

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

Mr. Speaker, I am really saddened that the conference committee has

taken it upon themselves to try to prohibit constitutionally protected prayer and inserted their cute little language which we already debated at length this week, and which the House has already overwhelmingly spoken on this particular issue.

It seems to me we have a minority of people in this body who are constantly trying to thwart the overwhelming majority of this body. Members need to really look at this issue, and later, we are going to have a motion to recommit, to reinsert the Duncan language as it passed this House 367 to 55. I hope Members will vote for that. And I hope Members will not have their principles bought, because I have heard rumors on the floor that the choice is between losing $105 million, if we do not pass this bill by April 1, and changing the rules, or inserting the Duncan amendment and substituting it for this new language. I hope Members will not approach this important issue in that manner.

I hope the Members, the 300-plus, that have voted in support of the Johnson-Duncan approach to protecting children's rights to constitutionally protected prayer in school, will continue following that principle and vote for the motion to recommit and substitute the language that we all overwhelmingly support.

Overruling the obvious will of both bodies is not the way to do business. This sort of business is what the American people have seen that disgusts them and frustrates them so much. Despite the will of the people and the overwhelming will of the House has spoken, a conference committee has decided to take it on themselves to change it. Vote "yes" on the motion to recommit and protect the right to voluntary prayer in public school.

Mr. QUILLEN. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Illinois [Mr. MANZULLO], who does a tremendously good job.

Mr. MANZULLO. Mr. Speaker, the rules of the House do not permit any debate on a motion to recommit legislation back to conference with instructions, so I will use the time allotted under the rule to speak in favor of the Duncan amendment.

Mr. Speaker, Congress has voted overwhelmingly three times to protect the constitutional right of children to pray in school. In fact, the very language in the Goals 2000 conference report was defeated 2 days ago by a vote of 239 to 171. Why was the will of the majority of the Members of Congress thwarted by such a small group of Members of Congress in conference? That which Congress tried to do and did do on two different occasions was undone in one fell swoop by a small group of Members of Congress.

For those who voted against the Williams amendment on Tuesday, they must be consistent and vote for the Duncan motion today. The Duncan motion has nothing to do with mandates. It has everything to do with constitutional rights. No school can discriminate based on race, religion, gender, creed or disability. Yet if schools deny children the right to pray in a constitutionally protected manner, this conference report would let them off the hook.

During debate on Tuesday, the gentleman from New York [Mr. NADLER] made the following statement. Listen very closely: "There is no reported case in our courts in the history of the Republic involving school officials refusing to allow private voluntary prayers by individual students." That is simply not true. That is why we need to support the Duncan motion, once the vote on the rule is over.

There are very numerous cases on this issue. Just talk to Eileen Unander of Champaign, IL, or J.J. Music of Prestonberg, KY, who were denied the right to pray around the school flag before classes. Just ask Bethany Null, a special education student from Panama City, FL, who was told by school officials that she could not pray over her lunch. Just call the students at Smithfield High in Virginia, or the high school students of Rosslyn, NY, who were prevented by school officials from forming a Bible club to pray and study scripture.

Of course, any student of constitutional history knows the famous Mergeas case, where the Supreme Court in 1990 upheld the constitutionality of the Equal Access Act, which allows students to form religious clubs. Mr. Speaker, this very body passed a law, the equal access law, which allows children the right to form those voluntary clubs.

One organization has over 80 active cases dealing with the right of students to voluntarily pray in school. Those who say that no one has ever been denied the right to voluntarily pray in school are simply wrong.

I find it ironic that the very Members of this body who have no problems passing legislation overturning the Grove City College decision, which cuts off all Federal funding to institutions that do not have equal programs for both genders, raise so many objections to the Duncan motion.

Mr. Speaker, I urge my colleagues to support the motion of my friend, the gentleman from Tennessee [Mr. DUNCAN] to protect the constitutional rights and reject this conference report that circumvents the will of the vast majority of both houses of Congress.

Mr. Speaker, a recent survey was taken, and it showed that only 29 percent of the American people polled have confidence in the U.S. Congress. I can understand why, myself.

I am a Member of this body, and have worked very hard to get here. I share that lack of confidence in this body, when on two separate occasions this body votes for very specific language, only to have that very specific language ripped away in a conference committee, and to bring the matter back before the floor. It is a matter of fairness, it is a matter of equity, it is a matter of justice that we pass and vote upon this Duncan provision to recommit.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. BOEHNER].

□ 1500

Mr. BOEHNER. Mr. Speaker, Goals 2000 is on the floor today. We ought to remember why we are here and where this process started.

The process started when 50 Governors came together with then-President Bush to talk about what can the Governors and the President do to bring focus to the efforts to reform America's schools, and the whole idea here was to bring together a voluntary framework to help each of the Governors reform education. But when the bill came through during George Bush's years, it did not get very far because we could not come to some agreement on what that bill ought to be. And so it was reintroduced under President Clinton, a bill that was not bad, was not exactly what George Bush had brought to the Congress, but not much different.

And then, the majority in the House and Senate got hold of it, and look what happened then. Instead of empowering communities, instead of empowering parents to improve schools in America, all this bill does is empower the bureaucracy once again. The most glaring example is the language in this bill that puts in opportunity to learn standards. It is much better than the House-passed version, but it is still rather confusing. It orders the States that they will in fact put opportunity to learn standards together. It says, "You do not have to implement them," and third, it says, "We will not check to make sure whether you are implementing them or not."

Then why in the world are they even in the bill? Because in the series of compromises, everybody got a little something. So those who wanted opportunity to learn standards have the words in the bill, but in fact, it is a waste of paper, it is a waste of words, and nothing is going to come of it.

We had an opportunity when this bill came to the House to support an alternative that would have empowered parents and local communities to take hold of this reform movement in their schools. The amendment offered by the gentleman from North Carolina [Mr. BALLENGER], the gentleman from Texas [Mr. ARMEY], and myself would have in fact done that, and provided some focus for States to drive reform to its lowest level. But no, once again we are going

to take reform out of Washington and try to mandate it on the States.

If Members look at all of the quality programs in America that American industries have gone through, one of the principles they have all learned is we have got to drag decisionmaking down to its lowest possible level. If we want real quality in the workplace, if we want real quality products, drive decisions to their lowest level. It is exactly the opposite of what we are doing in this legislation. It does not deserve to be on this floor, and it does not deserve our support.

Mr. QUILLEN. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, I thank the gentleman for yielding the time. I just want to be sure that Members on both sides of the aisle are fully aware of what has happened with the language we spent so much time on and dwelled so long on on school prayer. The fact is the Duncan-Johnson language that merely expresses intent, that we are offended by taking prayer out of the schools, and that we support voluntary prayer in schools, is now out of this. And we have 345 Members of Congress who voted for this, and I am sure that all 345 will go back and they will campaign on the fact that they wanted to do something about reinstating prayer in schools.

A book by David Barton of Tulsa, OK, ought to be required reading. He has charted the behavioral patterns of America all the way back for the last 200 years. He charted the behavioral patterns of violent crime, of drug addiction, rapes, teenage pregnancies, and for 200 years that line was a parallel line until 1963 when it shoots off of the chart. And what happened in 1963? That is when the Supreme Court took God out of the public schools.

Now we went to all of this trouble getting that back in, and I have no doubt in my mind that those individuals who were embracing taking this language out, and are among the 345 who voted for it, are going to try to go back and campaign on it. But we will not let them get by with it. The language is gone, and they have butchered it, and they have again fortified what the Supreme Court did in 1963.

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

Mr. Speaker, I have no further requests for time, but whenever the motion to recommit is heard after the debate on the measure, I urge Members to vote for the motion to recommit to be offered by the gentleman from Tennessee [Mr. DUNCAN].

Ever since the Supreme Court ruled that you could not read your Bible or say prayers in school, I have fought religiously to get that changed. And I think the conference report language does not go far enough. We should revert back to what the gentleman from Tennessee's amendment did in his motion to instruct conferees.

Mr. Speaker, I urge a yes vote on his motion.

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

Mr. DERRICK. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FORD of Michigan. Mr. Speaker, pursuant to the provisions of House Resolution 393, I call up the conference report on the bill (H.R. 1804) 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 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.

The SPEAKER pro tempore (Mr. MCNULTY). Pursuant to House Resolution 393, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, Mar. 21, 1994, at p. 5639.)

The SPEAKER pro tempore. The gentleman from Michigan [Mr. FORD] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support the conference report on H.R. 1804, the Goals 2000: Educate America Act. It is imperative that the House act today to pass this conference report or funds that have been appropriated for programs in this legislation will be lost. This comes about because the fiscal year 1994 appropriation law provides $105 million for 1994 expenditures for Goals 2000 and $20 million for the Safe Schools Act, only, however, if these initiatives are enacted by April 1.

Both of these programs are contained in the conference report on H.R. 1804. With the Easter recess pending this Friday, the House must act today to give our colleagues in the Senate the time they need to consider this legislation.

Members should understand that if this report is recommitted to conference, these funds will be irrevocably lost. A motion to recommit the conference report is not like a motion to recommit to the committee. If we had a recommit with instructions to the committee, I could get together with my ranking member and we could solve the problem very quickly and come back to the floor. But what we are recommitted to if Members vote to recommit today is to a new conference with new conferees appointed by the House and Senate that will go into conference with every item in both the Senate and the House bills available for debate and discussion. And I can assure Members that there is no possibility that I could get back from conference by the end of this week. It took literally weeks of work, after many weeks of work by the staffs on both sides in the House and the Senate, to get this conference report together, and if we have to start all over again, it just cannot be done in time for Friday. There is just no time to reconvene a conference and negotiate a new report and get it through both Houses.

This conference report is important because it makes the Federal Government a partner in education reform by assisting States and school districts to undertake school improvement activities.

I should mention, parenthetically, that we passed basically this bill for President Bush in 1990. We passed it again for President Bush in 1992. And we passed it last year for President Clinton through the House, and now the conference is here. In each of the previous situations it has been the Senate that was unable to pass the conference report. But on the previous attempts in the House, the vote for passage of this bill has been overwhelming.

The conference report on H.R. 1804 contains several education initiatives, including safe schools, the authorization for programs and activities in the Office of Educational Research and Improvement at the Department of Education. Those programs will assist schools in their efforts to provide a quality education to our students.

Let us not forget that that is what this legislation is all about. It is education reform. This is the legislation that was put together by President Bush and the National Governors Association when President Clinton was the head of that organization.

□ 1510

Both of them had a very strong commitment to the purposes of this legislation, and I hope now we are going to be able to finally bring this to a conclusion.

Mr. Speaker, I rise today to support the conference report on H.R. 1804, the Goals 2000: Educate America Act. It is imperative that the House act today to pass this conference report, or funds which have been appropriated for programs in this legislation will be lost.

The fiscal year 1994 appropriations law provides $105 million for Goals 2000, and $20

million for the Safe Schools Act if these initiatives are enacted by April 1, 1994. Both of these programs are contained in the H.R. 1804 conference report. With the Easter recess pending this Friday, the House must act today to give our colleagues in the Senate the time they need to consider this legislation.

Members should understand that if this report is recommitted to conference, these funds will be irrevocably lost. There is not time to reconvene the conference, negotiate a new report, and pass it in both Houses before the end of the week.

This conference report is important because it makes the Federal Government a partner in education reform by assisting States and school districts to undertake comprehensive school improvement activities.

While President Bush proposed similar school reform legislation, we were unable to enact the Bush bills because of Mr. Bush's focus on school choice programs. President Clinton has sent us, and we are passing today, legislation which focuses on the key issues of education reform, not on gimmicks like vouchers.

The conference report on H.R. 1804 contains several other education initiatives, including Safe Schools, and the authorization for programs and activities in the Office of Educational Research and Improvement at the Department of Education. These programs will assist schools in their efforts to provide a quality education to our students by making our schools free from violence and crime, and by funding crucial research in education.

The conference report also contains the National Skills Standards Board. This Board will serve as a catalyst in stimulating the development of a voluntary national system of skill standards which will connect the skills needed in the workplace with the skills imparted through education and training.

Mr. Speaker, we must pass this conference report today or these funds for school reform and safe schools will be lost. We must not delay. I urge my colleagues to support the conference report and oppose any attempts to recommit this measure back to the conference committee.

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

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the conference report.

Mr. Speaker, for the last 6 years I have been trying to shepherd legislation of this nature through the Congress of the United States so it could actually become law. As the chairman, the gentleman from Michigan [Mr. FORD] said, it began with the Governors and former President Bush meeting in Charlottesville, setting six national goals and then trying to figure out how we can help States and local school districts move toward those goals. I probably raised my voice louder on this legislation more often than any other legislation, hammered my fists more often on the table on this legislation than any other because I wanted to make very sure that we did not micromanage State and local education efforts.

I am trying the same thing in H.R. 6. It is very difficult to rail against the majority and tell them not to micromanage and then say that when my side of the aisle does it, it is all right.

It is not all right on either side.

So I tried to make sure that we do not micromanage local and State efforts, I tried to make sure that we do not set equalization formulas from the Federal level on how State and local governments spend their money for education; I tried to make sure there is no national curriculum; I tried to make sure we do not have unfunded mandates; I have tried to make sure that our major interest is what has the child learned, rather than the input effort into the education of that child.

Why have I done this, and why have I worked so long? Because I happen to believe that even though this is a very little program, a very small program, it might be one of the most effective things we have done perhaps in the history of this Congress in relation to bringing about quality in education rather than just access. In the past, that is all we have considered: access, access, access. As I have indicated many times, we spent $82 billion on chapter 1 and we are not sure whether we helped the disadvantaged become more disadvantaged or whether we may have just helped some to become less disadvantaged.

We spent $22 billion on Head Start, and we are not sure what the outcome of that is, because our emphasis has never been on quality, it has always been on access.

Well, the time has come when, if we are going to survive as a great nation, we are going to have to get above the business of mediocrity. Access to mediocrity is of no value whatsoever to a Nation such as ours in the competitive world in which we live.

That is what we are doing with Goals 2000.

From a small program like displaced homemakers, which is about the smallest program we have ever done, we have probably gotten more bang for the buck than any other program that we have ever developed in the past in the Congress of the United States. Yet it is just a small program.

Even Start appears like it may be working, that the whole emphasis on family literacy and parenting skills may be helping, and it is a small program.

This is a small program, and yet a great opportunity that we have, not to micromanage local and State efforts as far as reforming their school system, but giving them some help, some support, and some guidance.

Now, it is very important that I repeat, even though it really does not matter whether you say what is in the legislation or not, those who want to believe what is in the legislation even if it is not in it will believe that no matter what I say; but it is important to understand that in the legislation it says, "Notwithstanding any other provisions of Goals 2000, no State, local education agency, or school will be required to implement OTL standards or strategies." It is important to understand that in the legislation it says, "No State is required to have their OTL content or performance standards certified by the goals panel."

It also says that nothing in this act creates a legally enforceable right to sue on a standard or assessment certified by NESIC.

It also says nothing in this act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or schools' curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this act. I do not know how you can get a greater guarantee from the Federal level that we are not micromanaging local and State efforts. Again, I repeat, I think this is a small step but a very important step, and maybe the most important that we will take to bring about quality in education in the United States rather than just access.

Mr. Speaker, I rise today in support of final passage of the conference report on S. 1150/H.R. 1804, the Goals 2000: Educate America Act. While I am not satisfied with many of the final provisions of this legislation, this conference agreement does contain many improvements to the House-passed bill.

As a former educator who is extremely interested in education reform, I was very hopeful that we could work together in conference to ensure that the version of Goals 2000: Educate American Act which emerged from conference would be a vehicle for education reform. Unfortunately, this legislation falls far short of what our Nation truly needs to meet the national education goals developed 5 years ago by President Bush and the Nation's Governors.

Indeed, because the Goals 2000 bill produced by this conference committee contains a truckload of new reporting requirements and provides very few dollars in return, I fear that many States, local education agencies, and schools may choose not to participate in this program. That would truly be a sad commentary on the ability of Congress to play much of a role in reforming education.

Nevertheless, after nearly 6 years of negotiations spanning nearly the entire Bush administration and the first 1½ years of the Clinton administration, I am reluctantly convinced this bill is the best that Congress can do. For that reason, as well as the fact that this agreement removes nearly all of the worst opportunity to learn provisions that were in the bill that passed the House, I will vote for this bill.

Because this issue has generated such controversy, let me take a few moments to explain the opportunity to learn provisions in this bill. First, while a State must develop opportunity to learn standards or strategies, they

only have to include those factors it seems appropriate to achieve a State's content and performance standards. In other words, OTL standards or strategies are whatever a State wants them to be as long as they are focused on improved student learning.

Let me also point out the single most important section of the bill dealing with opportunity to learn: No State, local education agency, or school will be required to implement OTL standards or strategies. So, while a State must develop OTL standards or strategies, they do not have to be implemented.

There are a number of other opportunity to learn provisions that I helped to draft in this bill prohibiting unfunded Federal mandates and ensuring local control of education.

There are, however, two OTL provisions in the statement of managers that are of concern to me. These provisions directly contradict some of the actual bill language dealing with opportunity to learn. I spoke to Secretary Riley about my concerns about the statement of manager, and he made it clear the Department intends to implement the actual language in the bill, and does not plan to follow the instructions found in the statement of managers. I am gratified with the Secretary's assurances, and I will work closely with him on the implementation of all of the opportunity to learn provisions.

Mr. Speaker, let me make it clear there should be no mention of opportunity to learn standards or strategies in Goals 2000. However, the opportunity to learn sections of this bill have been watered down to such a degree that they may as well not be in this bill at all. As such, these provisions are acceptable to me.

There are some positive things about this bill. Goals 2000 enshrines into law the national education goals and a National Education Goals Panel to monitor our country's progress toward attaining these goals. It sets high academic standards for America's children, and it makes it clear that we have high expectations for our future generations.

Goals 2000 contains a very important provision that provides regulatory flexibility to States, local educational agencies, and schools. For many years I have urged my colleagues on the Education and Labor Committee to trust local educators to do what is best for their students. The flexibility provisions in Goals 2000 would permit States, local educational agencies, and schools to apply for waivers from statutory or regulatory requirements which impede their ability to carry out a State or local education reform plan. Although waivers may only be obtained for seven existing elementary and secondary education programs, this is an acknowledgment that State and local education officials know best how to develop programs to meet the needs of their students.

Under title V of the Goals 2000 legislation, we have provided for the establishment of a national board for the development of voluntary, national industry-recognized occupational skill standards. While I support the conference agreement on this title, I remain convinced that success is dependent on making this an industry-led effort—otherwise the standards will not be used. While I would have preferred establishment of a national board that provided more of a leadership role to business and industry, I feel that the compromise reached during conference will move this effort along the right path.

Other important parts of this conference agreement include the reauthorization of the Office of Educational Research and Improvement and a Safe Schools Program to provide grants to local educational agencies to fight crime and violence in local schools. It is my hope that the Safe Schools Program will provide us with some effective models for combating the violence problem in our Nation's schools.

Mr. Speaker, there is a strong need for education reform in our country, and due to outreach efforts undertaken by both the Bush and Clinton Education Departments, many States and local communities have already begun reform efforts which may be undertaken as a part of Goals 2000. This legislation may give them the assistance and guidance needed to implement their reform plans.

In light of the fact that we have been able to neuter most of the onerous provisions of the Goals 2000 bill that passed the House, I see no reason that we should not go forward with this legislation. We have spent over 5 years working on education reform and it is time to move on to other equally pressing issues.

Mr. FORD of Michigan. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. KILDEE] chairman of the subcommittee, who has worked so long and hard on this legislation.

Mr. KILDEE. I thank the chairman for yielding this time to me and for his very hard and effective work on this bill.

Mr. Speaker, I am very pleased to support this conference report on H.R. 1804, a bill which I introduced over a year ago. It represents a very thorough and very thoughtful consideration of the President's education reform bill, which he sent to the Congress at the beginning of this 103d Congress.

It is similar in structure, indeed, to the bill sent to us by George Bush during his Presidency. The conference report includes these features: establishment of national education goals and national standards and improvement council as part of a process for building a national consensus for education improvement and for overseeing the development of voluntary national education standards.

These standards would be available as guides that States may use to develop their own high standards for student achievement.

The bill also includes authorization of formula grants to States for locally based reform activities. It also establishes a national skills standards board to serve as a catalyst for development of a national system of skills standards to better prepare our workers for high-skill jobs in this very competitive global economy.

It also reauthorizes the Office of Educational Research and Improvement. It authorizes the Safe Schools program to help schools deal with school violence.

The Goals 2000 Educate America Act is the means for the Federal Government to help States and local school districts to help themselves to improve education for all children. It is based upon the principle that, to be effective, school reform must be developed on the local level.

I want to insert in the RECORD, Mr. Speaker, a letter from the Business Coalition for Education Reform, among whose membership is the Chamber of Commerce of the United States, the National Alliance of Business, the National Association of Manufacturers, very strong conservative bodies.

One thing they say in their letter supporting this bill: "The final conference report creates neither unfunded Federal mandates nor a national school board, nor national building codes."

The letter referred to is as follows:

BUSINESS COALITION FOR EDUCATION REFORM,
Washington, DC, March 22, 1994.

Hon. WILLIAM D. FORD,
Hon. WILLIAM F. GOODLING,
Committee on Education and Labor, House of Representatives, Washington, DC.

DEAR CONGRESSMAN FORD AND CONGRESSMAN GOODLING: The Business Coalition for Education Reform urges all members of the House to give the Goals 2000: Educate America Act, H.R. 1804, their full support. We believe the conference report establishes the appropriate federal framework for creating, for the first time in this country, an education and training system which is performance-based and results oriented.

The Coalition firmly believes that enactment of the Goals 2000 bill is essential to building a world class workforce and ensuring our long term economic strength. Now, more than ever, establishing the federal role in a voluntary national system of academic content standards and assessments to help guide states, schools, teachers, parents, and students is critical to the nation's ability to compete with the other industrialized countries of the world.

The Goals 2000 legislation describes a new federal role in education and training: one of leadership, incentives, and assistance, coupled with the state and local flexibility necessary to design the appropriate instructional programs for individual communities. The final conference report creates neither unfunded federal mandates nor a national school board, nor national building codes. Discretion in developing and implementing academic standards, assessments, and opportunity to learn standards or strategies, is left where it belongs—with the states.

We also believe the conference report ensures there will be strong business leadership on the national skill standards board. The business community believes skill standards, if developed properly, in conjunction with academic standards, skill standards will enhance economic security by providing workers with nationally recognized certifications. With strong business leadership on the board, a national system of skill standards and certifications will ensure the relevance of worker skills and training to jobs.

We commend the Senate and the House for their leadership and persistence in the development and passage of the Goals 2000: Educate America Act, and we urge swift action on the conference report.

Sincerely,

WILLIAM H. KOLBERG.

MICHAEL JACKSON.

Mr. Speaker, I want to point out to this body that Mr. GOODLING and I, in crafting this bill, were very careful to make sure that participation in Goals 2000 is totally voluntary and is not a prerequisite for receipt of funds under any other Federal education program.

If a State or school district does apply for funds and receives them, it must develop its own reform proposal with broad public input, including parents. I urge parents to get involved in that reform in the local school districts, at that level, because that is where it will take place.

Goals 2000 envisions many types of reform, many types of reform activities, throughout the Nation, developed to meet individual community needs. This bill recognizes that which I have always believed, that education is a Federal concern but it is essentially a State responsibility and a local function. I think, in crafting this bill, Mr. GOODLING and I have been very careful to make sure that these are voluntary and that the reform will take place at the local level and with local input.

□ 1520

Mr. GOODLING. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. GUNDERSON], a member of the committee.

Mr. GUNDERSON. Mr. Speaker, I say to my colleagues, "This is it. Either today you vote for education reform or you go back home and admit you're not really in support of it."

There is not a Member among us who cannot come to the floor today, after the 6 years that the distinguished leaders on both sides have referred to of working on education reform, there is not one of us that could not come here today and say there are some things in this bill that I do not like. I know there are some things the gentleman from Pennsylvania [Mr. GOODLING] does not like. I know there are some things that I do not like. I am sure there are things that the chairman of the committee and the chairmen of the subcommittees do not like either. But this is what governing is all about, and this is the day, and this is the afternoon, when we will have to decide whether we are going to go home and say that we truly are committed to education reform. That is what this is about, my colleagues.

Mr. Speaker, this bill establishes the framework for education reform, nothing more, nothing less.

I showed this to my colleagues in the debate a few weeks ago, the learning revolution. This is what we are talking about here, enabling every State and enabling every local school district in America that so chooses to respond in its own unique way to the challenges of education reform in that community, and I hope my colleagues have listened carefully to what I just said because I said "enables every State and every local education agency that so chooses."

There is, my colleagues, not one mandate in this bill. There is not a State in the country that has to participate in Goals 2000 if they choose not to. There is not a local school in this country that has to participate in education reform under Goals 2000 if they choose not to. But if they choose to, then they have the power through their locally created reform panel to determine what works best for them, and, my, is there a lot of compromise in that area.

The chairman of the committee has allowed public school choice as one of the options, if they so choose. We have allowed in this bill education flexibility, if it is a part of an education reform proposal.

As the gentleman from Pennsylvania [Mr. GOODLING], the ranking Republican, said, there are absolutely no mandates anywhere in this bill on any local community, and yet we return the bulk of those funds to the local schools. Year one, 60 percent of all the money that goes to those States that choose to participate must go to those local education agencies. In year two and beyond, 90 percent of all of the money must go to the local schools.

My colleagues, name me another program adopted by the U.S. Congress where 90 percent of the money actually goes into the delivery of a program at the local level, and yet that is exactly what happens under this particular program.

A few years ago, when George Bush first articulated Goals 2000, in my home area of western Wisconsin they got all excited, and under the leadership of a Dr. Charles Edwards, who was the dean of school education, still is the dean of school education at one of our universities, we created a Western Wisconsin 2000 Education Reform Panel. They got excited about it, and they put together this handbook, and they have done that without any money.

But the interesting and exciting thing about this program, Mr. Speaker, is one of those schools, which is the larger school, said: You know what? We have looked at our program, and we do nothing to prepare our young people for the international global economy. We want to set up a program, probably a charter school, focused on international education where they focus on world history, and bilingual education, and metric mathematics, and so forth.

Then there was this medium-sized school in a rural farm area that says:

> You know, we have got a lot of economic stress in our area, and we have got to recognize that a lot of these young kids are not getting the kind of preparation for learning they ought to have, and they don't start school today ready to learn. So, we want to set up a program in our rural community to guarantee that under education reform every child in our school starts school ready to learn.

Then there is an even smaller community along the Mississippi River, and the superintendent actually came to me, and he said:

> You know what? Not too many of my kids are probably going to go to college. They really need technical education, but very frankly we don't have the resources and the tools to give to them the 1990's or 21st century technical education. We would like to find a way under educational reform to uplink and downlink those kinds of courses and bring them into our school to empower our students.

My colleagues, that is what we are talking about this afternoon, enabling those local communities to chart under their own plans their best methods for improving education for their kids.

One final note before I sit down—I would hope every one of my colleagues, when they come here to vote today, would give this vote to the gentleman from Kentucky [Mr. NATCHER]. Anybody who knows the gentleman from Kentucky at all, knows that he never appropriates money for something that is not authorized. In all the years that I have been here, Mr. Speaker, this is the first time I know of that the gentleman from Kentucky [Mr. NATCHER] has ever put money into an appropriation bill because he had confidence in the secretary, he had confidence in those of us in the Committee on Education and Labor, and he had confidence in this Congress that we were going to do what was right, and by April 1, we were going to have passed and sent to the President an education reform framework.

I say to my colleagues,

> My guess is he is sitting in that hospital bed watching us on TV this afternoon, and I think we could give him a vote of confidence and a vote of well wishes to say, "BILL, your confidence in this Congress for your grandchildren and for all the children of this country was well placed. Thank you very much."

Mr. FORD of Michigan. My Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Wisconsin [Mr. GUNDERSON] for his comments about our chairman, the gentleman from Kentucky [Mr. NATCHER], and for reminding everyone in here of how steadfast he has been over so many years in refusing to put any money on the stump, as the expression goes. This was not money put on the stump. The gentleman from Kentucky [Mr. NATCHER] was convinced that we were going to be able to do it in time for April 1, and that is why he made this $125 million contingent on us passing this legislation before this weekend.

As the gentleman said, it would be a terrible recognition of that break from the past by him if we were unwilling to break from anxieties and angers of the past to do it.

Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island [Mr.

REED], a new, but very valuable and very active, member of the committee.

Mr. REED. Mr. Speaker, I rise in strong support of the conference report, and I first want to commend the gentleman from Michigan [Mr. FORD] and the gentleman from Michigan [Mr. KILDEE] for their efforts, as well as the ranking member, the gentleman from Pennsylvania [Mr. GOODLING].

As the gentleman from Pennsylvania indicated, we did have some rather frank and vigorous discussions about this bill which resulted in the principal resolution of all these issues and resulted in, as he indicated in his remarks, a conscious recognition of the importance of local control of school policy, and I think this bill recognizes that fundamental tenet of American educational law that is truly the local communities and the States will guide educational reform.

But what we have been able to do in this legislation is to provide a Federal catalyst to help those local reformers. This bill does not purport, nor in any way will it require, the Federal Government to manage reform, but it will, I hope, stimulate through these funds and through these programs vigorous efforts at the local level to reform our educational system.

Now there are two basic components of this legislation. First, the establishment of voluntary standards, and I should hasten to add: voluntary national standards.

□ 1530

So that there is a national consensus on what each child should know at relevant positions in their education. In addition to these national standards, there is a framework of reform, a framework which we hope will encourage the States to address the difficult questions they face each day.

Included in these questions are the resources that should be available to education. They have been described in this legislation as the "opportunity-to-learn standards," but they are basically a set of questions about what resources are necessary to young people to truly master the content standards.

This legislation does not dictate standards, but what it does is encourage the States to ask the hard questions, questions like what they will do when a school or a school system fails to meet the content standards. By asking these questions, by starting a process of sincere and thorough analysis, I think we are going to do remarkably great things for education in the United States without taking upon ourselves at the Federal level the mantle of educational policy in the United States.

This is critical legislation at a critical time in our history. The world economy is expanding. Our competitiveness is at stake unless we can learn all the skills necessary to be successful in a very competitive and very challenging world.

That is why a host of business organizations, as the subcommittee chairman, the gentleman from Michigan [Mr. KILDEE], indicated, such as the Chamber of Commerce of the United States, the National Alliance of Business, and the National Association of Manufacturers, have all urged us to act today. In their words, in the words of the Business Coalition for Education Reform, they say, "We commend the Senate and the House for their leadership and persistence in the development and passage of Goals 2000. Educate America Act, and we urge swift action on the conference report."

Mr. Speaker, I, too, urge swift action on the conference report.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I rise today in support of recommitting the legislation to conference to restore the protections for constitutionally permitted prayer that have been approved repeatedly in both the House and Senate.

The House has voted overwhelmingly to include language in this bill prohibiting any local school district from infringing on the right of children to engage in constitutionally protected prayer. We reaffirmed this position earlier this week by approving identical language in the elementary and secondary education reauthorization. And the Senate also approved this language with only token opposition.

Why then does this bill not cover constitutionally protected prayer? Apparently, because some of the conferees on this bill have chosen to strike it in favor of language explicitly rejected by this House earlier this week.

Everyone in this House is in favor of education, and even those of us who don't believe this bill is perfect want the process to move forward fairly. However, we should not accept a blatant rejection of the clearly stated will of both Houses on an issue as important as the freedom of religion.

I urge my colleagues to join me in voting to recommit this conference report so that the will of the House on this issue can be done.

Mr. FORD of Michigan. Mr. Speaker, I yield 5 minutes to the subcommittee chairman who wrote the Office of Education and Research Improvement provisions that are in this conference report.

Mr. OWENS. Mr. Speaker, I would like to note the fact that in this monumental bill, we have discussed primarily Goals 2000, but also it contains the reauthorization of the Office of Educational Research and Improvement.

Mr. Speaker, the Office of Educational Research and Improvement is reauthorized, updated, modernized and provided with a structure that brings it into the 20th century. For the first time, education ceases to be second-class citizen here in Washington; for the first time it is recognized that the education function is an important as the defense function, the commerce function, the health function. For the first time it is recognized that a research and development component is necessary for any modern activity to go forward.

Mr. Chairman, it is also recognized that at the level of the States, the States will never have the funds, the resources necessary to do the kind of research that has to be done.

So we now have an Office of Educational Research and Improvement which has 3 major innovations that will carry it forward into the future.

One is an innovation which establishes a Priorities Review Board. This is a board consisting of people who come from the education community, some people chosen from the educators at the level of teaching, some people chosen at the level of researchers, businesspeople, a cross section of people to make up this board appointed by the President.

Mr. Chairman, it is important to have such a board because OERI throughout its history has been plagued by partisan swings one way or the other depending on who was in the White House, and sometimes those swings have taken it off on orbits that have almost destroyed the agency. If a group of educators are there to anchor the agency and to provide an ongoing objective evaluation of the kind of research that needs to be done, the likelihood that this agency will be bogged down in partisan wrangling is lessened greatly.

Mr. Speaker, another important innovation is the establishment of several institutes similar to the Institutes of Health. Those institutes will focus in on particular problems.

One institute will focus on the problem of at-risk students. There will be an institute for the education of at-risk students, there will be an institute for governance and management, and several other institutes which will serve as backdrops and supportive systems for whatever kind of reform does take place at the local and the State level.

Mr. Chairman, the Institute for Governance and Management is needed all over the country. School boards are made up of amateurs who really do not know a lot about how to manage. They are often swindled. A large part of the money that should be going into instructional cost goes into money for buildings and supplies and bus contracts, and, in my hometown of New York, custodian services that are overpriced; and it appears that laymen who are appointed to the boards are not able to deal with these situations.

Therefore, to have an institute working at the national level to support and back up these school boards across the country would greatly benefit the educational reform effort.

Mr. Speaker, we also have a district education agent plan in there which is the heart of a dissemination process to make certain that whatever new research is done, there will be a system similar to the system established many years ago under the Morrill Act.

Mr. Speaker, the way we became the leading power in the world in respect to agriculture and food production was that very early in the life of this country, we established land-grant colleges, and those land-grant colleges were linked up with county agents and they were linked up with experimental stations at universities so that the dissemination of the information that came out of the universities went right down to the farmer at the local level.

Mr. Chairman, we now have a system which will carry the educational research benefits right down to the classroom so that a teacher at the local level can immediately make use of whatever new techniques and approaches are developed. This is a proven approach. We did it long ago in the Department of Agriculture, and it made us the unchallenged producer of food in the world. We are now bringing the education function in parity with the other functions like the Department of Agriculture, the Department of Health, and the Department of Defense, in terms of a first-class, modernized research and development approach, a first-class modernized effort for disseminating information, and a respect for the scientific approach. If science worked to give us Patriot missiles and make us the leading military power in the world, then science and a scientific approach will certainly work to give us a world-class education system and make us the leading innovator in the world.

The children in our classrooms suffer from an outdated, antiquated approach to education, and here is an opportunity to see that they get the very best in terms of a research and development system to produce a world-class leading education system.

Mr. Speaker, I rise in strong support of the conference report on H.R. 1804, the Goals 2000: Educate America Act.

I want to highlight two important parts of this legislation which will provide critical assistance to the Nation's schools: Title VII, which contains the Safe Schools Act, and title IX, which contains the reauthorization of the Office of Educational Research and Improvement.

When the House finally passes H.R. 6, the Improving America's Schools Act, we will have the opportunity to approve legislation which would provide every school district in the Nation with additional resources to prevent violence in and around their schools by the start of the next fiscal year.

Unfortunately, there are schools in our country who cannot afford to wait that long. They need help today.

By incorporating provisions of my bill, the Safe Schools Act of 1994, Title VII will provide the Department of Education with the means to respond immediately to this crisis, providing emergency assistance to those schools which now face severe violence problems and enabling the Department to develop model antiviolence programs which schools throughout America will be able to implement when H.R. 6 is signed into law.

These provisions, in short, will jump-start Federal efforts to respond to the epidemic of violence which now threatens too many students and teachers throughout our Nation, providing the immediate and meaningful Federal response that is now urgently needed in central Brooklyn and in too many other communities in the Nation.

I also want to highlight the dramatic reform of the Federal educational research and development effort that is set out in title IX of H.R. 1804. This legislation reauthorizes and restructures the Office of Educational Research and Improvement to establish a world-class research and development system to guide and drive the national effort to improve education.

If we are to achieve the national education goals, OERI must be moved from the periphery to the center of educational reform and innovation in America. It must become the locomotive which pulls and guides the national effort to improve education with sound, research-based leadership for change.

Title IX creates a stable system of governance modeled upon the National Institutes of Health and the National Science Foundation to guide OERI's activities. A 15-member national educational research policy and priorities board consisting of both educational researchers and representatives of teachers, parents, and other stakeholders in education is established to oversee and guide OERI. The board's key function is to work with the Assistant Secretary to develop a comprehensive research priorities plan to end the incoherent, flavor of the month approach to research which has limited OERI's effectiveness for so long. This would be a long-term agenda for OERI's research and development efforts, reflecting a national consensus which would set out priorities and objectives for OERI.

Title IX also realigns OERI's activities according to an institute structure to provide an enduring focus for its efforts. Currently, OERI is organized by how it conducts research and not by what is being studied. This has contributed to the overall lack of coherence and stability at OERI. Title IX would restructure OERI's research and development activities according to an institute framework, with institutes focused in the following areas: The education of at-risk students; educational governance, finance, policymaking, and management; early childhood education and development; student achievement, curriculum, and assessment; and postsecondary education, libraries, and lifelong learning. These institutes would conduct research through the same means that OERI now employs, including through centers and field-initiated research.

To assure that the results of educational research are fully translated into real improvements in practice, title IX creates an office of reform assistance and dissemination within OERI which would be responsible for managing and directing multiple efforts to synthesize, disseminate, and promote the use of knowledge gained through research. These efforts include the ERIC clearinghouses and the regional educational laboratories.

Title IX also establishes the Goals 2000 community partnerships to support sustained collaborations among institutions of higher education, community-based organizations, local education agencies, and others to use research and development to improve education in low-income communities. This district education agent program is inspired and derived from the county agricultural extension agent, a program which proved enormously successful in the first part of this century in transforming American agriculture, community by community, to a position of world dominance. Following this model, a district education agent would be based in a learning grant institution and would work with the local community to develop and implement a comprehensive plan to improve education from the preschool to postdoctoral level. The agent will also help schools and community members evaluate the success of Federal educational programs within the community and assist in improving their implementation. Other activities which may be supported by the partnerships include preservice and inservice professional development for educators within the community, facilitating the coordination of social, health and other services to children, and school- and community-based research by teachers and others designed to solve specific problems within the community.

This legislation has been crafted through a uniquely open and participatory process. We have worked hard to achieve a consensus on the fundamental reforms which must be made at OERI. The Subcommittee on Select Education and Civil Rights has held 18 hearings and heard from 112 witnesses over a period of 5 years about the kinds of changes which must be made in the structure and authorities of OERI. We have carefully considered and, in most cases, adopted the recommendations of two complementary studies of OERI completed by the National Academy of Sciences and the National Academy of Education. We have also incorporated many useful insights and suggestions provided by the administration and Assistant Secretary Sharon Robinson. The end product of this lengthy, exhaustive process is a very strong, consensus bill which sets OERI on a bold, new course.

I want to acknowledge the contributions and dedication of some of the many individuals who have worked with us to craft this legislation. Dr. Art Wise, Dena Stoner, New York regent Adelaide Sanford, Gerry Sroufe, Carolyn Breedlove, and Gregg Jackson have worked alongside with us throughout this process, contributing many thoughtful ideas. This legislation also reflects countless hours of work by the staff of both the majority and minority of the Education and Labor Committee: Kris Gilbert, Andy Hartman, Maria Cuprill, Braden Goetz, Laurence Peters, and Theda Zawaiza have all worked long and hard on this legislation over the past 5 years. These and other individuals believed that meaningful, visionary

reform was possible and they helped us to make it happen.

With this legislation, we can provide meaningful support to the national movement to reform and improve the quality of our children's education. With this legislation, we can assure that the kind of research-based knowledge they need will be systematically and abundantly produced by OERI. No longer will OERI be a faint and flickering light; it will be a powerful and reliable beacon for reform and change in education.

Mr. Speaker, to significantly improve education in America we need an overwhelming campaign. This legislation provides the Office of Educational Research and Improvement with the capability to lead this overwhelming campaign for the improvement of education.

□ 1540

Mr. GOODLING. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. ARMEY], a member of the committee.

Mr. ARMEY. Mr. Speaker, I continue to oppose this legislation. Goals 2000, which I call bureaucracy 2000, was a bad bill when it went into conference, and it is still a bad bill.

Faced with a clear choice between bureaucratic control and parental freedom, the American people choose parental freedom, hands down. But this bill insists on giving a big thumbs up to bureaucratic control.

Instead of giving parents more accountability over what goes on in their children's classrooms, it gives more power to a new National Education Standards and Improvement Council, a new National Skills Standards Board, a new National Education Goals Panel, and, of course, the old Federal Education Department in Washington. All of which means more power for the National Education Association and less discretion for America's parents.

And true to the NEA agenda, the bill still mandates gender-sensitive and multicultural textbooks; still contains language carefully crafted to lead to the race-norming of educational and employment tests; and still pours money into school-based health clinics.

But most troubling of all is the bill's mandates on the States—mandated content standards, mandated performance standards, mandated opportunity-to-learn standards. The folks that are calling this bottom-up reform must be standing on their heads.

Mr. Speaker, a while back, Al Shanker, head of the American Federation of Teachers labor union, got caught in a moment of unintended candor.

He said, "When school children start paying [union] dues, that's when I'll start representing the interests of school children."

Today, Mr. Shanker must be popping his champagne cork.

Goals 2000 is a great bill for the teachers unions, but it's a bad deal for parents and children.

Mr. FORD of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Speaker, I rise today in strong support of the conference report on H.R. 1804 and to congratulate my subcommittee and the full committee chairman for the heavy lifting that this conference report represents.

As many of my colleagues may know, this was a very difficult agreement to reach. I believe that it was worth all the effort that produced it. This conference report represents real change. With the passage and implementation of this proposal, for the first time in decades, education reform on the national level will be pulling in the same direction as the efforts underway in States and local communities across this country.

This proposal encourages States to develop improved curricula tied to competitive standards. This is an invaluable organizing principle that will give all schools, all teachers and all students a common set of flexible goals. By endorsing this systemic approach to education reform we are stating our belief that all children can meet high expectations and develop the knowledge, skills, and habits of mind that we once expected only of our top students. This is a message of profound optimism for our Nation.

We can achieve all of this and continue to preserve the rich diversity of educational decisionmaking on the local level. Meaningful education reform has been, and always will be, locally driven. This legislation does nothing to inhibit that; in fact the entire proposal assumes that unless reform is based on the needs of individual communities it will never thrive. That is to say: it aligns these national goals of State and locally developed curriculum professional development efforts, and the tools needed to achieve them on a voluntary basis.

Mr. Speaker, I urge my colleagues to vote for this legislation. By providing incentives to State and local educational agencies to adopt content standards in the core academic disciplines we will be driving reform in the area where it is needed most—upgrading curriculum. To change the way students learn and teachers teach—we can not do less.

Mr. Speaker, I urge the adoption of the conference report.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, I rise simply to say this: A comment was made a few minutes ago that if this body adopted my motion to recommit, it would unduly delay this bill for quite some time. I think the truth is to the contrary. The language that is in my motion to instruct is very clear and straightforward. It has been adopted overwhelmingly by this body twice in recent weeks, and also by the Senate. It could be worked into this conference report very easily and very quickly, probably with a few simple phone calls, and I do not think it would delay it at all.

Also to the contrary, I am told if this language is not placed in the bill this time, that there will be a serious effort made to hold this bill up in the other body. So the way to speed this bill to final passage is by adopting my motion to instruct.

What this is all about, Mr. Speaker, and everyone knows, is that those who want to do something real about putting prayer back in our public schools will vote for my motion to recommit and give students the right to have student-initiated, voluntary, nondenominational, constitutionally protected prayer. Those who want to keep the status quo will vote against my motion to instruct.

The best argument for this was made by our own Attorney General, Janet Reno, last week when she told the Hearst newspapers this:

> School prayer advocacy, especially in inner cities, is a symptom of people trying to figure every way they can to reinforce people's ability to work together, to live together in families, to have a sense of purpose, a sense of self respect, a sense of regard for others, and how we get along with each other.

What a great argument in favor of this motion to recommit.

Mr. Speaker, I might add this. William Raspberry, the great syndicated columnist, said in a resent column:

> It is not just possible that anti-religious bias masquerading as religious neutrality has cost us far more than we have been willing to admit.

Mr. Speaker, I urge passage of my motion to recommit.

Mr. FORD of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. BACCHUS].

Mr. BACCHUS of Florida. Mr. Speaker, I rise in strong, strong support of this legislation and this conference report. In fact, I cannot even begin to say how strongly I support this legislation. To my mind, the enactment of this legislation may well prove to be the most important act of the Congress in this decade.

Everywhere I go and every issue I see and every challenge I confront, I see the compelling need for this Goals 2000 legislation: Crime, drugs, disease, unemployment, racial hatred, intolerance of all kinds, the unwillingness, the reluctance, of so many to accept responsibility for their own lives and their own actions, much less for the faith of our democracy.

These challenges, these concerns, these problems, have may causes. But in each of them, I see a single common cause. That common cause is ignorance. Ignorance. Ignorance is the enemy. Education is the answer.

Mr. Speaker, the pathway toward quality education for every American is to be found in the goals established in this legislation. These are broad bipartisan goals. They are voluntary goals. They will not be imposed upon our people, but our people will embrace them, because they understand these are goals that we do share.

That is why President Bush was for them. That is why President Clinton and all the governors at that time endorsed them. That is why we have endorsed them. We need now to make them a reality, and make them a reality today, for these goals will begin to give each child in America the chance for the broad foundation of a liberal arts education that will enable them to be citizens, achievers, Americans in the truest, finest sense of the word.

Mr. Speaker, I recall the words of Thomas Jefferson, who understood the importance of education for America. Mr. Jefferson said:

> A nation that expects to be both ignorant and free, expects what never was and never will be.

Mr. Speaker, if Mr. Jefferson were with us today, he would vote for Goals 2000.

□ 1550

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. BALLENGER], a member of the committee.

Mr. BALLENGER. Mr. Speaker, I rise in opposition to the conference report and seek unanimous consent to revise and extend my remarks.

This conference report, which will cost taxpayers over $645 million in fiscal year 1994 alone, will do little, if anything, to enact true education reform.

Tragically, we allowed yet another education reauthorization bill to pass us by without seizing the opportunity to enact real education reform. True education reform must be driven locally by teachers, administrators, parents, and community leaders and participants. To seize even more of their responsibility, and place it on an already top heavy Federal bureaucracy, is to further reduce the chance that real education reform will ever take place. Yet that is exactly what Goals 2000 does.

By agreeing to this conference report, this body does our children and grandchildren a serious disservice. Goals 2000 retains the highly controversial Opportunity To Learn [OTL] Standards that focus on the conditions of teaching and learning—not the results. These standards wrongfully emphasize superficial conditions, ignoring the content of instruction and whether or not the children are actually learning.

Not only are the OTL standards going to misdirect the energies of educators on nonessentials, States will be required to develop OTL standards, but implementation will be voluntary. States will be forced to spend time and money developing the standards, only to have them sit on a shelf or in a drawer, never to be used. I can not understand how this possibly will improve education for our children.

In addition to the objectionable Opportunity To Learn Standards, Goals 2000 creates a new bureaucratic, federally-controlled 19-member National Education Standards and Improvement Council [NESIC] to certify and periodically review the national and State content standards, performance, and Opportunity To Learn [OTL] Standards. This panel, composed of members nominated by the President, the Secretary of Education and congressional leaders, would sit, in an oversight role, over the States and localities, further eroding their role in education. Furthermore, the opportunity to enact school choice, an idea whose time has come, was passed by. Too many of my colleagues ignored the chance to provide transferable vouchers for parents to pay for their child's education at the public, private, or parochial school of their choice.

I am also very disappointed that the conference committee included only a watered-down version of the Senate-passed Helms amendment that would have denied funds to any school district with a policy of prohibiting voluntary student-initiated constitutionally protected prayer in schools. The conferees did this in spite of the fact that the House passed a motion to instructed conferees to accept the language as passed by the Senate.

The conference report on Goals 2000 also includes the conference agreement to reauthorize the Office of Educational Research and Improvement. As the ranking member of the Subcommittee on Select Education and Civil Rights, I supported H.R. 856, the Education Research, Development, Dissemination and Improvement Act of 1994, when it was voted on by the House of Representatives. And I fully support the conference agreement reached between the House and Senate.

I believe that the conference agreement makes important clarifications about the collaborative relationship between the Assistant Secretary for Educational Research and Improvement and the National Board on Research Policy and Priorities. The agreement also maintains the authority of regional laboratories to set their own locally-generated research policies, and creates a clear framework for establishing up to two additional regional labs in the future.

I want to make it very clear that while I plan to vote against the entire Goals 2000 conference report, I support the OERI portion of the conference agreement.

Mr. FORD of Michigan. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I wish I could say that the most important part of the Goals 2000 legislation for me was the heart of the legislation, the voluntary national education standards. As a law professor still at Georgetown, I feel deeply about what students need to know and the skills they need to have.

But in my town and in many others today, among the skills students most need are violence survivor skills. There are no books yet, Mr. Speaker, on how to get out of school alive or how to dodge a bullet.

Title 7, the safe schools provision, is an important step toward seeing that such books become unnecessary. If we do not enact this legislation this very day, however, safe schools will expire by April 1, before we get back from the district work period.

When I was a student at Dunbar High School here in Washington, fists were all that were available. Today guns have saturated society. Those guns are used to settle juvenile quarrels. There were gun shots through the window of my high school alma mater last month. Vice President GORE went with me and heard students describe how bullets can keep one from concentrating on books.

The next time the Vice President and I go to Dunbar, I hope we will hear about the scholarships that Dunbar students get from M.I.T. and from Howard. This bill will help us meet that goal, but only if Members vote for the conference report so that we can save safe schools before it expires April 1.

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

I would like to try one more time, hopefully there are Members at least on my side of the aisle back in their office listening, and I would hope that there are a lot of people out in the public who may be watching this so that I can allay the fears they may have and the misrepresentations of what is in this bill.

I would like to point out seven or eight of those particular things so that we truly understand what the legislation does or does not do.

First of all, it promotes Bottom-Up reform, not top down, not Federal Government down to local government, local to top. It requires each State improvement plan to include strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local education agencies and schools and includes a list of optional strategies for State consideration.

Second, unfunded mandate prohibition. It includes a general prohibition on Federal mandates with respect to

the direction or control of the State, local education agency or school's curriculum, program of instruction or allocation of State and local resources under this Act. It does not allow, does not allow the Federal Government to mandate a State or locality to incur costs not paid for under this Act.

It includes a provision reaffirming State and local responsibility for control of education. It requires the local plan to promote the flexibility of local schools in developing plans which address the particular needs of their schools and communities.

This may be one of the most important parts of this legislation. For years I have been trying to promote the idea that if we give local governments an opportunity to use their own creativity and ingenuity, they can combine some of these programs without worrying about whether they commingled some funds, because our auditors have always checked to see every penny where they thought the Congress wanted it to go. Rather than whether there was any quality taking place in the programs we had designed.

Finally, after all these years, there is flexibility in there so that local and State governments can be creative when dealing with the Federal legislation.

Furthermore, it permits LEA's to use no more than 25 percent of their subgrant in the first year for the development of their local improvement plan for LEA activities approved by the State Education Association which are related to carrying out the State or local plan. It permits the use of these funds to establish innovative new public schools.

Beyond what was mentioned, choice, it also allows for new creative schools. As I indicated, waivers, it allows the secretary to waive any statutory or regulatory requirement of chapter 1, chapter 2, the Eisenhower Mathematics and Science Education Act, the Emergency Immigration Education Act, the Drug Free Schools and Communities Act, Even Start, and the Carl D. Perkins Vocational and Applied Technology Act. They can apply for waivers so that they can be creative on the local level.

□ 1600

It permits LEA's not receiving funds, not receiving funds under this act, but which are undertaking reform, to apply for these waivers, which will certainly help them.

It amends the General Education Provisions Act [GEPA] regarding students' right to privacy. This is an amendment to the socalled Hatch Act, and it involves parental rights.

These are eight areas that I have heard over and over again that are just opposite of what is in this legislation. I point that out to make sure that when we discuss the legislation, at least we are discussing what is actually in the legislation, not what someone may think is in the legislation.

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

Mr. FORD of Michigan. Mr. Speaker, I would ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. FORD] has 6 minutes remaining, and the gentleman from Pennsylvania [Mr. GOODLING] has 4 minutes remaining.

Mr. FORD of Michigan. I yield such time as he may consume to the gentleman from Missouri [Mr. GEPHARDT].

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

I want to first salute the chairman and members of the committee on both sides who have worked hard to put this program together. I want to urge Members to vote against the motion to recommit, and I want to urge Members to vote for this report.

This legislation has had a long and difficult path to this point. It is a piece of legislation that was developed by both parties, and by the Governors and Members of the executive branch and the legislature. I think it is a very important program. It sets goals for our States, and then allocates money to help the State boards of education reach for the goals. I believe it is very important that we finalize or realize this piece of legislation.

There are many still in the country who believe that we should not set standards or goals. I think they are wrong. I think by passing this and putting it into place, we will finally make that point. We will resolve that conflict, which is what we are here to do, to resolve conflicts and to move the country forward.

Mr. Speaker, I understand some would want the motion to recommit so that the language on school prayer could be put into this conference. I urge Members to understand that whatever their views on school prayer that we passed in yesterday's action on the floor in H.R. 6, an approach to the school prayer question, that bill, when it is realized and finished, will apply to the schools of the country and the Federal Government's relationship with those schools with regard to school prayer.

There is not a need to reiterate that policy in this bill, whatever the Members' views on it were. This bill can go forward, that bill will go forward, and that bill will deal with the school prayer question. There is not a need today to put that language into this conference.

All Members will do if they vote for the motion to recommit is to slow down and frustrate the realization of this very important legislation. It will mean that about $100 million of Federal money will not go forward between now and the next fiscal year to realize the goals of this legislation.

I urge Members to vote against the motion to recommit, to vote for this conference report, and to realize a bipartisan effort that has gone on for years to set standards and to set goals for our young people in our schools. This is a major achievement of the Republican party and the Democratic party, of the Governors of this country, of the executive branch, and now of the legislature of the United States.

I salute my friends who have worked on it on both sides. I urge Members to vote against the motion to recommit and to vote for the conference report, so we will finally have standards for the young people of the United States.

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

The SPEAKER pro tempore. The gentleman from Michigan [Mr. FORD] has 2 minutes remaining, and the gentleman from Pennsylvania [Mr. GOODLING] has 4 minutes remaining.

The gentleman from Michigan [Mr. FORD] has the right to close.

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

I just want to take this time to thank the majority for the cooperative effort we have had over the years trying to put this legislation together. It is much easier when we have the White House to drive a bargain with the majority than it is when you do not have the White House, but I think we have done very well, and it is because of the cooperation from the majority side.

I also want to thank the staff, the staffs on both sides. With H.R. 6, with this legislation, and with every other piece that we have had, I am talking to these people in their offices Saturday nights, and Sunday nights. I do not even know if they know the people at their homes anymore, because I do not know if they ever go home.

I want to thank them, because it has been months that they have been on H.R. 6, it has been months and years they have been on this piece of legislation. I want to thank them for their efforts.

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

Mr. FORD of Michigan. Mr. Speaker, I yield myself such time as I may consume, to simply thank all of the members of the Committee on Education and Labor who worked to accomplish this bill.

This is an interesting experience for me. We started out with this bill as a Republican President's initiative and we passed it for him, not once but twice. Then a Democratic President who was a Governor, and negotiated the bill in the first place with the Republican President, came back with the same bill, and the lineup changed a little bit, but when the gentleman from Pennsylvania [Mr. GOODLING] says it is easier to bargain on this when you

have the White House behind you, he has always had the White House behind him on this. I have only had the White House very recently behind me on this.

I compliment the White House in both instances for the hard work they have put in in trying to get this passed. The American people are beginning to wonder if we are ever going to get anything done about this Goals 2000, because they have been reading about it for years.

As the gentleman from Wisconsin pointed out, some people took us and the President seriously when this first came on the scene and got started. Then we said, "You get out there, and we will be along with a can of gasoline for you so you can drive the rest of the way." We never got there.

If we do not get this bill passed today, this conference report, the gasoline we were going to give them for 1994 is not going to get to them. Then we can come back and argue about what we will do starting in 1995. That is too late. This is way overdue now. We cannot try the patience of the local and State school people out there any more than we have.

Mr. EMERSON. Mr. Speaker, I rise today in strong support of the motion to recommit the conference report on Goals 2000 with instructions. We've been through this before folks. I think it is sad that opponents of voluntary school prayer have to use a backdoor maneuver in conference to strip our language that has overwhelmingly passed both the House and Senate in recent weeks and substitute the Williams language. The Williams language preserves the status quo—we would continue to allow schools to violate the Constitution. Nothing would change. This language failed when attempted during debate on H.R. 6 just this week. Our motion to instruct conferees on Goals 2000 legislation passed by voice vote a few weeks ago and the identical language passed the Senate by a convincing vote of 77–22 last month.

Just a few days ago my colleague SAM JOHNSON of Texas offered an amendment on behalf of Mr. DUNCAN and myself to H.R. 6 containing this same language that passed overwhelmingly 355–64. Mr. WILLIAMS had the opportunity to offer his language and call for a vote. His amendment failed. What is the problem here? Is the message not crystal clear? There is strong support for voluntary prayer in our public schools in Congress and in America. I urge you to support our motion to recommit this bill with instructions to reincorporate the Duncan language in place of the watered-down, meaningless Williams language.

Mr. BLILEY. Mr. Speaker, I would like to take this opportunity to discuss the compromise agreement that constitutes title XII of H.R. 1804, the Goals 2000: Educate America Act.

Title XII of H.R. 1804 as approved by the other body contained provisions which would have prohibited smoking in each indoor facility in which "children's services" were provided, except that smoking would be allowed in those portions of the facility in which "children's services" are not normally provided and which are "ventilated separately" from those portions of the facility in which "children's services" are normally provided.

The version of H.R. 1804 approved by this body contained no comparable provisions.

In title XII of the version of H.R. 1804 approved by the other body, "children's services" were defined to include health, education and "other direct services" that are routinely provided to children and which are funded, directly or indirectly, in whole or in part, by Federal funds; including in-kind assistance.

The definition of "children's services" in the conference agreement is narrower. The conference agreement defines "children's services" as the provision on a routine or regular basis of health, day care, education, or library services that are funded, after the date of enactment, directly by the Federal Government, or through State and local governments, by Federal grant, loan, loan guarantee, or contract programs which are administered either by the Secretary of the Department of Health and Human Services or the Secretary of the Department of Education—except for services for which the sole source of Federal funding is title XVIII or title XIX of the Social Security Act—or which are administered by the Secretary of the Department of Agriculture for clinics, as defined by Federal regulations, but no food establishments, established under the Women, Infants and Children Program administered under the Child Nutrition Act of 1966.

The conference agreement also defines "children's services" to include the provision of routine or regular health, day care, education, or library services in indoor facilities which are constructed, operated, or maintained with Federal funds provided after the effective date of title XII under the Department of Health and Human Services, the Department of Education, and the Department of Agriculture programs described in the preceding paragraph.

The conference agreement prohibits smoking within any indoor facility which is owned or leased or contracted for and utilized by the service provider for the routine and regular provision of the following children's services: kindergarten, elementary or secondary education, or library services.

The conference agreement prohibits smoking in any portion of an indoor facility which is owned or leased or contracted for and utilized by the service provider for the routine and regular provision of the following children's services: health care, day care, or early childhood development [Head Start] programs. Included in the portion of the facility subject to the smoking prohibition are those areas of the facility used for the provision of health care, day care or Head Start services that are routinely and regularly used by employees of the service provider. Such areas might include employees' lounges and offices directly related to the administration of the children's service being provided which are adjacent to the portion of the facility in which children's services are provided so that children might be exposed on a routine and regular basis to environmental tobacco smoke. The smoking prohibition would not apply to portions of the facility that are not used for the routine and regular provision of health care, day care or Head Start children's services or that are available to employees of the children's service provider, as described above.

The conference agreement exempts the following two categories from the smoking prohibition that applies to portions of facilities in which health care, day care, and Head Start children's services are provided: One, any portion of such a facility that is used for inpatient hospital treatment of individuals dependent on, or addicted to, drugs or alcohol; and two, any private residence.

The conference agreement also compels Federal agencies to prohibit smoking within any indoor facility, or portion of the facility, which is operated by the agency, either directly or by contract, to provide children's services. Specifically, Federal agencies located in the United States in which routine and regular kindergarten, elementary or secondary education, or library children's services are provided must prohibit smoking in the entire facility in which the children's service is provided. For Federal agencies located outside the United States, smoking must be prohibited only in the portion of the facility operated by the agency, directly or by contract, to provide routine or regular kindergarten, elementary or secondary education, or library services. The conference agreement distinguishes between indoor facilities operated by Federal agencies inside the United States and those outside the United States to address the concern that in facilities operated by Federal agencies outside the United States it is more likely to find kindergarten, elementary or secondary, or library children's services provided in a building that is used for other purposes.

For health care or day care or Head Start children services that are provided in facilities operated, either directly or by contract, by any Federal agency, the conference agreement requires the Federal agency to prohibit smoking in the portion of the facility in which the children's services are provided. This prohibition would not apply to the following two categories: One, any portion of such a facility that is used for inpatient hospital treatment of individuals dependent on, or addicted to, drugs or alcohol; and two, any private residence.

The prohibitions on smoking established by the conference report will be enforced by the Secretary of the Department of Health and Human Services. The conference report does not require the Secretary of the Department of Health and Human Services to issue regulations for any part of this provision; indeed, it is the intention of the conferees that the provisions of this agreement be self-implementing. The Secretary of the Department of Health and Human Services is directed by the conference agreement to publish notice of these prohibitions in the Federal Register and to provide as much notice of these requirements as possible.

While I have strong reservations with other portions of this conference agreement, I believe the agreement contained in title XII is a significant compromise agreement. It extends dramatically the prohibition on smoking to a wide range of children's services. However, it does not require smoking prohibitions in portions of buildings which are not used for the provision of health care, day care or Head Start children's services. This preserves for the Occupational Safety and Health Administration the difficult but important determination concerning what standards are necessary and

appropriate to ensure good indoor air quality in workplaces.

Thank you, Mr. Speaker.

Mr. DURBIN. Mr. Speaker, I rise in support of the Goals 2000 conference report [H.R. 1804]. I would like to call attention to a small but very important provision of the conference report that would protect children from secondhand smoke while they are participating in federally funded children's programs.

Last year, I introduced legislation [H.R. 710] along with Mr. HANSEN and Mr. MAZZOLI in the House, and Senator LAUTENBERG in the other body, to ensure that children in federally funded children's programs will not be exposed to secondhand smoke. This legislation, which is known as the PRO-KIDS Act [Preventing Our Kids from Inhaling Deadly Smoke], has more than 70 cosponsors. It has been endorsed by more than 20 groups whose names I will provide at the end of my statement.

The conference report on H.R. 1804 includes a provision that builds on our work in H.R. 710. The conference report provides effective protection from secondhand smoke to children who receive federally funded children's services.

Specifically, the Goals 2000 conference report bans smoking in buildings used to provide kindergarten, elementary, or secondary education, or library services to children. In addition, it protects children receiving other federally funded children's services by banning smoking in those portions of buildings that are used to provide federally funded health care, day care, or early childhood development services to children. This prohibition also applies to areas of the building that are used by employees to provide these services. Among the programs in which children will enjoy this protection from secondhand smoke are the WIC Nutrition Program for women, infants and children; Head Start; day care programs; health care programs; and programs providing education or library services.

This legislation is important to the health of our Nation's children. Secondhand smoke is responsible for approximately 3,000 lung cancer deaths annually in U.S. nonsmokers. Of more immediate concern to children, exposure to secondhand smoke causes 150,000 to 300,000 lower respiratory tract infections such as bronchitis and pneumonia in young children each year, causes additional episodes of asthma and increased severity of asthma symptoms in 200,000 to 1 million children who already have asthma, and may be a risk factor for 8,000 to 26,000 new cases of asthma annually in children who would not otherwise become asthmatic.

My office recently heard from a woman who has been unable to secure a smokefree learning environment for her 11-year-old child, who has asthma. He has suffered asthma attacks at school due to exposure to secondhand smoke in school buildings. This legislation will give that child and others like him the protection they need, so they can concentrate on their learning and other activities rather than worrying about whether participation in federally funded programs may be hazardous to their health.

I applaud the conferees on H.R. 1804 for decisively addressing this issue.

A list of the organizations that have endorsed the PRO-KIDS Act follows:

American Cancer Society;
American Heart Association;
Ameican Lung Association (united as the Coalition on Smoking OR Health);
American Academy of Otolaryngology—Head and Neck Surgery, Inc.;
American Academy of Pediatrics;
American Association for Respiratory Care;
American College of Chest Physicians;
American College of Occupational and Environmental Medicine;
American Medical Association;
American Nurses Association;
Americans for Nonsmokers Rights;
ASH (Action on Smoking and Health);
Association on Maternal and Child Health Programs;
Association of State and Territorial Health Officials;
Asthma and Allergy Foundation of America;
Coalition for Consumer Health & Safety;
Consumer Federation of America;
Environmental Defense Fund;
National Association of Medical Directors of Respiratory Care;
National Coalition for Cancer Research;
National Education Association; and
Sierra Club.

Mr. RICHARDSON. Mr. Speaker, I rise in strong support of the conference report on H.R. 1804, the Educate America Act. We can no longer afford to stand around and talk about what is wrong with education in America. It is time to start providing States with the tools to tackle education reform.

The Educate America Act establishes national goals, learning standards, teacher training programs, parent participation programs, and business and industry input which are pathways to success for America's schools.

Most importantly this act gives schools a coordinated resource for reform. The Educate America Act creates a number of organizations like the National Education Standards and Improvement Council, the National Goals Panel, and the National Skills Standards Board which facilitate dialog among education leaders across the country about what works and why.

Under this structure, we will have a forum to communicate about national standards so that a student who graduates from high school in Zuni, NM, learns the same basic skills as a graduate from California, New York, or Mississippi.

This act will serve our Nation's long-term interests by creating better educated generations that are prepared to compete with their peers around the world. I am ready to support the conference agreement on H.R. 1804 and urge my colleagues to do the same.

Mr. WHEAT. Mr. Speaker, I rise to add my support to the Goals 2000 legislation, and to commend all of my colleagues who worked so diligently on this bill—in particular Chairman FORD and Chairman KILDEE and ranking member GOODLING.

I would like to thank them and others for working together with me in support of title IV, a provision to provide Federal funds to expand parental support and involvement in our country.

This title will go a long way to further advance goal No. 1—ensuring that all children enter school ready to learn.

In particular, title IV would authorize funds for an innovative and highly successful program that was developed in my State of Missouri about a decade ago and that I have been working to support on a Federal level for a number of years.

Senator CHRISTOPHER BOND has been a leading advocate for the Parents as Teachers Program in the other body.

Mr. Speaker, the provisions in title IV build on an amendment that I offered when this Chamber took up the Goals 2000 legislation last October.

That amendment, and this conference report, specifies that parental support programs should begin not when a child is enrolled in school, but at the time of a child's birth.

And to further that aim, this legislation for the first time specifically authorizes the use of Federal funds to establish, expand, or operate Parents as Teachers Programs.

Parents as Teachers Programs are voluntary early childhood development and parent education programs that are associated with the Parents as Teachers National Center, Inc., in St. Louis MO. The program is strictly voluntary and serves parents of infants and toddlers between birth and the age of 3 and their child.

The Parents as Teachers Program stated as a pilot project in my district, but has since mushroomed into a program with a truly national scope. Today, Parents as Teachers is in 43 States and three nations.

The PAT Program provides parents with prenatal information before a child is born and then continues until that child reaches the age of 3.

It features individualized home visits by trained and certified child specialists, development and health screenings for children, and group visits, among parents where they share their experiences and offer solutions to any difficulties they may be encountering.

The success of Parents as Teachers lies in its common sense approach which is rooted in the basics and which have been proven to work.

The program teaches and encourages parents to read to their children; it helps with an infant's sleeping problems; it offers advice on games to play with a toddler to promote language development and build curiosity in young minds.

Through free health screenings, the program helps identify a child's hearing and vision problems early—before they become stumbling blocks to learning.

The program does not take a cookie cutter approach. Its strength lies in its simplicity and in the individualized attention it provides to each family.

Study after study validates the success of the program. Children enrolled in Parents as Teachers have consistently been shown to read better, understand more, listen more attentively, and score higher on intellectual aptitude tests.

The Goals 2000 legislation, and the Parents as Teachers Program, recognizes that we can help children enter school ready to learn if we begin at the beginning.

Education Secretary Richard Riley knows this well. In a recent speech outlining the state of American Education, Secretary Riley spoke of a "new ideal in American education grounded in the practical and hard earned lessons of the past 10 years."

"We have leaned," the Secretary said, "that children who come to school healthy—who have gotten their shots, participated in early childhood programs, and have had their parents read with them—are children who are engaged and ready to learn. They are connected to learning."

"Above all," Secretary Riley went on to say, "we recognize again the very old virtue that parents are the first and most important teachers."

Attorney General Janet Reno has also made a plea for us to focus on the critical ages of zero to 3. She echoes the words of child development specialists in pointing out that this is the period when a child first learns the concept of reward and punishment.

"What good are all the school violence programs," the Attorney General has asked, "if the child didn't learn the concept of punishment when he or she was zero to 3?"

Mr. Speaker, title IV of the Goals 2000 bill puts families first and will help give our children one of the best possible starts in life.

It is an important way for us to strengthen families and to help our children, all of our children, enter school not just ready—but eager—to learn.

Ms. WOOLSEY. Mr. Speaker, I rise in support of the rule for the conference report on Goals 2000: Educate America Act, and against the motion to recommit.

If the House does not pass the conference report today, local schools will lose funds that have already been appropriated for Goals 2000 and the Safe Schools Act.

The Goals 2000 conference started with two very different bills, and everyone involved in both bodies and both parties worked very hard to arrive at the conference report before the House today.

Goals 2000 will provide a national framework to support State and local school reform efforts. And, as an important part of that framework, Goals 2000 will ensure that more kids can benefit from education reform by helping schools plan and implement coordinated services.

With funds authorized in Goals 2000, schools that want to bring health and social services on or near the school site will be able to learn from already existing, successful, coordinated service programs, like the one in the Roseland School District in Santa Rosa, and the one in Lynwood Elementary School in Novato and by replicating these successes, meet their own students' needs.

I urge my colleagues to support the Goals 2000 conference report. A "yes" vote on this conference report is a vote that our children enter the classroom ready to learn.

Mr. FRANKS of Connecticut. Mr. Speaker, I plan to vote for the conference report on Goals 2000. Although this bill is not perfect, I recognize that the successful passage of education legislation requires a degree of compromise on both sides of the aisle. I support Goals 2000 because it codifies eight national education goals, a concept first proposed by former-President George Bush in 1989. This bill also provides $400 million in financial support to States and local school systems that choose to improve education for their students using the framework of this legislation. This money will be used exclusively for improving the education of all students, not just special or needy groups.

This bill provides a greater degree of flexibility to State and local governments than has been seen in past Federal education legislation. Under this bill, the Secretary of Education can waive statutory or regulatory requirements for the major elementary and secondary Federal education programs. This bill also allows school systems to use Goals 2000 funds for specialized public school choice programs such as magnet schools and chapter schools.

I am disappointed to see that Congress will not allow Goals 2000 funds to support general school choice plans. The competition that school choice can bring to elementary and secondary education would create another incentive for troubled public schools or troubled public school systems to initiate valid reforms. While I am pleased to see that one of the national education goals encourages greater parental involvement and participation in the education of their children, I should point out that school choice also provides a basic way for parents to be more involved in the education of their children.

Mr. FORD of Michigan. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. DUNCAN

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DUNCAN. I am, in its present form, Mr. Speaker.

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

The Clerk read as follows:

Mr. DUNCAN moves to recommit to the conference on the disagreeing votes of the two Houses on the bill H.R. 1804 and instructs the managers on the part of the House to include in their conference report the provision committed to the conference as section numbered 405, of the Senate amendment, concerning school prayer.

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

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

There was no objection.

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

There was no objection.

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of adoption of the conference report.

The vote was taken by electronic device, and there were—yeas 195, nays 232, not voting 6, as follows:

[Roll No. 85]

YEAS—195

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

NAYS—232

Abercrombie	Beilenson	Brown (FL)
Ackerman	Berman	Brown (OH)
Andrews (ME)	Bilbray	Bryant
Andrews (NJ)	Bishop	Byrne
Andrews (TX)	Blackwell	Cantwell
Bacchus (FL)	Boehlert	Cardin
Baesler	Bonior	Carr
Barca	Borski	Chapman
Barcia	Boucher	Clay
Barlow	Brewster	Clayton
Barrett (WI)	Brooks	Clement
Becerra	Brown (CA)	Clyburn

Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Lewis (GA)
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Penny
Peterson (FL)
Pickett
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—6

Gallo
Mazzoli
Natcher
Pelosi
Pickle
Ridge

□ 1629

Mr. HILLIARD changed his vote from "yea" to "nay."

Messrs. FAWELL, TORKILDSEN, HORN, BEVILL, and APPLEGATE changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. GUNDERSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 306, nays 121, not voting 6, as follows:

[Roll No. 86]

YEAS—306

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

NAYS—121

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Bartlett
Barton
Bliley
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fields (TX)
Fingerhut
Franks (NJ)
Gekas
Geren
Gingrich
Goodlatte
Goss
Grams
Hancock
Hansen
Hastert
Hefley
Herger
Hoekstra
Hoke
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kyl
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
Mica
Michel
Miller (FL)
Moorhead
Myers
Oxley
Packard
Paxon
Penny
Pombo
Porter
Portman
Pryce (OH)
Quillen
Ravenel
Roberts
Rohrabacher
Roth
Roukema
Royce
Schaefer
Sensenbrenner
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (WY)
Vucanovich
Walker
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—6

Gallo
Kennedy
Mazzoli
Natcher
Pickle
Ridge

□ 1638

Mr. SUNDQUIST changed his vote from "yea" to "nay."

Messrs. SAXTON, SARPALIUS, HALL of Texas, and BEREUTER changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FORD of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the conference report on H.R. 1804 which was just considered and agreed to.

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

There was no objection.

CORRECTING ERROR IN ENROLLMENT OF H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT

Mr. FORD of Michigan. Mr. Speaker, I send to the desk a concurrent resolution (H. Con. Res. 230) to correct an error in the enrollment of the bill H.R. 1804, and I ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the consideration of the concurrent resolution?

Mr. GOODLING. Mr. Speaker, reserving the right to object, and I shall not object, I yield to the chairman of the committee, the gentleman from Michigan [Mr. FORD], so that he may indicate what the resolution is all about.

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

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

□ 1640

Mr. FORD of Michigan. Mr. Speaker, this concurrent resolution is cleared with the minority. It is offered at the request of the conferees from the Committee on Energy and Commerce and would correct section 1043(c)(1) of the conference report just agreed to by adding four words which are inadvertently omitted from the printing of the report.

Mr. GOODLING. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 230

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 1804) 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 provide the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes, the Clerk of the House of Representatives shall make the following correction: in section 1043(c)(1), after "within any indoor facility" insert "in the United States".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING ACTING CHAIRMAN TO EXERCISE POWERS AND DUTIES OF CHAIRMAN OF COMMITTEE ON APPROPRIATIONS

Mr. HOYER. Mr. Speaker, by direction of the Democratic caucus I offer a privileged resolution (H. Res. 396) concerning the exercise of the powers and duties of the chairman of the Committee on Appropriations and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 396

Concerning the exercise of the powers and duties of the chairman of the Committee on Appropriations

Resolved, That the powers and duties conferred upon the chairman of the Committee on Appropriations by the rules of the House shall be exercised by Representative Obey of Wisconsin, as acting chairman until otherwise ordered by the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REQUEST TO MAKE IN ORDER CONSIDERATION OF S. 349, LOBBYING DISCLOSURE ACT OF 1993

Mr. BRYANT. Mr. Speaker, I ask unanimous consent that it be in order on the legislative day of Thursday, March 24, 1994, for the Speaker to entertain a motion to suspend the rules and pass the Senate bill (S. 349) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, as amended, to insist on the House amendment thereto, and to request a conference with the Senate thereon.

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

Mr. VOLKMER. Mr. Speaker, reserving the right to object, I would ask the gentleman to briefly describe the bill. I have no objection, but what is this bill in regard to?

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

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

Mr. BRYANT. Mr. Speaker, this is the legislation which recodifies the laws which govern the activities of lobbyists and their abilities to buy meals, pay for entertainment and give gifts to Members of Congress.

Mr. VOLKMER. The gentleman's request is to take it up tomorrow under suspension of the rules; is that correct?

Mr. BRYANT. That is correct.

Mr. VOLKMER. Mr. Speaker, I withdraw my reservation of objection.

Mr. DELAY. Mr. Speaker, reserving the right to object, I do not know what the gentleman is asking.

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

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

Mr. BRYANT. Mr. Speaker, I say to the gentleman, I have asked unanimous consent to take up tomorrow S. 349, which is the legislation which recodifies the statutes that govern the activities of lobbyists and includes certain prohibitions on the abilities of lobbyists to provide meals, entertainment and travel for Members of Congress.

Mr. DELAY. Mr. Speaker, under my reservation of objection I ask the gentleman if this bill has gone to full committee.

Mr. BRYANT. Mr. Speaker, this bill passed unanimously out of the subcommittee in November under a well publicized announcement of support, unanimously supported by both Democrats and Republicans, the ranking member on the subcommittee and the chairman.

Mr. DELAY. But it has not gone to full committee.

Mr. Speaker, for that reason I object.

The SPEAKER pro tempore. Objection is heard.

CONFERENCE REPORT ON H.R. 3345, FEDERAL WORKFORCE RESTRUCTURING ACT OF 1994

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 388 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 388

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3345) to amend title 5, United States Code, to eliminate certain restrictions on employee training; to provide temporary authority to agencies relating to voluntary separation incentive payments; and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] is recognized for 1 hour.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], and pending that, I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 388 provides for the consideration of the conference report on H.R. 3345, the Federal Workforce Restructuring Act of 1993. Under the rules of the House, conference reports are privileged and are considered in the House under the 1-hour rule with no amendments in order. The rule waives all points of order against the conference report and against its consideration. The rule further provides that when the conference report is called up for consideration, it shall be considered as read.

Mr. Speaker, it is absolutely critical that this conference report be approved

now and this legislation enacted if we are to implement an orderly and responsible reduction in the Federal work force. Every day that this bill is delayed the availability of funds to pay for the buyouts is diminished. The money to pay for voluntary separations must come from existing fiscal year 1994 agency funds, and with the fiscal year nearly one-half over, many agencies will be financially limited in the number of early separations they can offer. They will be forced instead to resort to massive layoffs—layoffs which ironically are far more costly than the voluntary separation plan outlined in this bill.

The cost in dollars is only part of the problem of forced across-the-board reductions in force. The human toll is equally as devastating. Federal employees continue to bear the brunt of our frustration and anger over the Federal deficit. We all talk about how important jobs are to the people of this Nation and to our economy and how we must protect jobs above all else That is unless they are Federal jobs. Somehow we treat these people differently—as if they serve no useful purpose in our Nation's work force and deserve to lose their jobs. Well I know how hard these people work and how much they value their employment with the Government.

Reductions in force are an ineffective and heartless method for reducing the Federal work force. We need to implement this bill now if we are to be responsible both to our constituents in controlling Federal spending and to our loyal and hardworking Federal employees.

It is time to stop the political maneuvering that has taken place on this bill and address the issue at hand. I urge Members to vote for this rule and for the conference report.

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

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

Mr. Speaker, as the gentleman from Texas [Mr. FROST] has described, this rule waives all points of order against the consideration of the conference report to accompany H.R. 3345, the Federal Work Force Restructuring Act, and against the conference report itself.

I want to comment on a specific waiver in this rule. The conferees added a provision to this bill authorizing separation payments to certain contractor employees who were displaced as a result of the termination of the advanced solid rocket motor program. This provision was not included in either the House-passed bill or the Senate-passed bill, and therefore a scope waiver was necessary for this conference report. Members should have the opportunity to debate and vote on this provision, and this rule precludes that opportunity. The Rules Committee almost routinely grants blanket waivers for conference reports, and usually there is very little objection to these waivers. As I've said many times, we need to stop this trend of granting blanket waivers. It's the wrong way to do business and it impedes the deliberative process here in Congress.

Mr. Speaker, I'd also like to comment on another trend that seems to be developing. About a week ago, the House voted 231 to 150 to instruct its conferees on this bill to agree to a specific Senate amendment. These instructions were disregarded, and the Senate amendment is not in this conference report. The motion to instruct conferees is becoming a nonbinding procedure. The votes are meaningless, and I think we need to work to ensure that the will of the House is upheld by House conferees.

I hope in the future we can work together to live by the rules we have set for ourselves. But for now, let us proceed with the consideration of this rule and the conference report.

Mr. Speaker, I say to my colleagues, "Let's don't use it as a football to be kicked around any longer."

Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to this resolution. The resolution contains a blanket waiver of points of order against the conference report and thus protects language contained in the report relative to bailing out some workers in Mississippi whose jobs were terminated as a result of this Congress terminating the advanced solid rocket motor by an overwhelming vote last year. If this resolution is voted down and there is no blanket waiver of points of order, a point of order would lie against the language that provides for a million dollar bailout of up to $5,000 apiece for full-time employees of three specified corporations who were working on the advanced solid rocket motor in Mississippi prior to this Congress' terminating it.

□ 1650

To be consistent, anyone who voted for termination of the ASRM last year should vote against this rule because this pumps more money into Mississippi at the expense of the rest of NASA. Under the NASA appropriations bill that was enacted into law last year, there is a fixed set of funds for termination costs for the ASRM. Any termination costs left over will go into the budget for the space shuttle.

The space shuttle budget this year which has been submitted by the President has been cut drastically, and we are now right at the edge of the margin of safety for operation of the shuttle during the next fiscal year. I would like to see money be used for shuttle safety rather than be used to bail out employees in Yellow Creek, MS.

Furthermore, there are going to be a lot of programs that this Congress terminates during the next few years. There will be programs in NASA, there will be programs in the Defense Department, and there will be programs that are funded by discretionary domestic spending. If we set the precedent by improving the $5,000-a-head bailout on this program relative to the ASRM, every other group of employees who have been terminated because of an action of Congress in reducing or terminating a program will be right back here asking for their $5,000 in addition to the unemployment compensation that they have accrued.

This provision did not pass the House and did not pass the Senate. It was inserted at the conference at the insistence of the Senate. It is one of the things that we are justifiably criticized for doing in Congress, and it is one of the arguments that those who are in support of a Presidential line item veto use.

Mr. Speaker, if this is so important, it ought to go through the regular legislative process. In order to force it to go through the regular legislative process, I would urge a vote on the rule so the Committee on Rules can come out with a rule that does not protect the buyout language from a point of order.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would only point out to the previous speaker that the particular provision that he is objecting to was inserted at the request of two Senators from his side of the aisle, not from our side.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GOSS], a distinguished member of the Committee on Rules and a very valuable Member of the House.

Mr. GOSS. Mr. Speaker, while I understand the necessity in completing H.R. 3345, legislation to implement the reduction in the Federal workforce of 252,000 positions—I must rise to lament the fact that we once again have a conference report that includes extraneous provisions. Generally, when the House and the other body pass differing versions of the same bill, a conference is established to, in the words of the distinguished chairman of the Post Office and Civil Service Committee, compromise. But shouldn't we feel safe in the assumption that the areas of compromise discussed in this context would be limited to the areas of disagreement within the bill at hand? You might think so—but you'd be wrong. More often than not, conference committees meet behind closed doors, often late at night. These committees sometimes insert all sorts of things into their work product that most members don't find out about until after the votes are counted and the bill

is passed. A particularly egregious example of this end-run of the normal legislative process that occurred in my brief tenure had to do with the infamous boat user fee. We killed it in subcommittee, we killed it in full committee, we killed it on the floor, but that thing had more lives to live—and what do you know, it showed up in the fine print of a conference report that Members never had time to read. It was a bad law—and we ultimately repealed it—but the point was, it should never have been permitted to pass in the first place. Mr. Speaker, the Rules Committee is often asked to waive all points of order against conference reports—giving a blank check that allows any and all extraneous provisions in these documents to pass through without incident. This is the case with this conference report, which includes material, agreed to as a compromise, that goes beyond the scope of either version of the original buy-out bill. This process is known by the most optimistic among us as the art of compromise. Others might call it deal making. I call it sleight of hand and most Americans call it ripoff and are saying "stop it, Congress, stop these rip offs." I agree with most Americans and cannot support this rule.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Speaker, let me follow up on what my colleagues have said, the gentleman from Florida [Mr. GOSS] and the gentleman from Wisconsin [Mr. SENSENBRENNER], about a provision in this bill the three of us find very objectionable.

Mr. Speaker, last year a number of us worked very hard to terminate the Advanced Solid Rocket Motor Project and eventually we won a vote in this House and, in fact, defeated a conference report when we discovered, much to our dismay, that, during the conference, the Senate and the House appropriators had again miraculously saved that project.

Mr. Speaker, in the bill we have before us, again there is a provision to give each full-time employee that lost their job at the ASRM plant a payment of $5,000, and that is 175 workers who would receive a total of just a little bit less than $900,000.

Now, keep in mind that these employees are not Federal employees. They never were Government workers. They were hired by contractors and should not be receiving direct payments from the Federal Government.

This is really a classic example of almost triple dipping. First of all, the provision prohibits offset of severance payments by contractors. In addition, these employees who are about to receive $5,000 payments from the Federal Government despite the fact they were never Federal employees will soon be eligible for unemployment compensation, and again they are going to receive a $5,000 check from the Federal Government itself.

Some of the supporters of this payoff will claim that the provision will not affect the budget because it uses funds that are presently appropriated, but with a $4.6 trillion debt, it seems very clear to the three of us that any savings that should be returned to the Treasury should be returned to the Treasury and we should not be in the business of subsidizing private defense contractors.

The second claim is that this economic dislocation may be similar to programs under the Trade Adjustment and Assistance Program or even the Defense Conversion Programs, but those payments, I would like to remind my colleagues, are made to an entire industry due to an industrywide financial crisis. This is a specific set aside for a small group of people employed at one place by private employers.

So let me make the point again, Mr. Speaker, to urge my colleagues to defeat this rule. I understand very clearly the implication of the gentleman from Texas [Mr. FROST] that this was not a move originally taken by the House. In fact, it originally was not even put up for a vote in the Senate. It was added by two of our Republican colleagues in the other body. That still does not change the fact that it is wrong.

Mr. Speaker, I urge the defeat of this rule.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FROST. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 253, nays 170, not voting 10, as follows:

[Roll No. 87]

YEAS—253

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

NAYS—170

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Coppersmith
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)

Gallegly	Kyl	Roberts
Gekas	Lazio	Rogers
Gilchrest	Leach	Rohrabacher
Gillmor	Levy	Ros-Lehtinen
Gingrich	Lewis (CA)	Roth
Goodlatte	Lewis (FL)	Roukema
Goodling	Lightfoot	Royce
Goss	Linder	Santorum
Grams	Livingston	Saxton
Grandy	Machtley	Schaefer
Greenwood	Manzullo	Schiff
Gunderson	McCandless	Sensenbrenner
Hancock	McCollum	Shaw
Hansen	McCrery	Shays
Hastert	McDade	Shuster
Hefley	McHugh	Skeen
Herger	McInnis	Smith (MI)
Hobson	McKeon	Smith (NJ)
Hoekstra	McMillan	Smith (OR)
Hoke	Meyers	Smith (TX)
Horn	Mica	Snowe
Houghton	Michel	Solomon
Huffington	Miller (FL)	Spence
Hunter	Molinari	Stearns
Hutchinson	Moorhead	Stump
Hyde	Myers	Sundquist
Inglis	Nussle	Talent
Inhofe	Oxley	Taylor (NC)
Istook	Packard	Thomas (CA)
Jacobs	Paxon	Thomas (WY)
Johnson (CT)	Petri	Torkildsen
Johnson, Sam	Pombo	Upton
Kasich	Porter	Vucanovich
Kim	Portman	Walker
King	Pryce (OH)	Weldon
Kingston	Quillen	Young (FL)
Klug	Quinn	Zeliff
Knollenberg	Ramstad	Zimmer
Kolbe	Regula	

NOT VOTING—10

Flake	Kleczka	Pickle
Gallo	LaFalce	Ridge
Hayes	Mazzoli	
Jefferson	Natcher	

□ 1722

Mr. HYDE changed his vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. CLAY. Mr. Speaker, pursuant to the provisions of House Resolution 388, I call up the conference report on the bill (H.R. 3345) to provide temporary authority to Government agencies relating to voluntary separation incentive payments, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 388, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, March 16, 1994, at page 5039.)

The SPEAKER pro tempore. The gentleman from Missouri [Mr. CLAY] will be recognized for 30 minutes, and the gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

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

Mr. Speaker, I rise in support of the conference report accompanying H.R. 3345, the Federal Workforce Restructing Act of 1994. The conference report reduces overall Federal employment by 252,000 positions and authorizes Federal agencies to offer separation incentives to their employees of up to $25,000 in order to accomplish this reduction. The direct spending concern of the Senate has been fully addressed. Over the 5-year period beginning in 1994, the entire direct spending costs associated with the separation incentive payments are offset. The conference report also guarantees that the costs to an agency of encouraging voluntary separations are comparable to the costs an agency otherwise would incur if it accomplished the same reductions through involuntary separations.

The conference report includes provisions identical to the Penny-Burton-Solomon amendment adopted by the House. In addition, the conference report requires agencies to reduce their personnel on a one-for-one basis for every buyout offer that is accepted.

It also requires those who accept a buyout and return to Government service within a 5-year period to pay back the full incentive payment.

The conferees adopted provisions authorizing NASA to offer separation payments to contractor employees who were displaced as a result of the termination of the advanced solid rocket motor program. It also imposes reporting requirements on the executive branch regarding the operation of the Federal employee voluntary separation incentive program.

At the end of this debate, a motion to recommit will be offered by the minority. This motion will include instructions dedicating the savings achieved by the Federal employee work force reductions mandated under this legislation. Two weeks ago, the House passed the budget resolution, House Concurrent Resolution 218. That resolution assumes the full savings achieved by the personnel reductions mandated by H.R. 3345. The budget resolution being considered by the Senate also assumes those savings.

The effect of the instructions accompanying the motion to recommit, therefore, is to double count the savings achieved by the work force reductions and to preclude funding programs at the levels assumed in the budget resolution passed by the House. These instructions will result in locking up more than $9 billion in outlays that are not needed to fund the crime program.

Mr. Speaker, it is vital that the Congress grant buyout authority to Federal agencies very quickly. If this legislation is not enacted soon, agencies will not be able to use the authority in fiscal year 1994. As a result, thousands of Federal employees will be fired later this year. Adoption of the conference report enables agencies to encourage voluntary separations and diminishes reliance upon involuntary ones. The policy underlying H.R. 3345 is socially responsible and fiscally sound.

I urge the defeat of the motion to recommit and the adoption of the conference report.

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

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today with somewhat mixed feelings and emotions. I hope I can express myself, where I stand. This is the third time that this same issue has come before this body. The other two times I have supported it, without any hestitation. However, the procedure that will probably be adopted today makes it very difficult for me to support the legislation.

Let us look at the intent. All of us would agree that we must reduce the cost of government. The Federal Government is very expensive. For years we have wanted to reduce the number of employees, which is one of the most effective ways of reducing the cost of government.

Payroll is one of the big items in the operation of a large establishment such as ours. We all recognize reducing the people will help reduce that cost of government. We have all wanted to do it fairly, equitably, without any undue burden on families, on the loyal workers that have supported the programs of our Federal Government. This was a means to do that, to save the American taxpayers in a compassionate way towards our employees.

Now we have moved it around to where we are not saving anything. We are just merely trading dollars. We are going to release some Federal employees, 252,000, sometime in the next 5½ years. Hopefully it will save $22 billion, and a chance to save $22 billion to reduce the national debt by $22 billion.

What are we going to do, probably today, once again? Instruct the conferees not to save the money, but to spent it on a program that has not even passed, a program that we do not even have at this point.

I do not think any of us would disagree that we have to do something about crime. Mr. Speaker, I think all of us probably would support, hopefully support, a crime bill, but some of the discussion we had today on the rule for the crime bill, I am not sure it is that popular, at least what is advancing presently.

I am not sure we are going to have any savings. We will not have any savings. We are going to apply it to a bill. Setting up a trust account does not save dollars.

Mr. Speaker, I am hesitant today to say I am going to support this legislation. I hope I can. I hope this House will not do what they did before. We went to conference. I felt bound, even though I did not vote for directing that $22 billion be spent on another program, which we all will support, without its standing independent. I will

support the crime bill, but what does it stand for? Like any other appropriation bill that we will appropriate it as money when that is passed, we will appropriate it as money to fund the crime programs.

What will happen is this. I expect and hope we will pass the crime bill. Then the Committee on Appropriations will appropriate it as money to take care of that. Then we have this $22 billion trust account over here that might be used for crime, in excess of what we would authorize in the authorization bill for a crime bill.

We will spend that, and we will spend double. If we do not spend it on crime, it is always sitting there.

□ 1730

Look at the highway trust fund account. We have dipped in it for other programs that really do not relate to highways. Other trust accounts can be touched. So this is not the way to carry out the intent of what this bill is all about, to save the taxpayers.

So reluctantly today I want to see what happens on the motion to recommit. And I admit, the procedure being used today is one that has been used not too often around here. I am not disagreeing with the procedure that the leader's designee will offer the motion to recommit. It has not been used too many times around here, but I understand the rules of the House and there is no way I can object to it. But it is a procedure that should not be used very often, only most reluctantly when there is something wrong with the legislation.

There is nothing wrong with this legislation, nothing wrong with saving money. This is why I am having difficulty today to support legislation that is needed badly.

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

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman for yielding the time, and I thank him for all of his hard work on this.

Let us get right down to brass tacks. We are about to break for a spring break. Agencies are about to have to start laying people off through some Neanderthal way that will not give them good control and good management control unless we pass this bill.

We are like the board of directors for the entire Federal Government, and unfortunately, we have gotten too much in the habit of playing little games, kicking those people like you kick a soccer ball, and if we do not get this bill out of here we will be doing that one more time.

Everybody has testified that the buyouts are the way to go. This way we can target who we want and we do not have to go through RIF's which are last hired, first fired, or do not have to go through freezes or any of the other things that do not give control. This gives control. It was good enough for DOD, it was good enough for the CIA, and it has been good enough for the private sector. It has been shown to do exactly the same thing, only surgically and well done.

So I think as a board of directors if we do not do this, or if we vote to recommit and play more games with this, let everybody know what they are doing. They are saying to Federal employees that we do not care a whole lot about them, we do not care how they are treated, and we really do not even care how efficiently managers can plan and operate when they are being ordered to cut over 250,000 people.

Nobody would want to cut that high a percentage and not have any control over how they do it and how they target it.

So I think the time has come that we move on this bill. It seems like it is up here every other day. Everybody has patty-caked it, everybody has played with it, everybody has had a wonderful time with it. And if we do not pass it today, then I think everybody is going to be culpable for having really, really one more time enforced bad management habits. And that is exactly what the people do not want. They want good management habits like the private sector has.

If that is what Members have been saying at home, then vote yes, and vote no on the motion to recommit.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland [Mrs. MORELLA] a very hard-working member of the committee.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, in this Chamber we have heard over and over again that famous Yogi Berra who just got into the Baseball Hall of Fame. He has been quoted as saying it is deja vu all over again. Well, it is indeed deja vu all over again. This bill that we are discussing this evening, H.R. 3345, has been around for 6 months.

How many times has this Chamber taken and reduced the cost of 252,000 employees, over and over again, and yet never given the agencies the mechanism that they need in order to do it in a compassionate, productive, efficient way? Finally we have another chance to do it. We have another chance to approve these buyouts.

Please know that one of the agencies, the Office of Personnel Management, has already sent out RIF notices, reduction in force notices effective on May 1. Other agencies are going to have to follow suit. Time is running out.

We need to, if we care about competitiveness globally, if we care about the moral of our Federal work force on whom we depend to take care of our constituents, then we should at least show some care, we should show that we have a plan to save money, to promote productivity by passing this bill.

According to the Congressional Budget Office figure, we will actually save $34 billion with this bill by 1999. That is even more than we anticipated. But if we miss this opportunity, which is our last opportunity to promote the buyouts, $25,000 for those who are eligible, severance pay would be far more expensive. It will be a lost opportunity if we do miss this last opportunity.

Frankly, it also gives agencies an opportunity to decide where they can reduce their force and still be productive, not the last hired, first fired which we have heard time and time again, accurately, will be women and minorities. And we will continue to have others within the agencies where we could do a kind of shift.

So I urge my colleagues to support this bill. Buyouts now.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. MCCLOSKEY].

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

Mr. Speaker, I think it has been said so well by nearly everyone: Today is the day this just simply has to be done. The buyouts are overdue. We worked on it too long. Unless we do so as we break for the Easter recess, there is no exaggeration to say that there will be chaos and anarchy in the Federal Government, because as those who have followed this know, if there are RIF's without buyouts, we will have the very highest-paid or nearly highest-paid top managers, many of them taking positions at lower levels, with their salaries going on, and other employees, more equipped for those jobs, are victimized and forced out. That is truly chaos. There is no other word for it, and we cannot allow that to happen.

I would also say if Members are for defense, it is very important, and I am for defense, that they vote for the buyout provisions today and against the motion to recommit, because as we all know, there will be a $5 billion disparity or more as to the discretionary caps, and much of that would come down on defense. So I would say to my defense-oriented colleagues, if they have concerns in that area, the only vote is yes for this provision and against the motion to recommit.

With that, again I thank the gentleman for yielding the time.

□ 1740

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Speaker, I rise to offer a motion to recommit H.R. 3345 to the conference committee with in-

structions to agree to the provisions committed to conference in the Senate amendment, the Gramm amendment, which stipulated that the savings from "the Federal Workforce Restructuring Act" be placed in the violent crime reduction trust fund, and that the budget caps be reduced by a similar amount.

Mr. Speaker, as you know, the House conferees on the Federal Workforce Restructuring Act have ignored the instructions of the House—that the savings generated from the Federal workforce reductions, anticipated at $22 billion over 5 years, be applied toward a violent crime trust fund. This motion was approved by this House by an overwhelming, 90–2, to pass on the savings from this buyout bill to fund what will eventually be Congress'—and the peoples'—anticrime bill.

And let me tell you—the people support this effort to fund a crime bill. They would much rather have these funds go toward an anticrime trust fund than have an uncommitted $22 billion which could be spent on any program, regardless of its merit.

Let me also say that I have heard arguments against this effort to provide up-front funding for the crime bill because we don't have a crime bill yet. This is political hyperbole, my friends. If we are serious about addressing our Nation's most pressing and most talked about issue—crime—and serious about actually paying for solutions to fight violent crime, then this motion must be approved—as the House did on March 11. We have the backing of majorities in both the House and Senate, as well as the President of the United States. I directly quote from a letter from Vice President GORE to Senator JOHN GLENN: I quote:

> As you know, the President strongly supports prompt congressional action on anticrime legislation and the use of savings from reductions in the Federal bureaucracy to fund violent crime fighting activities.

I am a strong supporter of this buyout legislation, it is the right policy to reduce the size of the Federal Government, save money and treat Federal employees fairly. It is a shame, however, that the conferees have decided to blatantly disregard the will of both Houses by leaving the much-touted anticrime package unfunded and Federal employees in limbo. To my constituents, this is not responsible legislating and not a sound way to conduct this Nation's business.

The business of the House and Senate should be the will of this Nation's citizens. If we do not instruct the conferees to place the savings from this buyout legislation in the anticrime trust fund, we will be going against the will of the American people.

If we do pass this motion to recommit with instructions, we will fund the crime bill and enable the buyouts to commence as soon as possible. Federal workers, the taxpayers and potential victims of violent crime will thank you.

Once again, I urge you to vote for the will of the people and vote yes on the motion to recommit with instructions.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Speaker, I rise in support of the conference report on H.R. 3345, the Federal Workforce Restructuring Act of 1994. I congratulate Chairman BILL CLAY of the Post Office and Civil Service Committee and Congressman STENY HOYER for their diligent work.

This legislation accomplishes two very important goals in the continuing effort to reinvent government at the Federal level. First, this conference report contains the amendment I offered during House consideration codifying a systematic and managed reduction of over 252,000 positions in the Federal work force. In addition, this legislation authorizes Federal agencies to offer employees buyouts as an incentive to leave the work force. Without buyouts, reductions-in-force—RIF's—will take place across the Government in such large numbers to render many agencies incapable of effectively and efficiently performing their statutory responsibilities. Furthermore, widespread RIF's in the Federal work force will result, in most instances, in the loss of junior employees. Ironically, these junior Federal employees are frequently those Federal workers most actively engaged in the innovative work necessary to reinvent government. Furthermore, RIF's are more costly to the taxpayer than an orderly buyout process, according to the General Accounting Office.

Mr. Speaker, this legislation is needed to provide an orderly reduction in the Federal work force. It will also provide significant budgetary savings and deficit reduction. Without further delay this bill should be passed and sent to the President for his signature. I urge passage of H.R. 3345.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise just briefly this evening to talk about this issue and particularly the motion to recommit that is about to be made by the gentleman from Delaware.

Mr. Speaker, I respect greatly the gentleman from Indiana and what he said earlier about his concerns over the trust fund and the question of setting aside moneys in this bill from the savings for the purposes of the crime effort. I know how he felt about this before. So my remarks are not directed towards him.

But for those who voted, as many of us did, with the gentleman from Delaware a few days ago on the motion to instruct conferees on this issue, I would remind my colleagues on both sides of the aisle that it was done with forethought, it was done with an intent to make sure that we have the moneys that we need to have, these over $20 billion, and the American public, I think, expects of us to provide to fight this war against violent crime, to provide enough resources to the States to build the prisons necessary to house these very serious violent felons, to lock them up, to throw away the key and keep them there for a long period of time and do the other things that are necessary to put deterrence back into our criminal justice system and get control over what has become a very, very big bleeding problem for our country.

So I would urge you not to change your vote tonight. Those who voted on the motion to instruct conferees the other day on this bill should vote with the gentleman from Delaware [Mr. CASTLE] in a few minutes on his motion to recommit. Be consistent. Stick with the program. It is the right thing to do. We need to set aside the money in this bill. It is a technical problem, and it is very important.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I love this body, but sometimes I wonder about its collective intelligence, especially when we have come on the floor now three times on this bill, and especially since we are talking about money that has already been committed for the purposes that the gentleman from Delaware [Mr. CASTLE] desires.

My friends, we have got layoffs coming any minute now, and I am not sure everybody understands what that means. Let me illustrate. It means GS–14's doing the work of GS–7's while being paid at GS–14 rates.

Federal employees are beginning to wonder whether this is a buyout or a sellout. We have been playing with the lives of dedicated career employees completely unnecessarily. As a result, attrition has slowed to a crawl, and thus we have hurt ourselves on achieving deficit reduction as well.

And for what? The one bill, Mr. Speaker, where the money is safe is the crime bill. We have already sequestered it in the budget resolution last week, and in effect there have been trial votes already that tell us that Members want this money committed and are going to do so. How many different ways do we have to do it, and how many times do we have to commit the same $22 billion to the same crime bill?

If you vote for the motion to recommit, you are voting to cut $1.5 billion from defense, from veterans, from transportation, from the FBI, from everything we agreed that you wanted

the money to go to last week when you voted for the budget resolution.

Vote against the motion to recommit. Show some intelligence on the bill for a change.

Mr. CLAY. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to first express my compliments to the chairman for the hard work that he has put in in crafting this compromise conference report and also my colleague, the gentleman from Maryland [Mr. HOYER]. I want to thank him for his hard work.

Mr. Speaker, I am here today to support the conference committee.

We know several things. We know we want to cut 252,000 positions from the Federal work force. We know we need to do it in the most efficient way, and we need to do it in the most cost-efficient way.

What does that mean? It means we need to use the mechanisms of buyouts. Buyouts are efficient. Why? Because they enable us to precisely determine which employees we want to encourage to leave. Buyouts are cost efficient. Why? Because they are cheaper than layoffs. In the end, we pay more when we lay off people than when we buy out people.

Let me tell you about a constituent of mine, Louise Ryman, of Silver Spring. She worked for the National Institutes of Health for 34 years, first part time, then full time. She is divorced, been divorced 10 years. She has got to keep working, because she does not have a big nest egg.

But let me read from her letter. She says, "Without buyouts, there will be RIF's, and since I am eligible, I would go, if I got the buyout."

□ 1750

"But without the buyout, I will be forced to work a few more years. That will keep someone else out of my slot. I am healthy and active, but I would rather retire and see younger people keep their jobs." I admire Ms. Ryman. She has the right idea. Without buyouts, we will see young people, women, minorities recently hired be forced to leave the Federal workforce while mid-managers who are eligible to retire will do as my colleague from the District of Columbia just mentioned, they will work, they will receive GS–14 pay while working GS–9 jobs. I do not think that is what the taxpayers want us to do with their money. They want us to spend it wisely and efficiently, and that means buyouts.

Now, just with respect to the question of the motion to recommit, we need to look at this very carefully. The motion to recommit represents the death of buyouts. We have had this bill up here a long time. We have reached the point where, if we do not authorize the buyout legislation, we will lose the cost savings. Some people may think that is wise public policy; I certainly do not.

I urge rejection of the motion to recommit, and support for the conference report.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. I thank the chairman for yielding this time to me.

Mr. Chairman, it is time to stop playing politics with people's lives. We should have passed this bill months ago. Federal employees deserve better than the treatment they are getting by the Congress which passes the laws that they carry out day in and day out. They deserve better from us.

It is well past the time to do the right thing, to offer retirement incentives. Let us vote against the recommittal, let us get this bill passed, and let us act in a decent and honorable fashion toward Federal employees who have an opportunity to retire and who in fact have served us decently and honorably and professionally throughout their lives.

I urge my colleagues to vote "no" on the recommittal.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Virginia [Mrs. BYRNE].

Mrs. BYRNE. I thank the chairman for yielding this time to me.

Mr. Speaker, let me put this as plainly as I can: A motion to recommit wastes Federal taxpayers' dollars. It is a waste of good taxpayer dollars, and you may wish to put the money savings elsewhere, but I am sure that no one wants to waste taxpayers' money. It has been pointed out by the gentleman from Maryland and the gentlewoman from the District of Columbia that we will be paying people to do work that they are tremendously overqualified for; Grade 14s will be doing Grade 7 work.

But more than that, we are going to be paying, under a RIF, for appeals processes and a whole bunch of other things that come into Federal employees' rights which wastes money.

Again, a motion to recommit is a waste of the taxpayer dollars. For those people who are truly serious about using the tax dollars that we are given wisely, I urge you to vote against the motion to recommit and vote in favor of this conference report.

Mr. CLAY. Mr. Speaker, I have one additional speaker.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have had some questions about the procedure here when we had the motion the other day to instruct conferees, just what that amounted to, since the conferees did not follow those instructions. We did try to introduce and suggest that the House had taken overwhelmingly, substantially, a motion to recommit, even though I did not support that motion to recommit. But it was obvious from both the other body and the majority on our side that the wishes were not there to go along with applying this savings to another spending program. So, the attempt was made, but not successfully.

The motion here to try to work out some compromise, I did then offer to strike section 6 of the Senate amendment which provided for this procedure, which would amount to reducing or striking the money out for the trust fund in the first place, but it would also reduce the discretionary funding limits set forth in the Budget Act of 1974, thereby reducing our debt in that period of time by $22 billion, somebody said $34 billion, whatever it might be. It would be applied to reducing the debt.

That was shot down, I use the words shot down, it was never introduced in the House and it was not. It was not introduced in the Senate.

But at the same time we did accept an amendment offered by the other body in which we would go to contract employees that would provide for payoff for contract employees. So the conferees were somewhat inconsistent as to what we did allow. But what I attempted to do was simply do what I thought was the intent of the legislation, to apply the savings—as I think every red-blooded American taxpayer who will be paying their taxes on April 15—everyone wants to reduce spending. I thought this was the appropriate way to show the taxpayers that we were concerned about how their tax dollars were spent. But the votes were not there.

I say today that if we are ever going to balance the budget, if we are ever going to reduce spending, how can we honestly say we are concerned about it when we say, yes, there is a chance to save $22 billion, but, no, we are going to spend it on another Federal program?

It just seems to me that we are inconsistent. I understand what some are saying about the crime bill, we are all concerned about reducing crime. I think that the crime bill should be appropriated out of the budget just like everything else. But here is a chance to reduce the budget by at least $22 billion, and for some reason we are not willing to do it.

So I am reluctant, I will not support the motion today to recommit, for many reasons. I may not support the bill even though the thrust of it, the concept, what originally was intended 6 months ago when it was first introduced, I certainly do still support. We do need to reduce Federal employees, we need to reduce our payroll, and we need to do it fairly. This bill at one time did that. But we are straying

away from it now, and I think it is a tragedy we are doing this to the taxpayers as well as to the Federal employees who will be riffed.

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

Mr. CLAY. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. I thank the distinguished chairman of the Committee on Post Office and Civil Service for yielding this time to me.

Mr. Speaker, no one has worked more diligently on this bill or more effectively than the gentleman from Missouri, the distinguished chairman, Mr. CLAY.

Mr. Speaker, I appreciate, on behalf of the Federal employees whom I represent, and those all over this country, the efforts that the gentleman from Missouri has made to try to do the reduction which this House voted on and the other body voted on on a number of occasions, in the most humane but also the best managerial method available to us.

I also want to thank my good friend, JOHN MYERS, the gentleman from Indiana. He and I have the opportunity to serve on the Committee on Appropriations together. We do not serve in a partisan sense for most of the time; we serve as people trying to solve the problems of this country in a commonsense, responsible fashion. The gentleman from Indiana [Mr. MYERS] does that.

This legislation, I suggest to you and to the American public, has almost unanimous consent on this floor. You would not know that, however, when you follow the procedural ins and outs of this bill.

One of the reasons that Americans are so frustrated with the Congress of the United States is demonstrated in this bill. We have made a policy judgment as a Congress and as an executive that we should reduce by 252,000 employees the complement of Federal employees which serve the people of this country.

Having made that decision, we have, as managers, looked at how we accomplish that objective and we did so in a nonpartisan way. As a matter of fact, one of the principal amendments in this bill is the Solomon-Burton amendment, which the gentleman from Indiana [Mr. MYERS] supported as well, and that amendment is to insure that we were honest in saying to the American public we are really reducing; not reducing one here and adding one here. In addition, we have had this bill on this floor twice.

□ 1800

This bill in essentially this form passed 391 to 17 the first time. It then passed, in effect, unanimously because it passed on voice vote with nobody asking for a vote. This bill reflects that consensus. However there is a tangential extraneous issue, and that issue is the trust fund created in the Senate on the crime bill. Why? Because it seeks to dedicate the sums to be saved, less now, I suggest to my colleagues, than they otherwise would have been had we acted over a month ago when the House first passed this legislation and had the Senate passed it. Save one Member of that body who held hostage this legislation, Mr. Speaker, we would be in a much better position, and that issue is the issue of the crime trust fund.

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

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

Mr. BROOKS. Mr. Speaker, I rise in support of the conference report on H.R. 3345 and to offer my views on proposals to use the savings from Federal personnel reductions to finance a violent crime control trust fund.

As a conferee on H.R. 3345, I opposed the Senate's proposal to adopt a crime trust fund as part of legislation designed to facilitate the orderly reduction of the Federal work force over the next several years. Today, I continue to believe that the issue of such a trust fund should be addressed in the context of comprehensive crime legislation, and not in this buyout bill.

As my colleagues are aware, the Senate has included a trust fund in its omnibus crime bill. With consideration of H.R. 4092 set to resume later today, I am confident the House will pass a comprehensive crime package before we adjourn for the district work period.

Mr. Speaker, I believe that a carefully crafted trust fund represents the most viable means of financing the thoughtful and innovative crime control and prevention initiatives included in H.R. 4092. I therefore intend to support the adoption of a trust fund in conference and fully expect that such a fund will be included in the conference report on the crime bill when we go to conference.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Texas [Mr. BROOKS], chairman of the Committee on the Judiciary, for his statement. I think it was a critically important statement that this issue, the chairman says, will be considered, and he fully expects this issue, a carefully crafted trust fund, to come out of that conference, and will clearly be passed by this House as it will be passed by the Senate.

I would ask, therefore, at this time, Mr. Speaker, let us move forward on this bill as the conference has reported it out, and let us reject the motion of the gentleman from Delaware so that we can accomplish this issue, save the money that this bill will result in, and then have the Senate and the House in conference on the crime bill determine how to craft the expenditures of those sums in a crime trust fund.

My colleagues, it is time, yea it is far past time, to act on this legislation.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Indiana [Mr. MYERS] for yielding this time to me.

I have listened to the arguments which we have here. Quite frankly sometimes I have an extreme difficulty with the logic of what I hear in terms of what is really going on here. First, we hear this went to conference on a 92 vote from the Senate and on an overwhelming vote from the House of Representatives to have this money set aside for a trust fund, and it comes out of conference, despite all those instructions, without that money in it. Then we hear on the floor today, it is represented to us, that this will save money. And then we have the distinguished chairman of the Committee on the Judiciary get up and say that the crime bill will be funded. So, the money will be spent anyhow.

What is really likely to happen here, Mr. Speaker, is that we are going to have a situation in which the $22 billion will be saved tonight and will be spent on other programs at some time in some way fitting to a budget at some point in the future, and the crime bill will be funded on top of everyone else. Everyone in this building, everyone in this Congress, knows that we are going to pass a crime bill and we are going to fund a crime bill. We have the 22 or so billion dollars here right now. This is the time and the place to go forward with it so we cannot spend it any other way. We should support the motion to recommit to make sure that that money is frozen for the most important program Congress is going to face this year.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from Indiana [Mr. MYERS] for yielding this time to me, and I just want to clarify to the House where we are with regard to this vote on the crime trust fund.

I say to my colleagues, this is your vote on the crime trust fund period. We have just received preliminary word down from the Rules Committee, and the Rules Committee is not going to make in order the Gingrich amendment to have the crime trust fund in the crime bill. So anybody who suggests that somehow you can vote "no" here because you are going to get another chance to vote for a crime trust fund as part of the crime bill, that is nonsense. The Rules Committee is not going to make that in order based on the information out of the Rules Committee, and so the only place you have a chance to actually fund the crime bill is here, and understand that this is a key economic issue as well as a crime

issue because time and time again what we see in the House is that whenever the majority wants to make certain that they can go ahead and spend over whatever budget numbers there are that they have passed, what they do is find a popular subject, leave that out of their budget presentation, and then come along later and say, "We have passed the bill; we have got to do a supplemental for it." That's where we are headed unless we set aside some money. The way to set aside the money is to have a crime trust fund to be sure money has been set aside to take care of the crime bill. We can fund it right here now. This is the place to do it. We will not get there if you await the crime bill. The crime bill is not going to give you an opportunity to vote on the crime trust fund because at least, as we understand the preliminary situation, the Rules Committee is not going to permit that amendment to come to the floor, and I thank the gentleman for yielding.

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

Mr. ACKERMAN. Mr. Speaker, I rise today in support of the Federal employee buyout provision.

The threat of RIF's is hanging over our heads. Government agencies are on the brink of issuing leave notices by the thousands. Some agencies have already started to RIF.

The need to enact this bill is imminent. Federal employee unions, Government agencies, and the administration have all expressed, in hearings before the Post Office and Civil Service Committee, that we cannot wait 1 day longer to implement the buyout option.

Let us send the final message in this time of great reform by passing this provision and let us show the American people that the reform starts here, with the Federal Government.

By allowing agencies to utilize the buyout option, we are alleviating a tremendous amount of pressure that currently exists in our Government agencies. We need to reduce the work force in a fair, humane manner. We will show our Federal employees who have loyally worked as civil servants that we are working on their behalf as well. They deserve this bill.

Mr. Speaker, I urge my colleagues to pass H.R. 3345, the Conference on the Federal Workforce Restructuring Act.

Mr. STOKES. Mr. Speaker, I rise in support of H.R. 3345, the Federal Workforce Restructuring Act.

The administration's goal is to reduce the size of the Federal work force by 100,000 in 1994—on the way to eliminating 252,000 positions over 5 years.

Currently, an estimated 40 percent of Government employees, including the Department of Defense, have the option to take a $25,000 voluntary separation incentive. As most of us are aware, Defense managed to buy out 30,000 employees last year by offering payments of as much as $25,000. This greatly reduced the number of employees to be fired. Most of the people offered buyouts were either eligible for regular retirement—at age 55 with 30 years of service, age 60 with 20 years or age 62 with 5 years—or early retirement—at age 50 with 20 years of service or any age with 25 years. Many early retirees apparently felt that the buyout offset the pension reduction they took for leaving before age 55.

The administration had hoped that reducing the work force could be accomplished through attrition. However, the Federal Government has been experiencing a very low turnover rate. Thousands of retirement-age workers are waiting for buyouts, while an equal number of younger workers see the buyout as a job-saving plan. Unless this option is extended to the rest of the Federal work force, the administration might not be able to reach its employment reduction goals without massive layoffs. Those most likely to be hurt by such layoffs, or reductions in force, would be those most recently hired, including a large number of minorities and women. The Federal agencies are running out of time to implement this buyout plan in fiscal year 1994. Unless this bill passes soon, it will not be cost-effective—and, thereby thousands dedicated Federal employees will be left out in the cold.

Also, in the conference report, an authorization has been given for payment of $5,000 to each of approximately 175 individuals who were full-time ASRM contractor employees. Since this dislocation pay will be funded from existing NASA appropriations, this section will have no budgetary impact.

I urge Members to vote for the conference report.

Mr. CLAY. Mr. Speaker, I ask the Members of the House to vote "no" on the motion to recommit.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. CASTLE

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CASTLE. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. CASTLE moves to recommit the bill, H.R. 3345, to the committee of conference, with instructions to the managers on the part of the House, to agree to the provisions committeed to conference in the Senate amendment numbered 1, to the House amendment to the Senate amendment.

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 166, nays 261, not voting 6, as follows:

[Roll No. 88]

YEAS—166

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lancaster
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Young (FL)
Zeliff
Zimmer

NAYS—261

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Bentley
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Ehlers
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard

Hinchey	Miller (CA)	Sorrano
Hoagland	Mineta	Sharp
Hochbrueckner	Minge	Shays
Holden	Mink	Shepherd
Hoyer	Moakley	Sisisky
Hughes	Mollohan	Skaggs
Hutto	Montgomery	Skelton
Inslee	Moran	Slattery
Jacobs	Morella	Slaughter
Jefferson	Murphy	Smith (IA)
Johnson (GA)	Murtha	Spratt
Johnson (SD)	Myers	Stark
Johnson, E. B.	Nadler	Stenholm
Johnston	Neal (MA)	Stokes
Kanjorski	Neal (NC)	Strickland
Kaptur	Oberstar	Studds
Kennedy	Obey	Stupak
Kennelly	Olver	Swett
Kildee	Ortiz	Swift
Kleczka	Orton	Synar
Klein	Owens	Tanner
Klink	Pallone	Tauzin
Kopetski	Parker	Taylor (MS)
Kreidler	Pastor	Tejeda
LaFalce	Payne (NJ)	Thompson
Lambert	Payne (VA)	Thornton
Lantos	Pelosi	Thurman
LaRocco	Penny	Torres
Laughlin	Peterson (FL)	Torricelli
Lehman	Peterson (MN)	Towns
Levin	Pickett	Traficant
Lewis (GA)	Pomeroy	Tucker
Lipinski	Poshard	Unsoeld
Lloyd	Price (NC)	Valentine
Long	Rahall	Velázquez
Lowey	Rangel	Vento
Maloney	Reed	Visclosky
Mann	Reynolds	Volkmer
Manton	Richardson	Waters
Margolies-Mezvinsky	Roemer	Watt
	Rose	Waxman
Markey	Rostenkowski	Wheat
Martinez	Rowland	Whitten
Matsui	Roybal-Allard	Williams
McCloskey	Rush	Wilson
McCurdy	Sabo	Wise
McDermott	Sanders	Wolf
McHale	Sangmeister	Woolsey
McKinney	Sarpalius	Wyden
McNulty	Sawyer	Wynn
Meehan	Schenk	Yates
Meek	Schroeder	Young (AK)
Menendez	Schumer	
Mfume	Scott	

NOT VOTING—6

Gallo	Natcher	Ridge
Mazzoli	Pickle	Washington

□ 1857

Mr. YOUNG of Alaska and Mr. BROWDER changed their vote from "yea" to "nay.

Mr. SAM JOHNSON of Texas changed his vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid in the table.

PERSONAL EXPLANATION

Mr. MAZZOLI. Mr. Speaker, I was unable to be present for business in the House of Representatives. I was therefore not present for votes occurring. Had I been present, I would have voted:

"Yes" on Roll No. 83
"Yes" on Roll No. 84
"No" on Roll No. 85
"Yes" on Roll No. 86
"Yes" on Roll No. 87
"No" on roll No. 88

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I ask for this time for the purpose of inquiring of the distinguished majority leader the program for the balance of this evening and tomorrow or as he sees it unfold before we recess.

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

Mr. MICHEL. I am happy to yield to the gentleman from Missouri.

Mr. GEPHARDT. Mr. Speaker, there will not be further votes this evening.

There will be an attempt to file the rule tomorrow on the crime bill, and that rule will then be an attempt to take it up on Friday. We will take up H.R. 6 tomorrow on the floor and try to bring it to completion.

Mr. MICHEL. Mr. Speaker, might I inquire of the distinguished majority leader, the other issue that comes out of the Committee on the Judiciary on how that will be orchestrated tomorrow relative to the lobbying measure.

Mr. GEPHARDT. Yes. There would be an attempt for a unanimous consent and then a rule which would allow it to be brought up on suspension.

□ 1900

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

Mr. MICHEL. I yield to the gentleman from Georgia.

Mr. GINGRICH. I thank the gentleman for yielding.

Mr. Speaker, I do not want any Member to be confused about the next 2 days. It is our hope that the draft of the rule we saw tonight on the crime bill will be rewritten before it is filed and the Committee on Rules will meet again. I want all of my colleagues to understand this in advance that the second day a rule so restrictive that, in the words of the President in Boston, it says, "No, no, no, no," to amendment after amendment after amendment, if that rule is filed in its current form, from that moment on we will do everything we could in this House procedurally to insure that the country understands which amendments are not being offered, why they are not being offered, and raise that question.

I hope that tonight the Committee on Rules will decide to meet again—it has not filed that rule—and by tomorrow we will have a rule more accommodating to a wide range of Members who deserve the right to offer serious amendments on the crime bill.

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

PERMISSION TO FILE PRIVILEGED REPORT MAKING IN ORDER A MOTION TO CONSIDER S. 349, LOBBYING DISCLOSURE ACT OF 1993, UNDER SUSPENSION OF THE RULES

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file a privileged report on making in order a motion to suspend the rules and pass the Senate bill S. 349 to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

The SPEAKER pro tempore (Mr. McNULTY). Is there objection to the request of the gentleman from South Carolina?

Mr. WALKER. Mr. Speaker, reserving the right to object, I did not hear the request of the gentleman from South Carolina.

Mr. DERRICK. Mr. Speaker, let me repeat the request.

Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file a privileged report on making in order a motion to suspend the rules and pass the bill, S. 349.

Mr. WALKER. Further reserving the right to object, Mr. Speaker, I would inquire, which bill is that?

Mr. DERRICK. Mr. Speaker, it is the lobbying reform legislation.

Mr. WALKER. I thank the gentleman, and, Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

ANNOUNCEMENT OF MEETING OF COMMITTEE ON RULES

Mr. DERRICK. Mr. Speaker, if I could I wish to make an announcement, I ask that all members of the Committee on Rules report now to the Rules Committee room. We need the presence of the members there right now.

FOX IN THE HEN HOUSE

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

Mr. GOSS. Mr. Speaker, it looks like the fox is back in the hen house one more time. Here we go again, another

Clinton White House official in trouble over ethical problems. I read in the Washington Times this morning an answer to a question I asked here a week or two ago, why are we having stalling on these passes at the White House for security clearances? National security is a matter of some concern to us, especially with all the terrorism we see going around today.

I discover we have a gentleman who has been reprimanded once by the way he handled the Travelgate situation, Mr. Kennedy, a member of the Rose law firm apparently, who has been put in charge of the passes. Maybe that explains why we have got a backlog.

Quoting from the paper, it says "Mr. Kennedy's failure to routinely pass the reports on to Secret Service for review resulted in a long backlog of employees awaiting clearance for a permanent pass, according to congressional and administration officials."

It goes on to say, "Of about 1,000 FBI background checks of White House personnel, more than 500 revealed derogatory information that would have prevented the people from obtaining security clearances at the FBI, Defense Department, or CIA, said an administration source." And these people are making decisions.

Mr. Speaker, I include the following material at the end of my remarks.

[From the Washington Times, March 23, 1994]

PASSES STALLED BY WHITE HOUSE AIDE

(By Rowan Scarborough)

White House Associate Counsel William H. Kennedy III's decision to hold back hundreds of completed FBI background reports was the chief reason many White House employees did not have permanent access passes months after assuming their jobs.

Mr. Kennedy's failure to routinely pass the reports on to the Secret Service for review resulted in a long backlog of employees awaiting clearance for a permanent pass, according to congressional and administration officials.

The pass backlog started last year after the Secret Service expressed reservations about approving permanent badges for two aides for security reasons based on their FBI reports, according to the officials.

Only Mr. Kennedy—criticized for his role in the Travelgate affair and reportedly close to resigning—and first lady Hillary Rodham Clinton remain of the four partners of Little Rock's Rose Law Firm who came to Washington with President Clinton.

The others were Associate Attorney General Webster L. Hubbell, who announced his resignation last week to deal with charges that he overbilled clients at the Rose firm, and Deputy White House Counsel Vincent W. Foster Jr., who died last July of an apparent self-inflicted gunshot wound.

The Wall Street Journal reported yesterday that Mr. Kennedy may have tried to hide a tax problem from FBI agents investigating his background. The newspaper said Mr. Kennedy paid $1,300 in delinquent Social Security taxes under his wife's maiden name and through a Little Rock accounting firm.

White House Communications Director Mark Gearan said yesterday that Mr. Kennedy told him he was not trying to conceal anything and that his wife "wanted to keep her [maiden] name alive."

Mr. Kennedy, who is in the process of a divorce, was reprimanded by the White House last year for "inappropriate" contacts with the FBI after the abrupt firing of White House travel office employees.

Of about 1,000 FBI background checks of White House personnel, more than 500 revealed derogatory information that would have prevented the people from obtaining security clearances at the FBI, Defense Department or CIA, said an administration source, who asked not to be named.

The FBI found cases of past drug use and drug convictions, years of unpaid taxes, unpaid debts and financial irregularities—discrepancies that can be grounds for Secret Service questions.

In recent days, as press reports disclosed the backlog, the White House has moved to issue large batches of building passes, apparently to people whose background reports were complete but had not yet been submitted to the Secret Service.

White House spokeswoman Ginny Terzano yesterday disputed that hundreds of background reports had been held up because the FBI uncovered discrepancies.

"Your sources are just totally wrong. Your numbers and your characterization are wrong," Ms. Terzano said.

White House Press Secretary Dee Dee Myers said two weeks ago that the backlog was the result of negligent employees failing to fill out initial questionnaires needed to start the FBI clearance procedure. On the job for more than 14 months, Miss Myers herself had not completed any of the background forms and is using a temporary pass.

Ms. Terzano said on Monday that Miss Myers since has filled out the necessary forms. She said all employees are now in compliance with White House guidelines that call for submitting the paperwork within their first 30 days on the job.

"Only a handful" of applicable employees, like Miss Myers, had not filled out the forms in time to meet the deadline, Ms. Terzano said. "What you ought to be writing about is that we're in compliance," she added.

Congressional and administration sources said tardiness is only part of the problem. The sources said much of the backlog is due to FBI reports coming back with derogatory information that caused Mr. Kennedy to delay submitting them to the Secret Service.

Mr. Kennedy did not return a telephone call for comment yesterday.

The large number of White House aides without permanent passes is "radically different" from previous administrations, which in most cases gave employees no more than 60 days to get a permanent pass, one administration source said. While called a "permanent" pass, the access is good for five years.

"Secret Service is royally mad at Kennedy because this is not the way the system is supposed to be run," the administration source said.

Mr. Kennedy, who oversees the issuing of passes, himself did not complete the FBI check to get a permanent pass until early December, after being at the White House nearly a year.

Rep. Frank Wolf, Virginia Republican, who charges the White House has stonewalled Congress in providing information regarding the passes, said yesterday he will ask the General Accounting Office to investigate.

"The reports of hundreds of White House employees . . . not having permanent passes for over a year into the administration is alarming," said Mr. Wolf, a member of the House Appropriations subcommittee on Treasury, postal services and general government. "Why weren't timely procedures followed? Why did those in charge continually misrepresent the situation?"

It normally takes about two months for an employee to undergo the background check and obtain a permanent pass. Permanent passes are issued on the authority of the counsel's office, with input from the Secret Service and the White House Office of Security.

Other senior White House aides, in addition to Miss Myers and Mr. Kennedy, also failed to gain a permanent pass months after assuming duties.

White House Chief of Staff Thomas "Mack" McLarty, who wrote the guidelines for employees to follow, did not get a permanent pass until earlier this month, after newspapers, including The Washington Times, first disclosed the backlog.

Patsy Thomasson, who directs the White House Office of Administration, got a permanent pass this month after she was the subject of a Wall Street Journal editorial.

The administration source said the news stories infuriated Mr. Clinton, who spoke to Mr. Kennedy about the delays last week.

Incoming White House Counsel Lloyd Cutler, who has pledged to clear up the backlog, said last week that aides had been ordered to expedite the process. He detailed Christopher Cerf, general counsel in the office of administration, to complete the task.

Mr. Cutler, in a March 18 letter to Mr. Wolf, said top aides such as Miss Myers can still review top-secret material despite not having a final building pass.

LYING AND PHONINESS IN THE FIEFDOM OF ARKANSAS

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

Mr. DORNAN. Mr. Speaker, may I have the attention, please, of my good friend, the gentleman from Ohio [JIM TRAFICANT]. I am perfectly willing to concede that they will sell a lot of dirt in Arkansas. We learned through Tonya Harding the incredible marketability of all this tabloid stuff. You're a good man, JIM. I love you.

However, are you aware that six news organizations, including the Associated Press, have joined with the American Association of Physicians and Surgeons in an amicus brief because they have new evidence of Whitewater-type shenanigans in the Health Care Task Force?

I love you, JIM.

That's right, Mr. Speaker, today, the American Association of Physicians and Surgeons filed a brief in DC's District Court, further expanding on their lawsuit against Hillary Clinton and the Health Care Task Force. The brief contains new revelations that show rose-colored, Clintonian ethics were not confined to Little Rock or real estate deals in the Ozarks, but also ruled the White House's Health Care Task Force.

It alleges that the President and First Lady violated conflict-of-interest laws; alleges various high administration officials with extensive double-dipping, including new allegations that hundreds-of-thousands of dollars were fun-

neled to Jocelyn Elders; and reveals the previously undisclosed names of task force members allegedly involved in influence-peddling and conflicts-of-interest.

We cannot allow coverups and lies from the administration or coverups from anybody in this House. How can we sit back while the Clinton administration pushes the Office of the Presidency into the flood drainage system of the District of Columbia? The people's House is losing what credibility it has left by continuing to cover up the swarm of criminal charges and by ignoring the ethical dissipation of the White House. It's cultural meltdown.

I call for an immediate congressional investigation beginning after the April break into all of the allegations of task force wrongdoing.

My Democrat colleagues, when will you act? You are riding in whitewaters and the rocks aren't looming, you're already amongst them.

Mr. Speaker, here is the press release of the AAPS.

Date: March 23, 1994.
Time: 10:15 am.
Location: Grassy Triangle, East Front U.S. Capitol.

NEW EVIDENCE OF WHITEWATER-TYPE TACTICS IN PRESIDENT'S HEALTH CARE TASK FORCE: WHITE HOUSE STONEWALLING AND INFORMATION WITHHOLDING SHIELDS CONFLICT OF INTEREST

New briefs will be filed in the lawsuit against Hillary Clinton and the President's Health Care Task Force with evidence of illegal activities and subsequent White House cover-up and stalling will be subject to a news conference with the Executive Director of the Association of American Physicians and Surgeons (AAPS), as well as new revelations of the Clinton's financial holdings in health care stocks.

Dr. Janet Orient, who testified before the Task Force last year, will also discuss evidence of a pattern of conflict of interest and influence-peddling by previously unidentified task force members representing the very commercial entities who stand to make enormous financial gains with implementation of the proposed managed-care plan.

AAPS will present evidence of misrepresentation of Task Force membership and possible misrepresentation of facts by White House staff.

BACKGROUND

One year ago, the AAPS successfully filed suit to force the Task Force to open their meetings to the public to comply with the Government in Sunshine Act, and to disclose its records.

The Associated Press and five other news media and professional journalism organizations have filed an amicus brief in support of the AAPS lawsuit.

On March 19, 1993, the District Court in Washington D.C. handed down an injunction requiring the Task Force to comply with the Federal Advisory Committee Act (FACA). The Act was designed to protect the public from the unregulated use of advisory committees where special interest groups may use their membership on such bodies to promote their private concerns.

But that ruling was overturned when former White House Counsel Bernard Nussbaum argued the Act did not apply to the Task Force, as he and Ira Magaziner claimed that all members were full time government employees.

Instead of complying with the law by producing the records and publishing timely meeting notices in the Federal Register, Nussbaum then launched an aggressive defense of the secret war room, while Vince Foster signed public notices for the Federal Register only after the meetings took place.

After several months, AAPS went back into court when it became apparent the Administration had no intention of producing the documents which would shed light on the closed-door deliberations of the Task Force.

On November 9, 1993, District Court Judge Royce Lambert ordered the White House to produce records of the Task Force documenting its membership, consultants, time and attendance records, travel vouchers, financial disclosure forms and conflict of interest declarations.

In a sharply worded opinion, Judge Lamberth condemned the Administration's stonewalling as "improper" and "evasive," by producing "dribbles and drabs of information at its convenience." Judge Lambeth also cited the White House for providing incomplete and indequate responses for discovery of admissible evidence.

The White House then produced several boxes of documentation, but only after getting a protective order, withholding them from the public. To this day, Ira Magaziner has refused to respond to the request for his deposition.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCNULTY). Under the Speaker's announced policy of February 11, 1994, and under a previous order of the House, the following Members are recognized for 5 minutes each.

HEALTH CARE REFORM

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

Mr. MICHEL. Mr. Speaker, I request permission to insert at this point in the RECORD the votes on health care reform which took place in the Committee on Ways and Means on March 21 and 22, 1994.

The following recorded votes were taken on March 21, 1994, in the Subcommittee on Health of the Committee on Ways and Means during consideration of Chairman Stark's substitute proposal for H.R. 3600, the Health Security Act of 1994:

An amendment of Mrs. Johnson (CT) striking (1) the requirement that the HHS Secretary develop a national workforce plan under which 53 percent of residents be trained in primary care specialities, develop a method of accrediting residency positions, limit the number of residency positions in accordance to the national workforce plan; and striking (2) the section that limits reimbursement to academic medical centers only for residents in positions accredited by the Secretary in accordance with the national workforce plan. The amendment was defeated 6–5.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay" by proxy.
Mr. Andrews (TX), "yea."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis (GA), "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea" by proxy.

An amendment by Mr. Thomas (CA) to guarantee adequate year-by-year financing of benefits to low income individuals. The expansion of subsidies could be accelerated or delayed (but never reduced) depending on whether the savings in federal health expenditures were available. The Director of OMB must certify each year whether proposed savings in federal expenditures are adequate to fund or accelerate the subsidy schedule. If the savings are inadequate, the Director notifies Congress of the short falls and recommends reductions in benefits or other federal programs savings to meet the shortfall. Congress can either take action or allow the phase-in to be limited to the percentage increase that can be afforded. The amendment was defeated 7–4.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay."
Mr. Andrew (TX), "nay."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis (GA), "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea" by proxy.

An amendment by Mr. Thomas (CA) that limits malpractice non-economic damage awards to not more than $350,000 per case. The amendment was adopted 6–5.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "yea."
Mr. Andrews (TX), "yea."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis (GA), "nay" by proxy.

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea" by proxy.

An amendment by Mr. McCrery striking the establishment of global budgets for private sector health spending and the establishment of maximum payment rates for services if private sector spending exceeds annual targets. The amendment would replace the cost containment mechanism with a limit on the employer deduction and the employer exclusion of health care plan premiums to the average cost of benefit plans offered in the geographic area. The amendment was defeated 6–5.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay."
Mr. Andrews (TX), "yea."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis (GA), "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

An amendment by Mr. McCrery striking the provision that prohibits administrative or judicial review of any decision by the Secretary of HHS to control costs or regulate

rates in the private sector. The amendment was defeated 7–4.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay."
Mr. Andrews (TX), "nay."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis, "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

An amendment by Mr. Thomas (CA) to delete the requirement that all non-low-cost services must be provided in a single centralized location in each MSA. The amendment failed 5–5.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, Not voting.
Mr. Andrews (TX), "yea."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis (GA), "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

An amendment by Mr. Thomas (CA) to add outpatient drugs to clinical labs. X-ray and ultra sound services as services that all physician offices are permitted to provide under the exception for in-office ancillary services. The amendment passed 6–4.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, not voting.
Mr. Cardin, "nay."
Mr. Andrews (TX), "yea" by proxy.
Mr. McDermott, "yea."
Mr. Kleczka, "nay" by proxy.
Mr. Lewis (GA), "nay" by proxy.

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

The following recorded votes were taken on March 22, 1994, in the Subcommittee on Health of the Committee on Ways and Means during consideration of Chairman Stark's substitute proposal for H.R. 3600, the Health Security Act of 1994:

A motion by Mr. Thomas (CA) appealing the ruling of the Chair that ruled out of order Mr. Thomas' amendment to strike Title XII, the revenue section. The motion was defeated 7–4.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay."
Mr. Andrews (TX), "nay."
Mr. McDermott, "nay."
Mr. Kleczka, "nay" by proxy.
Mr. Lewis (GA), "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

An amendment by Mr. Thomas (CA) striking the 0.8 percent payroll tax and financing the lost revenue by delaying the 100–200 percent of poverty subsidies until they can be financed through spending cuts. The amendment failed 6–5.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "yea."
Mr. Andrews (TX), "nay."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis, "nay."

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

An amendment by Mr. Andrews (TX) to raise the tobacco tax $.50 per pack more than Chairman's increase of $.75. The money would fund subsidies through the tax code for small business (to be completed at full committee) and new public health spending for Academic Health Centers, a lead abatement program, essential community provider programs, teen pregnancy and smoking cessation programs and education and retraining programs for farmers. The amendment was adopted 6–5.

DEMOCRATS

Mr. Stark, "yea."
Mr. Levin, "yea."
Mr. Cardin, "yea."
Mr. Andrews (TX), "yea."
Mr. McDermott, "nay."
Mr. Kleczka, "nay" by proxy.
Mr. Lewis (GA), "yea."

REPUBLICANS

Mr. Thomas (CA), "nay."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "nay" by proxy.
Mr. McCrery, "nay."

An amendment in the nature of a substitute was offered by Mrs. Johnson (CT), H.R. 3080, the Affordable Health Care NOW Act of 1993 sponsored by Representative Michel. The amendment was defeated 7–4.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay" by proxy.
Mr. Cardin, "nay" by proxy.
Mr. Andrews (TX), "nay" by proxy.
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis (GA), "nay" by proxy.

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

An amendment in the nature of a substitute offered by Mr. McCrery, Health Savings and Security Act of 1994. The amendment was defeated 7–4.

DEMOCRATS

Mr. Stark, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay."
Mr. Andrews (TX), "nay" by proxy.
Mr. McDermott, "nay."
Mr. Kleczka, "nay" by proxy.
Mr. Lewis (GA), "nay" by proxy.

REPUBLICANS

Mr. Thomas (CA), "yea."
Mrs. Johnson (CT), "yea."
Mr. Grandy, "yea" by proxy.
Mr. McCrery, "yea."

FEDERAL RESERVE SYSTEM ACCOUNTABILITY ACT OF 1993

The SPEAKER. Under a previous order of the House, the gentleman from Texas, [Mr. GONZALEZ], is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, In the old days, doctors used to "bleed" patients in order to bring them back to health. Unfortunately, more than a few patients have failed to respond to this therapy. This is a disturbing analogy with the Federal Reserve's current prescription for economic health—a policy of raising interest rates in order to slow down an already dragging economic recovery. Rather than resuscitating the patient, the doctors at the Fed are knocking the patient unconscious.

I have previously spoken about the Federal Reserve's faulty measures of inflation and its obsession with achieving zero inflation, something that could backfire and cause massive unemployment. Today I want to focus on the weakness of the U.S. recovery. There is a serious inconsistency between the conditions nearly everyone in the labor market encounters and the aggregate statistics compiled by the Government which show overall economic activity picking up from 1991 when growth was negative. In many parts of the country, as many of my colleagues have found in their districts, people are talking about how hard it is to find a good job. Many of the jobs that are available do not pay well.

Well, my colleagues, I will show you that what you hear from your constituents in your home districts supports the evidence that the U.S. economy is far from a complete recovery.

I have a graph depicting the ratio of help wanted advertising to unemployment. What this graph shows is that the number of help wanted ad in the country's newspapers per officially unemployed person, fell dramatically in 1989, 1 year before the official recession. It did not hit bottom until 1992, over 1½ years after the official end of the recession of 1990–91.

The quality of jobs has also deteriorated. *The Economist* reported in its March 19, 1994 edition [p. 27.]:

> College graduates typically enter the labor force around $10,000 in debt, from loans taken out to pay soaring tuition bills. The job market they enter is one in which 22 percent of employed Americans are either part-time or temporary workers, the highest proportion ever; indeed, employment with temp agencies accounted for 15 percent of the new jobs created last year and 26 percent the year before.

As trained and experienced people are laid off all over the country they not only find fewer ads seeking employees, but the quality of the jobs being offered has seriously fallen.

This kind of evidence comes on top of another serious economic problem. Hourly earnings, adjusted for inflation, for 80 percent of the U.S. work force—the nonsupervisory workers—have been falling since 1973. Today workers' earnings after adjustment for inflation are

where they were in 1965. This variable is called "real hourly earnings." Along with the decline in real hourly earnings has come a decline in real weekly earnings.

What this means is that most of the Nation's workers buy less and less with the money they earn. Today they can only buy about the same as they could in 1965.

So, as they drink toasts to the great recovery of 1994 over at the money temple and make plans to stifle it before it gets going too strongly, I ask them to visit Main Street, USA and find out what is really going on. On Main Street they will hear from the Nation's workers that this is not a vigorous recovery. This is not time to stifle what little recovery we have.

My colleagues, in this time of national economic stress and a Federal Reserve policy of raising interest rates, it is vital that we have a full record of the positions taken by each individual Federal Reserve official. We need complete and timely release of the records of Federal Reserve meetings where these officials determine much of our economic future. I ask you to support my bill, H.R. 28, the Federal Reserve System Accountability Act of 1993. We cannot let the Federal Reserve operate in a cult of secrecy where its official do not have to disclose to the public their individual decisions at their meetings, which have a profound impact on all of our lives.

□ 1910

VELDA MEYER

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

Mr. KINGSTON. Mr. Speaker, one of the great stories and, I think, an unwritten story in the United States of America has to do with volunteerism. We often talk about volunteerism, but yet it really is an entity in itself. As we in Congress and in State legislatures all around the country try to grapple with the problems of society today, we try to take care of the neighborhoods, and families, and crime, and health care, and all these things. We often overlook the fact that there is a strong, and many times invisible, army that is out there that is the margin between success and failure in our society. Organizations such as the Boy Scouts, the Girl Scouts, different church groups, neighborhood associations, hospital groups and so forth have done so much work to continue the great legacy of America, and tonight in that regard I want to talk about one of the best volunteers that I know, a lady named Velda Meyer from Isle of Hope, GA, a lady I am proud to call a neighbor and a friend, a citizen and a great American. Velda lives around the corner from me, but her sphere of influence is not isolated to our neighborhood by any means, but I do want to tell a story about a couple of the things that she does.

I say to my colleagues, "If you are up early in Isle of Hope and you are driving down Grimble Point Road, you can see a beautiful median and a little garden that Mrs. Meyer along with a handful of her friends that she recruits every year; they take care of that whole median, no taxpayer expense. They are out there. They are pruning and planting flowers, cleaning up litter from the weekend. They are doing so much, and there is no thank you for it. They don't even get credit most of the time."

Another thing that Velda Meyer did at her own initiative: For years she was the neighborhood Halloween witch, and at her house every Halloween she would put on a little miniature spook house, and there were spiders, and cobwebs, and plastic rats and bales of hay. Velda would put on some tinsel type green hair and dress as a witch, and all the little children of Isle of Hope and many other children from Savannah and the surrounding area would come and see her. It was a neighborhood tradition in many respects.

Mr. Speaker, Velda Meyer has done many, many other things, and a mutual friend, Mrs. Leila Bravo, has given me a whole list of items that she has done, and I want to read these into the RECORD, Mr. Speaker, and will do so at this time:

VELDA MEYER

Velda Meyer is a very special resident of the Isle of Hope community and the Chatham County area. She has devoted the last 50 years to a number of volunteer organizations as well as her community.

She began her work as a volunteer worker with the Red Cross at the East St. Louis Chapter in surgical dressings in 1941. She was certified as a nurse's aide at the East St. Louis Chapter, Belleville, Illinois in 1942. Velda worked at the East St. Louis Chapter as a nurse's aide in 1942, 1943 and 1945 for a total of 358½ hours and at the St. Louis Bi-State Chapter, Belleville, Illinois in 1958–59.

After moving to Savannah she began her volunteer work in September 1959 with the Red Cross. She has given a total of 10,139 hours from that date thru December 1993.

She was appointed chairperson of youth volunteers in Red Cross in 1961 and also served as chairperson of volunteers at Memorial Medical Center thru Red Cross 1964/65/66.

Velda has served as a volunteer at Memorial Medical Center for 24 years. She was voted Volunteer of the Year in 1988.

In her Isle of Hope community, she has been a devoted friend to all the residents of the island. Velda worked very hard for the Little Historical Park on the Bluff near the Marina.

The Parkersburg Garden Club has benefited since the early 70's from Velda's membership and dedicated service. For many years she has been responsible for the beautification of the plot on the road to Dutch Island. In 1981, the club honored her with life membership. Velda has represented the Parkersburg Garden Club in the Savannah area garden club council on many of their projects.

Velda is a member of the Isle of Hope Community Club and the Historical Society.

For many years, Halloween was very special to several hundred children who visited Velda. She dressed as a witch, stirred her smoking kettle, and made Halloween come alive with eerie music, spidery decorations and candy. Also, for many years Isle of Hope residents celebrating their birthdays found colorful balloons on their mailboxes. Velda delivered them by bicycle very early in the mornings. Visits to the sick, food and get well wishes to the shut-ins, rides when your car is on the blink, Velda is always there to help.

Other areas where this dear lady's life has made a difference is: the Savannah Symphony Women's Guild and the Republican Women's Club. She has been a member of the guild since its inception. She has solicited items for the TV auctions, got up tables for the fashion shows, helped raise money for the annual fund event, and helped promote and sell tickets for the symphony.

She has served as chaplain and sunshine chairperson of the Republican Women's Club. She sells more tickets for the luncheon and fashion show which is the annual fund raising event. This not only benefits Republican candidates but also community projects.

Last but not least she is also active in her church, the Lutheran Church of the Ascension. There she is chairperson of the greeters, a position she has had for many years.

This lady is indeed one of Savannah's goodwill ambassadors.

Mr. Speaker, I will conclude with saying, "When you really look at the true difference between America and other countries, it's not just our form of government, but it's our people, and Alexis de Tocqueville said America is good because Americans are good. Velda Meyer is a true example of that. She is a lady who has given, given, given, and given, and altruistic American and a great America."

IN CELEBRATION OF GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask that all Members may have 5 legislative days to file their remarks in connective with this special order.

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

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I rise today, here in the Hall of American democracy, to honor the spirit of freedom that lies at the heart of our political system. It is the idea of democratic government, brought forth by the ancient Greeks and which has swept the modern world.

It is fitting that we celebrate this magnificent concept of democratic government this week because this Fri-

day—March 25—marks the date that the people of Greek heritage and the Greek Orthodox faith, as well as freedom-loving individuals everywhere, celebrate the symbolic rebirth of democracy: Greek Independence Day.

March 25, 1994, is the 173d anniversary of the beginning of Greece's struggle for independence from more than 400 years of foreign domination. It was on this historic day that the Greek people began a series of uprisings against their Turkish oppressors, uprisings that soon turned into a revolution attracting wide international support.

The Greeks' long and arduous struggle against the Ottoman Empire is a perfect example of the ability of mankind to overcome all obstacles if the will to persevere is strong enough and the goal—in this case the dream of freedom—is bright enough.

America, the United States of America, is surely the truest expression of this dream today. It remains an imperfect dream, yes, but still the shining example that oppressed people throughout the world have looked to for generations; have gained strength from in their struggle to overcome their oppressors.

This dream of democracy—born so long ago in Greece—and its greatest tangible expression in our great democratic Republic, Mr. Speaker, forms the common bond between our two nations. Furthermore, it is a bond that has stretched throughout history, from ancient times to the present day.

In ancient mythology, fire was brought down from Mount Olympus and offered to the Greeks as a gift—a gift that transformed their lives. Similarly, the gift of democracy was offered to the world by the ancient Greeks and it, too, was a transforming gift: In fact, it continues to transform the world with stories of heroes and remarkable events.

The history of the Greek war for independence also is filled with heroes and heroism, remarkable events by many peoples in a common cause. It is partly the story of the Klephts, who descended upon the invaders from their mountain strongholds. It is also the story of the Hydriots, seafarers who broke the Ottoman naval blockade; and it is the story of the Philhellenes, who took these tales of courage to Europe where their significance was not overlooked.

These stories woven together formed the fabric of a free and independent Greece, of Democracy returned to the cradle where it was born, and defended by the defiant cries of the Greek patriots: "Eleftheria I Thanatos"—Liberty or Death.

However, democracy—which places the hands of the common man on the wheel of destiny—brings with it dangers, as well. Freedom often brings with it old antagonisms, nationalist disputes that must be reconciled—and the old truism that warfare is only an extension of diplomacy is no better demonstrated than in the Balkans.

Yugoslavia—cobbled together out of many competing ethnic factions and for years held together by the force of communism—has fragmented explosively. Fighting continues throughout the Balkan region—and one old dispute in particular threatens the cradle of democracy, Greece itself.

The Greek Government protested when, in 1945, Yugoslavia's Communist dictator, Tito, usurped the name "Macedonia" for a province carved out of southern Yugoslavia to diminish the power of Serbia. This served only to inflame competing interests in a region stretching well beyond the borders of Yugoslavia and unstable since the days of Alexander the Great.

While this Province now understandably seeks its freedom, the concept of Macedonia must in no way be restricted within the borders of this tiny land. To recognize this Province as an independent nation under the name "Macedonia" would, I fear, unleash antagonisms already bubbling at the boiling point.

Regrettably, however, the Clinton administration has granted full diplomatic recognition to the former Yugoslav Republic of Macedonia [Fyrom]. This action is cause for great concern, because the name "Macedonia" is historically tied to the northern Greek Province of Salonika, home to Alexander the Great. As a result, an extremely volatile atmosphere has been created along the northern border of Greece.

As recounted in the New York Times, constitutional language regarding a future union of the wider lands of ancient Macedonia—which reach into Bulgaria, Albania, and Greece—spark resentments and suspicion. Promises to protect the cultural, economic, and social rights of Macedonians in surrounding countries are equally ominous.

More blatant still are maps circulating in the region and bearing the seal of the Macedonian National Liberation Army; maps that depict the envisioned nation of Macedonia with borders reaching into eastern Albania, southwestern Bulgaria, and a full quarter of mainland Greece.

Frequent radio broadcasts from Yugoslavia's Macedonian Province call for the unification of Macedonia and for the freeing of millions of oppressed Macedonians in Greece.

The establishment of diplomatic relations with Fyrom would be a serious deterrent to the negotiation process and would impede efforts to promote a solid and cooperative relationship between those two countries. This action would also threaten the historic military and cultural relationship between the United States and Greece.

The establishment of diplomatic relations between the United States and Fyrom would send precisely the wrong message at precisely the wrong time. The prospects for peace in the region will not be enhanced by this action; indeed, they might very well be compromised.

This is not a matter of semantics. This is a matter of national identity, international respect for traditional concepts of national sovereignty, and a recognition of the long and turbulent history of the Balkan region. Mere names are often used to support territorial claims and ethnic divisions which transcend the centuries.

Mr. Speaker, we must stand by our longtime ally and never forget that the ancient Greeks forged the very notion of democracy, placing the ultimate power to govern in the hands of the people themselves. The dream of self-rule was made reality as our Founding Fathers drew heavily on the political and philosophical experience of ancient Greece in forming our Government. For that contribution alone, we owe a great debt to the Greeks.

In the American colonial period, during the formative years of what would be our great Republic, no feature was more prominent than the extent to which Greek and Roman sources were cited by the Framers of the Constitution. The very basis of our Constitution derives from Aristotle and was put into practice in ancient Rome, in 18th-century England and in the early State constitutions, before it was given its national embodiment by the Convention of 1787.

The overriding appreciation was for Aristotle's sense of balance, since the delegates viewed the tyrant and the mob as equally dangerous. Indeed, both James Madison and John Adams emphasized what Aristotle had written in The Politics, that "the more perfect the admixture of the political elements, the more lasting will be the state."

Through the recognition of the idea of a separation of powers, a system of checks and balances was instituted in American Government. Thus, as another of the ancient Greeks, Polybius, foresaw and wrote:

> When one part, having grown out of proportion to the others, aims at supremacy and tends to become too dominant * * * none of the three is absolute. * * *

Our Founding Fathers were eager to relate the American experiment to the efforts of the ancient Greeks to establish a balance of powers. Such a relationship, it was hoped by the Framers, would allow America to escape the disintegration of Government that had proven inevitably fatal to other political systems throughout history.

It is the example of the ancient Greeks that we celebrate each March 25th, that and the return of democracy to Greece on this day of glory for the Greek people. The spirit of democracy and of this day lives on in the defense

of the principles for which so many of the free world's citizens have given their lives.

Mr. Speaker, today we celebrate together with Greece in order to reaffirm the democratic heritage that our two nations share so closely. These principles are not uniquely Greek or American, but they are our promise to the world—and they form a legacy that we cherish and have a responsibility to protect and defend.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I think the gentleman from Florida [Mr. BILIRAKIS] has outlined in his opening remarks what this special order which he regularly conducts is all about. When in March 1812 the Greeks, who had been subjugated by the Ottoman Empire for almost 500 years, began an uprising which led to full independence 9 years later with the help of luminaries like Lord Byron of England and worldwide sentiment expressed even in the halls of democracy to which the gentleman alluded, the same Chamber where James Monroe, and the President, and Henry Clay and others said spirited words in support of the Greek uprising, that celebration, March 25, is repeated as a celebration of freedom every year, and particularly to the Americans of Greek descent it becomes even triply significant.

First of all, Mr. Speaker, it is a national holiday in Greece. We know because that is the day of independence. But for all Americans of Greek descent who also happen to be of Greek Orthodox faith it is a rousing day on the religious calendar as well, and in another wondrous way the Americans of Greek descent look upon it as a recelebration of their own freedom as Americans. They really celebrate.

I remember in our younger days when we gathered at home after the church services and after poems and songs about the day of freedom, as it were, that we were able to correlate that expression of heartfelt thanks and gratitude that our parents, who were immigrant parents, from Greece felt that the idea that they were able to celebrate in a free land what they had learned in their background was so important to them as Greek citizens at one time was now doubly important because it was celebrated in the land that replicated the freedom begun by Greek democracy, the United States, and so we, as the gentleman and I, for instance, as I say to the gentleman from Florida, as Americans of Greek descent who also serve in the Congress of the United States, we who have served in the armed services of the United States and we who continue to blare out freedom every chance we get, really came by it honestly because we learned from our parents, and our teachers and our church leaders the significance of freedom in all its beauteous definitions.

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to congratulate the people of Greece and the Greek-American community of south Florida on the 173d anniversary of Greek independence.

Greece was the birthplace of Western civilization. It is from Greece, and Greece's inspiration of the Renaissance, that the culture we know as the West is derived. Our ideas of democracy, art, and philosophy were first formulated in the city-states of ancient Greece.

In modern times, Greece has been a frequent ally of the United States. In the Second World War, 9 percent of the population of Greece died fighting the Axis. The Truman doctrine, which declared the intention of the United States to resist Communist aggression, was prompted by a Soviet inspired war against Greek freedom. It was that decision which ultimately led to the collapse of the Soviet empire and the rebirth of liberty in much of Eastern Europe.

Again, allow me to congratulate the Greek-Americans of south Florida, and the rest of the country, on this happy day.

Ms. SNOWE. Mr. Speaker, as an original cosponsor of this year's House resolution commemorating Greek Independence Day, I am very pleased to join my colleagues in honoring this day. I particularly want to thank the distinguished gentleman from Florida [Mr. BILIRAKIS] for his efforts in sponsoring the resolution.

This Friday marks the 173d anniversary of the start of the revolution which freed the Greek people from the Ottoman Empire. Greece remained under control of that Empire for almost 400 years—from the fall of Constantinople in 1453 until the declaration of Greek independence in 1821. For nearly four centuries the Greek people were deprived of all civil rights. Schools and churches were closed down, and Christian and Jewish boys were kidnaped and raised as Moslems to serve the sultan.

Contemporary American leaders, such as James Monroe and Daniel Webster, recognized that the ideals of the American Revolution, those of individual liberty, representative democracy, and personal dignity, were also the foundation for Greece's declaration of independence. Americans quickly identified with the struggle of those Greek patriots because they knew in their hearts that it was their struggle as well.

The United States and Greece are now old friends and trusted allies. Our two Nations and people are bound by interests, values, and a common political heritage. The democracy that both of our Nations cherish began in Greece 1,000 years ago. Today Greece is the only true democracy in the Balkans.

But, Mr. Speaker, for the first time since the 1940's, that Greek democracy, and indeed perhaps the very Greek independence that we are commemorating today, is being threatened by a force that is threatening to undermine nations around the world. That force is ultranationalism, and it's source is Skopje.

Last month, the administration took the misguided step of extending diplomatic recognition to the regime that insists on calling itself the Former Yugoslav Republic of Macedonia. Shortly after that administration decision, I introduced a resolution expressing the sense of Congress that the President should not have granted such diplomatic recognition and should reconsider that decision. Most of my colleagues here today have become strong supporters of my resolution.

The decision to recognize FYROM was an insult to our ally Greece, and it played into the hands of the ultranationalists in the parliament of Skopje. These ultranationalists openly advocate a greater Macedonia with its capital in Skopje. Since 1945 they have mounted a propaganda campaign against Greece claiming all of Macedonia for the so-called Macedonia people. But there is no such separate ethnic group.

Moreover, Skopje continues to reject Greece's justified request to remove from its constitution a reference to a 1944 proclamation calling for the unification of neighboring territories in Greece and Bulgaria with this false Macedonian Republic. The ultranationalists of Skopje have the same objectives as their forefathers—territorial access to the Aegean Sea through the Greek port of Salonika.

Mr. Speaker, the United States has not yet formally established full diplomatic relations with Skopje. We still have the opportunity to utilize the leverage afforded to us by the possible establishment of such relations to dissuade Skopje from pursuing policies and maintaining symbols which our close and vital ally, Greece, rightly perceives as threatening. I call on all of my colleagues to urge the President to withhold the establishment of full diplomatic relations with Skopje until all of Greece's legitimate concerns are satisfactorily addressed.

Mrs. MALONEY. Mr. Speaker, I proudly rise as an original cosponsor of the resolution which designates March 25, 1994 as "Greek Independence Day: a National Day of Celebration of Greek and American Democracy."

I am glad to join my colleagues in this special order and wish to thank my friend, Mr. Bilirakis, for his efforts in support of the resolution.

I am privileged to represent Astoria, NY—one of the largest and most vibrant communities of Greek-Americans in the country. It is one of my greatest pleasures as a public official to be able to participate in the life of that community and to have many wonderful and vital Greek-American friends.

This year marks the 173d anniversary of the day when the Greek people won back their independence, after nearly 400 years of cruel domination by the Ottoman Empire. At that time, the Greek people were able to resume their rightful place as an exemplar of democratic ideals to the rest of the Western world.

Half a century earlier, America had won its own independence, inspired by the ancient Greek paradigm of democracy and individual liberties.

In that sense, as the American philosopher Will Durant observed, "Greece is the bright morning star of that Western civilization which is our nourishment and life."

It was my special privilege last summer to be able to visit this sacred birthplace of democracy. During my visit to Greece and Cyprus I was also able to tour the Greek Province of Macedonia.

Especially because of my visit to Macedonia—where I was able to observe firsthand

how very much Macedonia in Greek—I have been disturbed by the recent recognition by the United States Government of the Former Yugoslav Republic of Macedonia [FYROM].

The designation of the Skopje region as Macedonia was a tactic used by Marshall Tito in 1944 in his effort to seize territory from Greece and ultimately gain control of the port of Salonika.

At that time, America condemned Tito's use of the name as unjustified demagoguery and as a possible cloak for aggressive intentions against Greece.

Those same principles should hold true today, and before the United States establishes diplomatic relations with FYROM I would urge the President to ensure that the government in Skopje removes the Star of Vergina—an ancient Greek symbol—from its flag and changes irredentist sections of its constitution.

Mr. Speaker, I am proud to join in celebrating Greek independence and the indomitable, life-giving spirit of its people.

Mr. REED. Mr. Speaker, I rise today to join my good friends in the Greek-American community to celebrate and honor the 173d anniversary of Greek independence. On March 25, 1821, Greek patriots declared their independence from the Ottoman Empire.

The special relationship between our two Nations is based on our peoples' mutual love for liberty and respect for democratic rights. When Americans struggled against the British in the 1770's, they looked to the words of the ancient Greeks. As Thomas Jefferson once said, "* * * to the ancient Greeks * * * we are all indebted for the light which led ourselves out of the Gothic darkness." Years later, Greek revolutionary war heroes were inspired and driven in their quest for liberty by American independence.

I believe though, that our strongest link to Greece is the Greek-American community. There are an estimated 3 million Greek-Americans in this country today, men and women who have contributed immensely to the fabric of our Nation, and have played an especially prominent role in building my State of Rhode Island.

Mr. Speaker, today is a day when Greeks and Greek-Americans celebrate their heritage and their successful struggle for independence. I am pleased to have this opportunity to honor our long and fruitful relationship with Greece, and to reaffirm our commitment to expanding our friendship for generations to come.

In that spirit, let us join our Greek-American friends and our long-time allies in saluting the men and women who have fought to preserve the democratic ideals upon which both our great Nations were founded.

Mr. HOYER. Mr. Speaker, I rise today to recognize March 25 as Greek Independence Day. For the past 8 years both the House and Senate have passed, with overwhelming support, a resolution to celebrate American and Greek democracy.

In our own country's history, the Greek model served as an example for United States democracy. The Greek Constitution was based upon majority rule, equality, and opportunity for all people. As Thomas Jefferson once said, "* * * to the ancient Greeks, we are all indebted for the light which led ourselves—American colonists—out of Gothic darkness."

Meanwhile, the United States has served as a role model for Greek independence. In the 1820's, as the Greeks fought for their independence, the American revolution became one of their ideals. They went on to translate the United States' Declaration of Independence and use it as their own declaration.

In modern times, Greece is one of only three nations in the world that has been allied with the United States in every major international conflict this century. Over 600,000 Greeks died fighting on the side of the Allies in World War II. Numerous Greek-Americans, such as Maryland Senator PAUL SARBANES, tennis player Pete Sampras, and President Clinton's senior adviser George Stephanopoulos, have distinguished themselves as an integral part of American society.

Mr. Speaker, clearly Greek and American culture, laws, literature, art, et cetera have many things in common. A celebration of Greek independence and American democracy are truly one in the same.

Mr. Speaker, I know the distinguished Members of this Chamber will join with me to celebrate Greek Independence Day and all of the Greek-Americans throughout our country.

Mr. MANTON. Mr. Speaker, I rise today in honor of Greek Independence Day, a national day to celebrate Greek and American democracy. I am proud to join my colleague Mr. BILIRAKIS as a cosponsor of House Joint Resolution 310, designating this special day as Greek Independence Day.

Mr. Speaker, March 25, 1994, marks the 173D anniversary of the beginning of the revolution which freed the Greek people from almost 400 years of oppressive rule under the Ottoman Empire. As Americans, we join the people of Greece in celebrating Greek Independence Day because of the important role the Nation of Greece has played in fostering freedom and democracy throughout the world. Thomas Jefferson once said "to the ancient Greeks * * * we are all indebted for the light which led ourselves—American colonists—out of Gothic darkness." I believe that not only the United States, but all the free nations in the world should pay a special tribute to the Greeks for founding the democratic tradition.

The Relationship between Greece and the United States is one based on mutual respect and admiration. The democratic principles used by our Founding Fathers to frame our Constitution were born in ancient Greece. In turn, our Founding Fathers and the American Revolution served as ideals for the Greek people when they began their fight for independence in the 1820's. When the young Nation of Greece needed its own declaration of independence, Greek intellectuals translated the United States declaration of independence into Greek and used it as their own.

Mr. Speaker, the relationship between the United States and Greece has only grown stronger in modern times. Greece is only one of three nations in the world that has allied with the United States in every major international conflict this century. More than 600,000 Greek soldiers died fighting against the Axis powers in World War II. After World War II, the Greek soldiers returned to their homefront to again defend their democratic foundation from the threat of Communist rebels. Fortunately, democracy prevailed and Greece emerged strong and victorious.

Mr. Speaker, in honor of Greek Independence Day, I celebrate the strong and lasting bond between the peoples of the United States and Greece. I urge my colleagues to join me on this special day in paying tribute to the wisdom of the ancient Greeks, the friendship of modern Greece, and the important contributions Greek-Americans have made in the United States.

Mr. BONIOR. Mr. Speaker, I am pleased to join the Greek community to celebrate the 173d anniversary of Greek independence.

In 1821, Greece declared independence after nearly 400 years of Ottoman rule. Like the Phoenix, freedom rose again in the birthplace of democracy. Having gained freedom, Greece became a consistent ally of the United States in the fight against fascism and Communist oppression.

It is no coincidence that the United States and Greece have been such close allies. For it is ancient Greece that provided our Founding Fathers the democratic ideals that guide our Nation. In turn, the United States provided hope and inspiration to Greece during its valiant struggle for freedom.

However, Greece has paid dearly in defense of freedom. Over 600,000 Greeks died fighting with the Allied Forces in World War II—nine percent of Greece's entire population. For this, we are eternally grateful. Today we must remain vigilant to protect these hard-earned freedoms, and make sure that Greece's borders remain as they are.

Greece has also sent many of its sons and daughters to the United States, enriching and strengthening the fabric of our society. From the arts to sports, medicine to religion, and right here in Congress, Greek-Americans have made major contributions.

My home State of Michigan has also been profoundly affected by the Greek community. Greektown in Detroit continues to remain a favorite attraction of visitors to the motor city. In the 10th District of Michigan, Greek churches provide a multitude of community services, and add to rich diversity of the metropolitan area.

Mr. Speaker, I am proud to join the Greek community in celebrating our common bonds of commitment to democracy and love of freedom on Greek Independence Day.

Mr. DEUTSCH. Mr. Speaker, March 25, 1994, marks the anniversary of the beginning of Greek independence. One hundred and seventy three years ago, the revolution which freed the Greeks from the Ottoman empire began. For the past 7 years, Congress has passed and the President has signed into law, resolutions commemorating March 25 as "Greek Independence Day—a National Celebration of Greek and American Democracy."

The celebration of Greek independence is especially significant to Americans because of the rich democratic traditions that both the United States and Greece share. In fact, Thomas Jefferson credits ancient Greece as America's role model for democracy: "to the ancient Greeks * * * we are all indebted for the light which led ourselves [American Colonists] out of Gothic darkness." In addition,

James Madison and Alexander Hamilton wrote, "Among the confederacies of antiquity the most considerable was that of the Grecian Republics * * * From the best accounts transmitted of this celebrated institution it bore a very instructive analogy to the present confederation of the American States."

As it was then, so remains the close kinship that exists between Americans and Greeks. Today, Greece continues to be one of the United States' most consistent allies in the world. She is among one of only three nations that was allied with the United States in every major international conflict during this century. Indeed, over 60,000 Greeks, 9 percent of Greece's total population at the time, died fighting on the side of the allies in World War II. For their struggle against the Communist rebels, they received effusive praise from both Presidents Truman and Eisenhower.

It is with great pleasure that I rise to commemorate Greek Independence Day. As Americans, we are proud of the many values that we share with Greek society and the debt we owe to the ancient Greeks for our system of government.

Mr. GEKAS. Mr. Speaker, I thank the gentleman from Florida [Mr. BILIRAKIS] for having yielded to me.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARCA of Wisconsin). Under a previous order of the House the gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 60 minutes.

GREEK INDEPENDENCE DAY

Mr. TORKILDSEN. Mr. Speaker, I want to join my colleagues, first, in recognizing the important occasion of Greek Independence Day. After that, I will have another subject to talk on. I just wanted to note that much of what we celebrate in this country we get from the tradition of Greek democracy.

As a Member of Congress and as a representative of the north shore of Massachusetts, I feel I have two reasons this evening to note Greek Independence Day.

First, any Member of Congress ought to hold Greek civilization with great reverence. After all, it was Greece that gave birth to not just the word democracy, which means "rule of the people," but of the concept of democracy.

When we debate and vote in this room, for all Congress' flaws, we are partaking in a system that is a direct decendant of the government established by the Greeks more than 2,000 years ago. Freedom-loving people everywhere should remember that we are direct political decendants of the ancient Greeks.

Second, I feel a particular need to recognize Greek Independence Day because of the nature of my district. From Saint Vasilios Church on Paleologos Street in Peabody to the beautiful Hellenic community center in Ipswich, Greek-Americans have made numerous contributions to life in Massachusetts.

For people who walk through the Capitol, they notice what is called the Old House Chamber or Statuary Hall, and they notice its resemblance to a Greek temple. That was not an accident. The people who founded our country and helped design the Capitol knew that they were borrowing much from Greek tradition, and they were not going to limit themselves to just the form of government, but they even emulated the buildings themselves.

Modern-day America also derives much from Americans of Greek descent. So as we celebrate our own freedoms, as we celebrate our own self-government, we owe a debt of gratitude to the Greek people for the traditions they have given us.

PROBLEMS IN THE WELFARE SYSTEM IN MASSACHUSETTS

Mr. TORKILDSEN. Mr. Speaker, today I plan to finish reading into the Congressional Record parts of an extensive series by the Eagle-Tribune, a Pulitzer Prize-winning newspaper that circulates in my district. The paper chronicles enormous problems in the welfare system in Massachusetts, including the fact that prisoners have been receiving welfare and SSI benefits; I believe the entire country needs to hear this story.

Because of the enormous problems our welfare system represents, I have taken the time to read key parts of the series during special orders. No one wins under the current system: not the parents who too-often become addicted to it, not the criminals and others who rip off the system with little fear of being caught, and certainly not the tax-payers who pay billions of dollars a year to fund it.

I have introduced legislation to enact one specific area of reform: the elimination of supplemental security income, or SSI benefits for prisoners. Currently, men and women doing time for serious misdemeanor offenses are collecting checks in prison.

This is nothing short of insanity and it should stop immediately.

The articles I would like to read tonight are brief but really underscore the point. The first one is entitled, "Four Lives of Crime Supported by Welfare."

BRUCE LAVIGNE—MOTHER URGED HIM TO CHANGE NAME ON CHECKS

A 21-month jail sentence for beating up his girlfriend did not stop Bruce J. Lavigne's monthly Supplemental Security Income disability checks.

On Aug. 27, 1992, Mr. Lavigne, 33 of 324 Walnut St., Lawrence, was found guilty in August 1992 of assault and battery on a household member, malicious destruction of property and operating to endanger.

Mr. Lavigne received a longer than usual sentence because he violated his parole for an earlier conviction for assault and battery with a dangerous weapon.

When he was sent to jail, he was receiving $581 a month in SSI from Social Security.

Jail officials confiscated an SSI check sent to him by his mother with a two-page letter last September.

"You should have somebody else's name on the check so you can have it cashed," the letter said. "You could arrange that with Social Security. Other people have done it."

The check was returned to the Social Security Administration.

Mr. Lavigne has a lengthy criminal record dating back to 1977, when he was first convicted of larceny. He was later convicted of larceny over $250, malicious destruction of property, breaking and entering and operating under the influence.

When contacted at Middleton jail, Mr. Lavigne wrote back: "Please just leave me alone and let me straighten out my life. The past is history and cannot be changed. I made mistakes in which I'm paying dearly for."

The second story in this series:

THOMAS PHOUTOPOLOUS—SOCIAL SECURITY BENEFITS MAILED DIRECTLY TO JAIL

The federal Social Security Administration knew him as Thomas Phoutopolous, a 34-year-old Somerville man receiving a monthly SSI disability check for $464.

Law enforcement officials also knew him by his alias Thomas Gerraughty. He is a career criminal with a rap sheet five pages long that dates to 1976. He has been an armed robber, burglar and escapee.

Administered by the Social Security Administration but paid in part by the state taxes, SSI is supposed to go to the poor, elderly and disabled.

SSI benefits are also supposed to be stopped if the recipient is sentenced to more than a month in jail, Social Security spokesman Kurt Czarnowski said.

It is not known how long Mr. Phoutopolous had been receiving SSI when he was sent away to jail for a year last May for possession of heroin and hypodermic needles and receiving stolen property.

It is known the sentence did not stop his benefits. In June, a U.S. Treasury check was mailed directly to Middleton, bearing Mr. Phoutopolous's name and the jail's address. Jail officials confiscated the check and returned it to the Social Security Administration.

When Mr. Phoutopolous's met a reporter at the jail, he walked with a slight limp and carried a cane. His well-developed biceps were covered with tatoos.

He denied receiving SSI and quickly slammed the phone down in the visitors room after the subject was raised.

"You must have me confused with someone else," he said before getting up to leave.

"How do I know you're not a cop," he yelled as he left. "Talk to my lawyer."

The third life mentioned is Mr. John Ward.

JOHN G. WARD, JR.—WELFARE CONTINUED DESPITE PAROLE VIOLATION

John G. Ward Jr., 28, of Boxford, was sentenced in October 1990 to 2½ years in Concord state prison for robbing a woman.

When he was paroled, he started collecting $339 a month in General Relief benefits, plus food stamps.

Until Gov. William F. Weld stopped the practice two years ago, ex-convicts were automatically entitled to welfare benefits for 60 days but the checks were supposed to stop if the recipient was jailed again.

In July 1991, Mr. Ward violated his parole by driving drunk on a suspended license. He was sentenced to 60 days in Middleton Jail.

His welfare did not stop. While in jail, Mr. Ward's General Relief checks were sent to an address in Boxford that Mr. Ward identified as the home of his son's godparents.

Someone who he refused to identify sent the checks to Mr. Ward at the jail. A deputy sheriff found one of the checks, confiscated it and the benefits stopped.

"I don't know how it got here," Mr. Ward said. "They probably sent it so I could sign it. That's all legit. If it wasn't I wouldn't say anything."

The fourth life,

JAMES FREEMAN—IN JAIL THREE DIFFERENT TIMES BUT WELFARE KEPT COMING

Even with a New Hampshire jail as his address, James Freeman was able to keep collecting welfare through the Lawrence welfare office.

At 26, Mr. Freeman, of Lawrence, has a record dating back to at least 1984 for a wide variety of petty crimes and more serious offenses.

He has done time for burglary, drug possession and assault and battery on a police officer, among other things. He is now awaiting trial for armed robbery.

He went on the General Relief welfare rolls in January 1991 for a disability and switched to Supplemental Security Income benefits a year later.

"I was in a big accident when I was 11 years old. I split my head open. I can't remember too well," he said when asked about his disability.

His welfare case was still active as of last September.

While on welfare, Mr. Freeman went to jail three different times and his checks kept coming. It is illegal to collect welfare behind bars.

In September 1991, Mr. Freeman was sent to Middleton jail for 30 days for drunken driving.

In April 1992, Mr. Freeman was sent away for four months to Rockingham County jail in Brentwood, N.H., for drug possession and several motor vehicle offenses.

Mr. Freeman said he was able to keep collecting welfare while in Brentwood by having his girlfriend cash his checks. Both Mr. Freeman and his girlfriend said she had permission from his social worker.

He returned to Middleton in July 1992 after he was arrested for robbing a man at knifepoint at a highway rest stop.

Mr. Freeman, still awaiting trial, said the man had propositioned him.

He said he is no longer collecting welfare behind bars.

The next article is entitled "On the Lam, On the Dole":

Three years ago, Elmer Sandoval's face was on posters in U.S. post offices across Massachusetts.

The illegal immigrant from Guatemala was wanted for kidnapping, assault and battery with a knife and a slew of other crimes.

State welfare officials knew how to find Mr. Sandoval.

While wanted by the Immigration and Naturalization Service, Mr. Sandoval, 42, of Lawrence, was collecting a monthly check for $339 a month in General Relief, plus food stamps.

But welfare officials could not tell INS how to find Mr. Sandoval. An executive order signed by Gov. Michael S. Dukakis made it a crime for any state employees to help INS agents find illegal immigrants, even violent fugitives.

Charles Baker, who oversees welfare as Gov. William F. Weld's secretary of health and human services, said he was unaware of the executive order. It still stands.

Mr. Sandoval remains missing, though his welfare benefits were cut off when he failed to report for a routine review of his case in June 1990.

The Eagle-Tribune found several other cases of illegal immigrants enjoying the support and protection of the Department of Public Welfare while wanted for various crimes. Among them:

The final article I would like to read is just a synopsis of The 10 Most Common Types of Fraud:

1. UNREPORTED INCOME

A welfare recipient holds a job.—Investigators call this the most common form of welfare fraud. Most of these cases are uncovered through routine computer matches between the welfare department and the departments of revenue and unemployment. But many people avoid detection by taking their pay in cash or under the table.

2. STATE EMPLOYEE FRAUD

A welfare employee creates a series of fake recipients who collect benefits. The employee manages the cases and deposits all of the checks into a private checking account.—A former financial assistance worker in the Lowell welfare office was indicted for stealing $46,000 in benefits from the state last year using a similar scam.

3. MAN IN THE HOME

A welfare recipient hides the fact that she lives with the father of her children while collecting monthly Aid to Families With Dependent Children, or AFDC, benefits. Often, the father works full-time so the family collects two incomes.—It is not against the law for a boyfriend to live with an AFDC recipient, as long as he is not the father of the children. Some critics believe this regulation causes families to split.

4. VENDOR FRAUD

A doctor or a dentist submits bills for office visits when a person never appears. Or a landlord falsifies records in order to receive payments for dead or non-existent tenants.—A doctor who ran a clinic in Lawrence was found guilty of submitting bills to Medicaid for phantom services. He got a one-year sentence in the Middleton jail.

5. MULTIPLE BENEFITS

A person walks into a welfare office with a bogus name and fake Social Security number. The next week, that same person applies for welfare in another office under a different Social Security number and new name. Two welfare checks arrive each month.—This scam is also used to collect welfare under different programs such as Supplemental Security Income, or SSI, and AFDC.

6. RESIDENCY

A couple lives in another state but use different Massachusetts addresses to collect welfare benefits.—Often, welfare cheats travel from town to town and set up fictitious addresses.

7. INELIGIBLE/NON-EXISTENT RECIPIENT

A woman reports extra children in order to boost her monthly welfare grant. But there are no children.

8. FOOD STAMPS

A recipient trades his vouchers for cash at a corner store for less than their market value. The store redeems the coupons at the bank for 100 percent of their value. Food stamps are also traded for drugs.

9. EMERGENCY ASSISTANCE SCAM

Landlords and recipients falsify documents to qualify the recipient for Emergency Assistance grants. A tenant who has been thrown out on the street or burned out of a home can collect four months in back rent and, until this year, up to six months in utility payments as well.—Welfare commissioner Joseph V. Gallant said a minority of recipients deliberately fall behind in their rent to collect EA payments.

10. STOLEN CHECKS

Most welfare recipients get checks twice a month through the mail. Checks are often reported stolen.—People who have had checks stolen in the mail may arrange to pick up their checks at the local welfare office.

Mr. Speaker, what you and anyone else listening have heard is a series of stories about problems in the welfare system.

Instead of giving families a short-term hand, the current system is sucking them into a long-term addiction. Literally generations of Americans have been debilitated by welfare and its morass of rules that discourage work and then stigmatize recipients.

Mr. Speaker, the time has come to revamp the welfare system from the ground up. We should recatch the compassionate vision that guided those who founded welfare.

By this I mean that we should exercise real compassion, aiming to help families through crises, encourage them to work and help them get back on their own feet. If we can do that, everyone will benefit.

Families will retain the dignity that comes from hard work and self-sufficiency. Government will become more efficient. And taxpayers will have the satisfaction of knowing their hard-earned dollars are being spent wisely.

Mr. Speaker, States around the country from neighboring Virginia to Wisconsin are tackling this problem head on. It is about time, and we should do the same.

□ 1940

THE CLINTON YEARS—PART 4

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN. Mr. Speaker, this would by my special order using a very broad, generic term, "The Clinton Years—Part 4." I will probably try and do one tomorrow night, and then we are out for almost 2 weeks for district work period, so people can take a breather and try and absorb all of the material that is absolutely exploding on the front pages of newspapers across the country.

On the day after St. Patrick's Day, out of deference to the surname Kennedy, I called for the resignation or firing of William H. Kennedy III, on the 18th of March from this microphone. I

notice today our Whip, Mr. GINGRICH of Georgia, has joined me in that call.

On the evening news tonight they said that the White House has limited his duties and taken away anything that has to do with security passes, because we know that hundreds of White House compound workers' security passes have been bottled up in Mr. Kennedy's White House office. What it turns out to be is that Mr. Nussbaum, who used to be his boss, Vincent Foster was in between them before he killed himself, he actually had pulled out of the security pass process, some security clearances, and buried them in his desk.

This involves some pretty well-known names. Dee Dee Myers should have had her security clearance, because as the White House spokesperson and the main person who interfaces with the world's news media, she should have a top secret clearance. She says it is just procrastination. She is a nice lady, so I will take that on its face.

However, Patty Thomasson, who was over here testifying to the Committee on Rules the other day, or excuse me, she was testifying to the Appropriations Subcommittee, and could not answer a lot of questions about what is going on over there. She said she dearly wanted to answer questions, but the special prosecutor, Mr. Fiske, was preventing her from doing that. She is the chief of White House administration. She does not have a security clearance.

The rumors are starting to fly that some of these people from the flower child generation cannot cut it, that they cannot get security clearances. Although Mr. Kennedy has had some of his duties taken away from him, William Kennedy III, no relation to the New England Kennedys, as I have said last night, and I have confirmed that and that is so, he is now partially crippled.

It says on the front page of many of the newspapers across the country, here is a headline, a Rowan Scarborough story in the Washington Times: "Passes stalled by White House Aide. While House Associate Counsel"—by the way, he is the last of the gang of four, kind of a rough term, because it conjures up Mrs. Mao Tse-tung, but the gang of four, as the press calls them, is Mrs. Hillary Rodham Clinton, Vince Foster, who took himself out at the barrel of a gun, Webb Hubbel, who was probably forced to resign by his 60 former colleagues at the Rose law firm, who are probably now going to take him before the Supreme Court's Committee on Ethics Violations as an Arkansas lawyer for overbilling, so Bill Kennedy is the last one from the Rose law institute to work in the White House. Now he has had his duties crippled.

It says, "Mr. Kennedy paid $1,352 in delinquent social security taxes under his wife's maiden name, Leslie Gail McCrae. He said, 'She likes to keep her maiden name,'" as Mrs. Rodham Clinton did during the first 2 years of Clinton's governorship in Arkansas, and now they are going through a divorce, which is tragic, but he says she wanted to keep her maiden name alive. I guess she will be going back to her maiden name. he filed all of these back social securities for nannies of the male Nannygate under her name.

The headline was, "House Planning for Whitewater Hearings." Surprise. I mentioned the 408 to 15 vote. I guess I did not understand it, because our fine Speaker warns that it does not necessarily ensure an inquiry. I guess the heat has to be turned up, and I am convinced there is going to be a hearing.

It even goes beyond the front pages. Here is Washington's liberal paper of record, "Clinton Aide Pays Back Taxes." That is Kennedy again. That is above the fold with a photograph, and it was Roger Altman accompanied by two unidentified men that their faces are blocked, "arrive at the U.S. Courthouse to testify before the grand jury." And in the same block there is a subtitle, "Altman-White House Discuss Recusal." I call for, on St. Paddy's Day itself, I called for Altman's resignation, and Gene Hanson, one of his deputies who sat in on at least three, or maybe four meetings, and said either nothing, making mistakes on the RECORD, and making him look like a liar. But I give him the benefit of the doubt that he did not know what he was saying. Anyway, people in the White House say she is going to take it in the eyes, so that was no big call for her resignation. And the other two I called for resignations were, of course, Patty Thommason, and then one that no one is talking about, and that is the former captain of troopers in Little Rock, Clinton's closest confidante on all trooper activities, who on July 21 of last year was given double salary and moved from his trooper status over to FEMA, out of Denton, TX. And I am still waiting for the public records of whose payroll he was on when he flew up to the Oval Office to discuss, inside the Oval Office, what to do with the troopers. This was around the week before Christmas, and calls were made from the Oval Office, admitted at both ends to Troopers Ronny Anderson and Trooper Danny Ferguson. Ferguson was subsequently given a promotion from sergeant to lieutenant. I have called for him to come forward and am calling for Ronny Anderson to come forward. I know it is tough. I know he has five children, and three of them are triplets, but they have to come out and tell the truth because the Los Angeles Times has them on a tape recording, and particularly has Danny Ferguson on a tape recording saying he brought Paula Corbin Jones up to a hotel room in the Excelsior Hotel where she claims in a signed affidavit, backed up by two signed affidavits by two of her friends about the type of things that Anita Hill did not have a shred of, but yet she became the poster woman of feminist groups in the United States, radical groups, moderates, and otherwise on no evidence but her word against a distinguished jurist. Now we have three signed affidavits, and the press is still spiking that story. Do not worry. It will all come out, because it is front page material in the European press and in the major Asian press, particularly the English Asian press like Singapore and Hong Kong.

Coming to the L.A. Times, you have a battle going on I think still between Jack Nelson, the Washington spokesman, born in Atlanta, cutting his journalistic teeth on the Atlanta Constitution in Georgia, called up in the Carter years to be the L.A. Times's man in Washington. He told me he was out of the loop on the whole trooper story, that part of it that was done with great investigative reporting, including phone records by the L.A. Times, and yet 5 days after Jack Nelson told me that, there he sits on Washington Week in Review, given a leading question that he was told about before the show, because one of the staffers told me this, asked about his role in all of this by the retiring Paul Duke—I guess he has retired now—and Jack Nelson of the L.A. Times went on to say that, "Oh, I was given the transcript before it went to print on the front page of the L.A. Times about all of the Troopergate story, and I made some changes."

Jack, Jack, you told me you were out of the loop and you did not touch it. Made changes. Well, we are going to have to decide from whence we should get our L.A. Times news, Jack Nelson, or from Doug France and Bill Rimple, because Bill Rimple has a front page story in today's L.A. Times on Whitewater financial details. So the story grows.

Now it is starting to spill back onto the style section. Here is the style section from today's Washington Post, "The Man Hillary Ushered Out." I mentioned his name last night, reading from the Wall Street Journal, Chris Emery, fired White House staffer. His title was usher, whatever that means, at the White House, "Chris Emery says he still doesn't know what hit him. But it hurts." By Martha Sherrill.

"A few Secret Service agents have called him, upset and sympathetic." This is why Hillary cannot stand the Secret Service. "The National Enquirer has checked in—to see if he is ready to blab—" probably for money, which I hope he does not take.

"And a British paper has offered money." Oh, here we go. His story will not be believed if he takes the money. Do not take the money, Chris, let us go for the truth.

"Four Members of Congress have gotten in touch—one Democrat who said she'd heard 'things were pretty bad over there,'" meaning the White House, and one Republican who was dying to have lunch, probably hoping Chris Emery had some dirt to dish.

"He doesn't. Only a puzzling account of how he was abruptly fired by Hillary Rodham Clinton 3 weeks ago—and how he says he still doesn't have a clue why.

"'I'm very comfortable that I didn't do anything indiscreet,' says Emery, 36, a White House usher for the past 8 years. 'And I never made a pass at anybody.' A lot of people in this town cannot say that. 'Insulted anybody, made a racial joke, took money from the cash box or ever snooped around in their private affairs. But this is the kind of thing that's been waking me up in the middle of the night for 3 weeks.'"

Folks, this is no way to treat a government employee of 8 years of honorable service. And the story goes on. It says his face is tense, his haircut is smooth and fresh, and he is sitting in the living room of his home in Howard County, wearing blue pants, white T-shirt. They were a little dramatic, but they did it with feeling in the style section.

What I said here on the floor was only what I had heard or read, that he had talked to Barbara Bush once or twice on the phone to tell her how to set up her PC, her personal computer unit at home, and when Hillary found out that he had been discussing with Barbara Bush, she has since commented that he should not have done that, out the door he went.

Remember the article I mentioned last night, "The Name of Rose," by L.J. Davis, subtitled "An Arkansas Thriller"? Mr. Speaker, I think we are dealing with such important material now that I would like to put in the RECORD, if the cost is less than $2,000, because my special order itself is going to cost more than that, and I will be reading about that in the papers, but I think this whole article, "The Name of Rose," referring to the Rose law firm should go into the RECORD. So I would submit that into the RECORD.

Mr. Speaker, here is why I think the taxpayers will want to go to the library next week and get the CONGRESSIONAL RECORD for March 23, and why they should beat a path to the newsstand if they are in a big city, and buy today's Wall Street Journal. Listen to this, Mr. Speaker, my colleagues who are watching in their offices, and all Americans who are following this by C-Span, and by satellite ships at sea, "Censored in Arkansas," Wall Street Journal, "Earlier in the week we commended L.J. Davis's New Republic cover story on Whitewater and on the culture of Arkansas. This story that will be in the RECORD when published in the wee hours of this morning, "reflects a curious dichotomy in Whitewater press coverage. A lot of the news has been broken by publications willing to report what they learn, even at the risk that now and then some of its may be overtaken by other facts."

This is the face of a moving story, Mr. Speaker, the Washington Times, the New York tabloids. Please, a footnote here. When they say New York tabloids in this context, they do not mean the kooky world report that has flying saucers capturing the Clinton's and injecting them with wisdom or something, and they did not mean the star that Gennifer Flowers went to, or the National Enquirer that is worlds above the others because they can be sued and have been sued by people like Carol Burnett for huge out-of-court settlements. They do have to watch their research because they claim to be a part of the real world. What this means by New York tabloids, that is an old word in newspapers that mainly describes the size of the newspaper. Now in Hollywood, the Daily Variety is a tabloid size, while the Hollywood Reporter is newsletter size. Tabloids means in Chicago the Sun Times, and it means in New York the Daily News and the New York Post, papers that are easier to read on the subway without banging your knuckles into the next person's face.

So, backing up, the Washington Times, the New York tabloids, the American Spectator, the British press are publishing facts that you can't get in American newspapers. The mainstream American press has come in for much derision overseas.

Their newsmagazine, the Economist, which has the Time-Newsweek-U.S. News & World Report world to themselves likened Whitewater to the 1936 episode in which the American press was reporting, and the British press covering up, the romance of Madam Simpson, an American, leading to the abdication of Edward VIII. This was not quite fair, since the story came back to life in December. Trooper Gates started that.

The American press has mostly done a commendable job of plumbing the finances of Arkansas and the Clintons and kibbitzing every move in Washington's procedural chess game. For better or worse, however, the respectable press has shown little to no appetite for publishing anything about violence and sex. Stories on these subjects, of course, circulate constantly among reporters and in the cloakrooms, I might add, and shape the understanding of events within the press corps if not among its readers. That is the U.S. public.

Somehow we think the readers ought to know the following account from Mr. L.J. Davis, a contributing editor to Harper's magazine, inside liberal publication, since 1978.

He, Mr. Davis, was returning to his room at Little Rock's Legacy Hotel about 6:30 after an interview on the evening of February 13. That is last month, folks, 5 weeks ago, plus. The last thing he remembers is putting his key in the door, and the next thing he remembers is waking up face down on the floor with his arm twisted under his body and a big lump on his head above his left ear. His room door was shut and still locked. Nothing was missing except for four significant pages of his notebook that included a list of sources in Little Rock.

He did not file a police report, saying he wanted to get out of town and was not sure what had happened to him.

Now, cynics are already saying, oh, another phony story like the man who lived next door to Gennifer Flowers and was beaten up terribly in his apartment, had his spleen ruptured, underwent surgery, and the tapes that he said he had through the door of Clinton coming down the hall to meet with Flowers, and he was the next apartment to her, that was all confirmed by the news media, but they did not print it, they said, well, he might have made this all up.

But let me tell you something, when you get hit as hard as he was hit, he thought, I have since found out from friends of his, that he had had a heart attack or had a stroke or fell forward against the door. He was not sure what happened to him. And when he felt the lump on his head, he was frightened and he wanted out of town.

What did he do when he left town? He went to his doctor. Listen to this, "I thought I was walking on a trampoline for 3 days." That means constant motion sickness. "He told us, and then he consulted his physician. Mr. Davis says his doctor found his injury inconsistent with a fall," a fall from passing out, "and that he had been 'struck a massive blow above the left ear with a blunt object.' He suffered both a concussion and an amnesiac episode from the blow." With Mr. Davis'—and that is all in quotas—with Mr. Davis' permission, Dr. Richard Wagman has confirmed the doctor's diagnosis to us, the Wall Street Journal.

Along similar lines throughout the world, except in the United States, Sally Purdue is now a household name. She is a former Miss Arkansas from my time in the 1950's. She is 55 years of age, and is 8 years older than Mr. Clinton, and a TV reporter. She now works with Down's syndrome children in St. Louis. Sounds like a good lady who has turned her life around. She went on one talk show in September of 1992, and I added the month, Sally Jessy Raphael, to say she had had an affair with Bill Clinton in 1983.

The news media spiked, censored, all of this, because they had their game plan. They knew who they wanted to win the election. Mickey Kouse and the

same New Republic magazine said it. This was only briefly noted, although the Washington Post did report that Jack Paladino, hotshot San Francisco private investigator hired by the Clinton campaign to squelch "bimbo eruptions," so titled not by my pal Mary Matalin, now of TV fame on CNBC, but so titled by Betsy Wright, former co-McGovern precinct walker and organizer with young Bill Clinton in 1972 in east Texas, and now a freelance public relations person in town, and his chief of staff when he was Governor, said she was in charge of suppressing bimbo eruptions, and right there, legally as it should be in all of the campaign FEC, Federal Election campaign forms from the Clinton campaign are these huge thousands of dollars of fees to Jack Paladino.

Back to the Wall Street Journal: Like all other bimbo eruptions, this one, Sally Purdue, had been spiked, subjected to a universal U.S. news blackout, but the Sally Purdue story took a different turn. Last January, Ms. Purdue told Ambrose Evans-Pritchard of the Sunday Telegraph, million circulation, one of the biggest papers in London, all of England for that matter, given the trains, that she had been threatened with violence if she continued to talk. She named the name. I said that on radio months ago, named Ron Tucker. She said he claimed to represent the Democratic Party. She says Mr. Tucker first offered her a Federal job in exchange for silence, and then added, and this has been in magazines, "If I didn't take the offer, then they knew that I went jogging by myself, and he couldn't guarantee what would happen to my pretty legs." This story was spiked the very same month that Nancy Kerrigan's actual blow to her leg to keep her out of Olympic competition, to which Tonya Harding has pleaded guilty, I mean, bargain-pled for a lesser charge, because everybody knows now she was guilty of being in on this sports atrocity that became an international story every day at the Olympics, and other young athletes of every nation had to watch any of their moments in the Sun overshadowed by this bust in the knee, the very same month the media, all the big papers, were spiking this story about Sally Purdue.

Afterward, the Wall Street Journal continues, Ms. Purdue says she received threatening phone calls and threatening letters, one of which she made available to the Sunday Telegraph in London and they printed it. She says she found an unspent shotgun shell on the seat of her Jeep, and later the back window was shattered. She reported this to the FBI, which told the Sunday Telegraph there was an ongoing investigation. Hey, my former members of the media, here, Mr. Speaker, they ought to be going after that Pulitzer Prize.

The FBI is going to say, "We can neither confirm or deny," but they told the Sunday Telegraph in London there is an ongoing investigation.

Mr. Tucker's employee at the time, now get this, folks, John Newcomb, of Marion Mining added the confirmation that Mr. Tucker told him that he had been asked to get to this woman and get her to shut up. That was Sally Purdue's boss.

In an interview with the Wall Street Journal, us, this week, Mr. Ron Tucker, this is the guy allegedly who made the threats, said, "Sally Purdue is a flake stirring up a hornet's nest. I only met with her for 10 to 15 minutes once. I am not a political animal," and then degenerated into a series of threats and obscenities directed at the Wall Street Journal, and I guess everybody in general.

Editors and reporters have to grapple with a flood of stories, charges, and rumors of violence, even deaths in Arkansas.

Footnote, the head of security for Mr. Clinton's campaign before the Secret Service took over after the convention, he was murdered in Arkansas. I do not even know the date. It is not a story. It was not on the evening news.

He was chased by a car down a road in Little Rock, two bullets were fired at the back of the car, at least, and maybe others missed, and hit the car, and they then pulled up alongside of the car and fired four more and hit him as he careened off to the side of the road, dead or dying, and the car pursuing him obviously pulled over, and somebody got out and gave him the coup de grace. At least seven shots, maybe more, killing the head of security for Mr. Clinton during the campaign.

I mean, what is going on down there in Arkansas?

Continuing and finishing the Wall Street Journal thing, the State seems to be a congenitally violent place and full of colorful characters with stories to tell, axes to grind, and secrets of their own, and now the whole thing is going to be contaminated down there with tabloid money.

Now, let me take a pause here. We, the Wall Street Journal, believe Mr. Davis, and that is the first violent story, smashed in the head in his hotel room and his papers rifled and some stolen. The Wall Street Journal believes this.

The Telegraph story included a lot of corroboration, though, of course, no evidence that anyone ordered Mr. Tucker to say what Ms. Purdue charges he said. Yet, as the story develops, we are increasingly coming to the conclusion that the respectable press is spending too much time adjudicating what the reader has the right to know and too little time with the old spirit of, "Stop the presses, we have a breaking story."

Mr. Speaker, last night, I put in the CONGRESSIONAL RECORD at the end of my remarks the transcript of a special "60 Minutes" show that was only 13 minutes long. This was the show hosted by the youngest of the incomparable "60 Minutes" team, Steve Croft. It was suggested to them by a competitor, ABC, FOB, Friend of Bill, Rick Kaplan, who within weeks would be giving candidate Governor Clinton Colonel Holmes' letter that Colonel Holmes had kept in his possession for 23 years, the infamous letter that opens up, "Thank you for helping me avoid the draft," and goes on to say, "We," all of these idealists of the 1960's who were pro-Hanoi, "We have come to loathe the U.S. military," that letter.

Kaplan gave it to Clinton, and he had 3 days to prepare for a personal Nightline show. The Nightline show was on February 12, Lincoln's birthday, for us Republicans to grit our teeth. Mr. Speaker, this is not as long as the Rose story, but if it is less than $2,000, I would like to ask permission to at this point, so I can comment on it tomorrow, put in the RECORD Ted Koppel's Nightline interview with candidate Clinton, February 12, 1992.

Mr. Speaker, here is the transcript, and this will be in your library pretty soon across America around our country. This is March 22, 1994, page H—for House—1885. For those of you not familiar with the CONGRESSIONAL RECORD, we alternate on days whether we start with the Senate proceedings or House proceedings. This particular record of yesterday's legislative transactions, 1-minute speeches, special orders, begins with the Senate. So it is House page 1885, sequential numbering going back to January, the beginning of the 2d session of the 103d Congress.

It begins with Steve Croft, host: "Are you prepared tonight to say that you have never had an extramarital affair?"

Governor Bill Clinton: "I am not prepared tonight to say that any married couple should ever discuss that with anyone but themselves and lawyers, like us, during divorce battles."

Croft: "I am Steve Croft, and this is a special abbreviated edition of 60 Minutes," 13 minutes long. "Tonight, Democratic presidential hopeful Governor Bill Clinton and his wife Hillary talk about their life, their marriage, and the allegations that have all but stalled his Presidential campaign."

Mr. Speaker, any American interested in this, this was one of the slickest jobs of covering a story up, thanks to national ABC's Rick Kaplan giving exclusive—recommending an exclusive to CBS's "60 Minutes" show, which, by the way, immediately followed the Superbowl show of January 26, 1992. Fifty million in the audience, maybe.

The reason I put this in the RECORD and want to discuss it tonight is that in rereading this 2 years and 2 months

later, it is a joke, it is a joke. Hillary only speaks three times. Here is her first utterance. It is two words: "Oh, sure." It was in response to this: They get into a discussion of Gennefer Flowers. Everything we now know about all of this period, none of this is true. Croft says, referring to Flowers, "Was she a friend, an acquaintance, did your wife know her?" He gestured to Hillary, and Clinton says, "Yes." Hillary says, "Oh, sure." Bill Clinton: "She was an acquaintance, I would say a friendly acquaintance." Those became infamous words, sort of like, "I did not inhale." So Hillary gives a noise, and then Clinton says, "When this rumor story got started in the middle of 1980 and she was contacted and told about it, she was so upset and she called back and said, 'How could I be listed on this' "—that was infamous list of Larry Nichols—"I haven't seen you for more than 10 minutes in 10 years." She would call from time to time when she was upset or thought she was really in—being hurt by the rumors. And I would call her back—either she would call the office or I would call her back there at the office or I would call her back at the house. Hillary knew when I was calling her back. I think once she called her, when we were together, I think," lawyer talk, "so there is nothing out of the ordinary there."

Steve Croft says, "She is alleging and has described in some detail in the supermarket tabloid the Star what she calls a 12-affair with you." Clinton says, "It—that allegation is false."

Croft was not a good enough lawyer to come back and say, "Well, now are you saying the 12-year arrangement is now false?" Keep in mind that Gennefer Flowers has not only come back from a successful cabaret tour in Europe, where the song most in demand, and she belts it out pretty good, is "Stand by Your Man," but she has a book coming out, and she has 1 hour and 9 minutes of tape, I think she said, and she only released 8 at the stupidly conceived press conference at the ritzy Waldorf Astoria in New York after taking $50,000 from this senior sister publication of National Enquirer.

Now, here is Hillary Clinton's only long statement on this show. Clinton says, "It—that allegation is false." Hillary: "When this woman first got caught up in these charges, Gennefer, I felt as I felt about all of these women"—all of what women?—"that, you know, that they have just been minding their own business." That sounds like Frankie Fontaine.

"And that got hit by media. I mean it was no fault of their own. They were caught in Clinton's past. This is no fault of all these women. We reached out to them, I expected her to say, I felt their pain. I met with two of them to assure them. They were friends of ours."

Who? Bobbie Jo Williams, Marilyn Jo Jenkins, Elizabeth Ward, Sally Perdue, Gennefer Flowers? There is a list floating around in the newsroom, about 25 names. She says, "They were friends of ours. I felt terrible about what was happening to them. You know, Bill talked to these women, to this woman every time she called, distraught, Flowers." This is a few days after Flowers' press conference at the Waldorf Astoria. She was saying her life was going to be ruined. She was asking for Federal jobs and got one at more pay than the lieutenant governor, Guy Jim Tucker, who is now the Governor. And you know, he would get off the phone and he would, "tell me that she said sort of whacky things, which we thought were attributable to the fact that she was terrified." Clinton comes in, "It was only when money came out, when the tabloid went down there offering money to say that they had been involved with me that she changed her story. There is a recession on." No, there wasn't. It was over about a year. "Times are tough, and I think you can expect more and more of these stories as long as they are down there handing out money." These stories did not pop out on Senator BOB KERREY, former Senator Tsongas, they did not pop out on Jerry Brown, with his 800 number and wide turtleneck. They could have called in stories easy there. They did not pop out on old tough former House Member Tom Harkin, no, they were only popping out on him. Croft says, "I am assuming from your answer that you are categorically denying that you ever had an affair with Gennefer Flowers." "I have said that before, and so has she." You see, he brings her into the denial, Flowers. Croft: "You said your marriage had problems, you had difficulties. What do you mean by that, what does that mean? Is that some kind of a—help us break the code." Here Croft is trying to do his job. "I mean does that mean—"I don't mean"—that is not a good sentence, but it is the transcript that CBS sent me. He meant to say "me." "I don't mean"—Croft interrupts and says, "You were separated? Does that mean you had communication problems? Does that mean that you contemplated divorce? Does it mean adultery?" Clinton: "I think the American people, at least people that have been married for a long time, know what it means and know the whole range of things that that can mean." Croft says, "You have been saying all week that you have got to put this issue behind you." He was in a free fall in the primary in New Hampshire about this time, running a poor third, "Are you prepared tonight to say that you never had an extramarital affair?" "I am not prepared to say tonight that any married couple should ever discuss that with anybody but themselves. I am not prepared to say that about anybody. I think that's the issue"—"excuse me, but that is what you have been saying essentially for the last"—"that is what I believe—look, Steve, you go back and look at what I said. You know I have acknowledged wrongdoing, and I have acknowledged causing pain in my marriage, I have said things to you tonight, to the American people from the beginning, that no politician ever has." Oh, no, Gary Hart came clean with a lot, and it drove him out of the race.

"I think most Americans watching this tonight, they will know what we are saying, they will get it, and they will feel that we have been more candid. And I think that what the press has to decide is are we going to engage in a game of gotcha," that is kind of what he is saying now. "You know, I can remember a time when it was said when a divorced person could not run for President." Now he is bringing Reagan into the pack here. "That time, thank goodness, is past. Nobody is prejudiced against anybody because he is divorced." Now he has roped in about a third of the Nation who are married. "Are we going to take the reverse position now that if people have problems in their marriage or things in their past which they do not want to discuss which are painful to them, that they can't run?"

Croft: You're trying to put this issue behind you, and the problem with the answer is not a denial, and people are sitting there, voters, and they are saying, "Look, it's really pretty simple. If he's never had an extramarital affair, why doesn't he say so?"

Well, that may be what they are saying, but you know what I think they are saying? I think they are saying, "Here is a guy who is leveling with us." You, you may not think that, that we should say more, that we should keep—that you should keep asking the questions, but I'm telling you. I think that what we—I'll come back to what I said. I've told the American people more than any other candidate for President. They are the result of what has been going on—result of what has been going on in my State and spending more time trying to play gotcha.

Now here comes Hillary: There is not a person watching this who would feel comfortable sitting on this couch detailing everything—they did not detail anything—that ever went on in the life of their marriages, and I think it's real dangerous for this country if we don't have a zone of privacy for everybody. I mean I think that is absolutely critical.

Croft: I, I, I couldn't agree with you more, and I think and I agree with you that everyone wants to put this behind you, and the reason it hasn't gone away is that your answer is not a denial; is it?

Clinton: But interesting. Let's assume it's not a denial, Croft says.

Of course it's not, Clinton says.

And then he goes into a long, complex sentence.

Croft comes back and says I don't like these questions any better than you do, but the question of marital infidelity is an issue with a sizable portion of the electorate according to the latest CBS News poll which was just taken. It will decide 14 percent of the registered voters in America.

Clinton: I know it's an issue, and, and, and, but what does that mean? That means that 86 percent of the American people either don't think it's relevant to Presidential performance—he was banking on that, and that is not what it means—or look at whether a person looking at all the faxes, the best person to serve. He said we have gone further than anybody.

Hillary says—we know of, and that's all we're going to say, and people can ask us a hundred different ways and a hundred different directions, and we're just going to leave the ultimate decision up to the American people.

Croft: I think most Americans would agree that it's admirable that you have—have stayed together, that you have worked your problems out, that you have seemed to reach some sort of an understanding and an arrangement.

Clinton: Wait a minute, wait a minute.

Croft: But—

Wait a minute. You're looking at two people who love each other. This is not an arrangement or an understanding. This is a marriage and a very difficult thing.

And then Hillary comes in with her famous line:

You know I'm not sitting here like some little woman standing by my man like Tammy Wynette. I'm standing here because I love him, respect him. I honor what he's been through and what we have been through together. You know, if that is not enough for people, then the heck with it. Don't vote for him.

Folks, without reading the last few lines, get your CONGRESSIONAL RECORD. Here is what happened:

The impression they left with the American people was that they were separated at one point, maybe thinking about divorce, happens in most marriages today, and that maybe there was during this separation period one indiscretion; at the outside, two. They patched it up, and they got back together.

According to the troopers that is about as far from the truth as anything could possibly be. Mr. Croft was had, "60 Minutes" was had with their 13-minute show, CBS was had, and tomorrow night I will discuss how Ted Koppel was had on that February 12 "Nightline" show.

Mr. Speaker, I know the Speaker pro tempore has to go to a function, a very important function, and I am going to cut short my special order tonight. I can hear groans from across America, Mr. Speaker, but I will tell you there are a lot of people in your cloakroom who know that BOB DORNAN may come off in the well like a Tasmanian devil sometimes, a tiger, but I have talked to several people on your side, one of them, one of the best orders on the floor, told me he is gone, he is going down, referring to the President.

Another one told me, "I had to defend him last night on television. What am I going to do? We all know—don't know enough about this stuff to mount a credible defense."

Here is a story that I would like to ask permission, if it costs less than $2,000 to put in the RECORD, and I think all of these will cost about $500, if that.

"Money Audits the Clintons." That means "Money" magazine. Subtitle: "They may owe $45,000 in back taxes and interest. Here's what you can learn from their mistakes." It is by Teresa Tritch and Mary L. Sprouse. I place this in the RECORD at this point:

[From Money; April 1994]

MONEY AUDITS THE CLINTONS

(By Teresa Tritch and Mary L. Spouse)

Although virtually every one of Bill and Hillary Clinton's moves has been recorded, analyzed and debated, there is one facet of their lives that hasn't gotten the same level of scrutiny until now. Over a nine-week period that ended in early March, Money focused on that unglamorous and overlooked area—the Clintons' record as taxpayers. After studying each of their federal income tax returns for the years 1980 through 1992 (they hadn't yet filed for '93), we pieced together a portrait that many of Money's affluent readers might recognize: The Clintons tend to get tripped up by the tax complications that come with professional and financial success.

A close examination of the Clintons' tax returns, which they have made public, suggests that the First Couple committed three glaring mistakes: Though both are sophisticated lawyers, they didn't keep adequate records, they tended to overestimate certain deductions, and they relied far too much on their tax preparer to get everything right. In all, their questionable write-offs indicate that the Clintons may have underpaid their income taxes by $16,358 over the 13-year period—which means their total liability today would be $45,411 if you include interest the IRS charges for underpayment. Their questionable write-offs dealt with (1) their charitable contributions, (2) his business expenses as Arkansas governor, (3) her automobile depreciation and, most important, (4) their Whitewater real estate development deal, which went bad. Three working days before our deadline in March, Money sent 16 written questions based on our reporting to Bruce Lindsey, special assistant to the President. Though Lindsey had granted us an earlier interview, he declined to answer any of the 16 for publication despite repeated requests from the magazine's management . . . (see "How Hillary Manages the Clintons' Money," Money, July 1992), he maintained a colorful habit for at least seven years while Arkansas governor: He took time out every few months to hand-write a list of his small deductible charitable contributions ranging from his now storied skivvies to a brass key ring. The write-offs have gained wide press attention because many of them seem too high—$100 for a sport coat, for example.

They may lack the records needed to back up their biggest Whitewater tax moves. Even if the Clintons can document all their Whitewater deductions with their canceled checks, that may not be enough to preserve the write-offs in an IRS audit. They would need Whitewater records too, to show that were entitled to the deductions. And those crucial documents are so far either missing or unavailable. In January, the White House's Lindsey told the Washington Post: "If anyone knew the entire corporate history would be paraded before the American public, they might have kept more documents and better records."

They sailed into Whitewater without proper tax advice. Every one of the five tax experts consulted by Money agrees on one issue: The Clintons either didn't seek, or didn't heed, the right tax advice from the moment they entered the complicated Whitewater deal back in 1978 and '79. "There is no evidence of the hand of a tax professional in any of it," says Jack Porter, national tax director at the accounting firm BDO Seidman in Washington, D.C. The Clintons relied on two certified public accountants in Little Rock to prepare their returns for the years in question—Gaines Norton from 1980 to '83 and Yoly Redden from '84 to '92; both declined to discuss their work with our reporters. (Money has some history with Redden: She took our tax preparers' test in 1989 and concluded that our hypothetical family owed only $16,618. Our expert set the correct tax 41% higher at $23,393).

Our audit, like official IRS inquiries, aims to challenge questionable return entries and estimate what taxes and interest might be owed. Also like the IRS, we are raising tax questions, not affixing legal blame. In an audit, you have the opportunity to defend your tax moves by simply showing, for example, that you made the payments you claimed as deductions and that you are entitled to the write-offs. Moreover, the 4,000-page U.S. tax code is often open to wide interpretation. Therefore, to be fair, we have noted the documents the Clintons would need to produce in an actual audit, and the arguments they might make to justify their tax stance. Our findings:

CHARITABLE DEDUCTIONS

The Clintons' claim—$177,047.

Potential added tax—$1,651.

From 1980 through '92, the Clintons wrote off charitable gifts totaling $160,886 in cash contributions and $16,161 worth of noncash donations. Often the gifts went to the Salvation Army, churches and educational charities. Given their incomes and prominence, the Clintons' generous level of giving is not in itself a cause for audit scrutiny.

Beginning with their 1983 return, however, the Clintons attached a list—usually handwritten—itemizing and valuing their noncash contributions. They noted things like $30 for three shower curtains, $5 for an electric razor, $40 for running shoes. Many tax pros say such detail invites IRS scrutiny, even if you have filed a perfect return. Attaching a list is particularly dicey with noncash charitable donations, since there is often no way to prove an item's fair market value. In an audit, such disputes boil down to the taxpayer's word vs. the auditor's judgment. Guess what? The auditor usually prevails.

There is a valid question about whether the Clintons padded the value of the underwear and other stuff they donated from 1983 through '89. In our audit, Money relied on Goodwill Industries' and the Salvation Army's flexible guidelines, which are some-

times used by IRS auditors. We also gave the Clintons the benefit of the doubt. For example, for 1984 they claimed $100 for a gray three-piece suit; we gave them the full $100. Still, some items—particularly shoes, underwear and T-shirts—seem overvalued at times. For example, in 1988 the Clintons deducted $15 for long underwear; we reduced it to $2. In another instance, we allowed $30 for a pair of brown shoes they valued at $80.

We concluded that the Clintons may have overvalued their noncash contributions by a total of $2,939 from 1983 through '89. The tax due: $1,187. To rebut that assessment, they would have to offer convincing oral testimony. At best, they might get to split the difference between their estimate and the auditor's.

The Clintons also deducted a $1,405 cash contribution in 1990 to "Vance Hall Sporting Goods," which doesn't sound like a charity. An IRS spokesman told Money that there are cases where a retailer makes an IRS-approved arrangement with a tax-exempt organization; if you write a check directly to such a store sponsoring a charitable event, you can claim a deduction. But unless the Clintons can prove that Vance Hall was qualified to accept tax-deductible donations, they would lose the deduction and owe additional tax of $464, for a grand total of $1,651.

One more thing: Amid all the cataloguing of charitable minutiae, one sign of sloppiness cropped up in 1990. That year's return failed to note $11,662 of the couple's contributions to 19 charities. Redden then filed an amended 1040, which brought the couple's charitable deductions that year to an eye-catching record high of $36,875.

HIS EXPENSES

The Clintons' claim—$29,190.

Potential added tax—$5,765.

Bill Clinton's $35,000 annual salary during most of his 10 years as Arkansas governor was the lowest in the 50 states. But he also got $70,000 a year to cover expenses—a $19,000 public relations fund for work-related costs and a $51,000 mansion fund for meals, household items and official entertaining at the Governor's residence.

Let's start with the $19,000. For most of his tenure, Clinton was reimbursed in full from this fund for all of his official expenses. And so, quite correctly, he never claimed any deduction on his tax return for expenses. For a 26-month period from January 1989 through February '91, however, the State of Arkansas decreed that the $19,000 public relations fund should be included in Clinton's taxable income. (The same went for the six other Arkansas officials who got such funds.) So Clinton began deducting unreimbursed employee expenses, claiming write-offs totaling $13,212 in 1989, $12,912 in '90, and $3,066 in '91.

In themselves, there's nothing suspicious about the write-offs. But they could nonetheless draw an auditor's attention for this reason: The unique nature of a politician's job—part public servant, part campaigner—makes it imperative to separate deductible business expenditures from nondeductible campaign costs. Bill Clinton's 1989 to '91 write-offs for printing ($7,316, including $4,812 for brochures), travel ($3,696) and advertising ($1,638) are particularly questionable. An auditor would ask whether they were actually nondeductible campaign expenses.

Bill Clinton might also have to explain the $2,848 in "meal-seminar/forums" expenses he deducted on his '90 return. If the meals and gatherings happened at the Governor's mansion, they should have been paid by the mansion account. And under the tax law, you can't deduct expenses your employer would have normally covered. "I don't think meals for visiting groups in the mansion are a deductible expense, since this [mansion] fund should be used to pay for them," says James Pledger, director of the Arkansas Department of Finance and Administration. To keep the deductions, Clinton would have to show that the meals did not take place at the mansion and that the amounts he claimed were "ordinary and necessary" business expenses.

Finally, his $3,066 in 1991 employment-related deductions would raise a question. Clinton would have to demonstrate that this money was spent on deductible business expenses before March 1991. After that, the state law once again allowed him to be reimbursed as he submitted expense receipts. All in all, there's a lot in these expenses for an auditor to chew on.

CAR DEPRECIATION

The Clinton's claim—$8,168.

Potential added tax—$501.

In 1986, while Hillary Clinton worked as an attorney at the Rose Law Firm and was Arkansas' First Lady, she bought a $12,615 Oldsmobile that she drove for business purposes 52% of the time. (You can claim accelerated depreciation for a car only if you use it for business more than 50% of the time.) The Clinton's accountant, Redden, correctly depreciated the business portion of the car over three years on their 1986, '87 and '88 returns, for a total allowable write-off of $6,565. According to the tax law, further depreciation would be permitted only if Hillary Clinton increased her use of the car for business. And sure enough, in 1990, she drove it 60.52% of the time for business. But in calculating the four-year-old car's extra depreciation, Redden employed a formula that applied to newly acquired property placed in service after 1986. As a result, she overstated the deduction by $1,518, causing the Clintons to underpay their taxes by $501.

Unfortunately, even when a professional tax preparer causes the goof, a taxpayer must pay any tax shortfall the IRS discovers within three years. In addition, Redden herself could be hit with a preparer penalty of up to $1,000.

WHITEWATER

The Clinton's claim—$24,154.

Potential added tax—$8,441.

Navigating Whitewater takes total concentration as the numbers whiz by. Since the Clintons have refused thus far to disclose their relevant 1978 and '79 tax returns, you must start midstream with the twisting, tortuous flow of the interest deductions they took in '80 and then again from '84 through '88.

The write-offs, totaling $24,154, are for interest payments they claim to have made on three separate Whitewater loans:

The first was a $20,000 down payment loan at 10% in 1978 from Union National Bank in Little Rock. The loan was taken out by Bill Clinton and James McDougal, the politically connected developer who, with his wife Susan, had just invited the Clintons to become their fifty-fifty partners in a then promising venture to develop the 230-acre Whitewater tract in Arkansas' popular Ozark Mountains.

The second loan was a $182,611 mortgage at 10%, also in 1978, from Citizens Bank in Flippin, Ark., cosigned by the Clintons and McDougals. Together, the two loans covered the purchase price of the Whitewater site.

The third was a $20,800 note at 11.5% in 1983 from Security Bank in Paragould, Ark. taken out by Bill Clinton. According to the White House, he used that money to pay off a $30,000 loan at a whopping 20% that Hillary Clinton had gotten from James McDougal's Bank of Kingston in Kingston, Ark. in 1980. She used the original loan to put a model home on a Whitewater lot.

An audit of interest deductions ought to be simple. In general, all taxpayers must prove is that they made payments they claimed as a deduction, that the expense was indeed interest for which they were liable, and that they paid the interest in the year they wrote off the deduction. But the complex Whitewater loans made the Clintons' subsequent tax write-offs anything but routine. Also, the Clintons' argument—that they couldn't have done anything wrong because they didn't make money on the disappointing deal and didn't even claim a capital loss in the end—is as irrelevant as it is self-serving. A taxpayer can lose everything and still file incorrectly, thereby incurring back taxes, interest and penalties. Our audit indicates the Clintons may face precisely those consequences in the following intances:

The first—and largest—of the Whitewater deductions on the returns Money examined is a $9,000 interest payment to "James McDougal" in 1980. The $9,000 entry is audit bait for two reasons: A business partner is rarely listed as a mortgage lender, and mortgage interest is almost never a round number. The White House has said the Clintons paid McDougal the $9,000 to reimburse him for interest payments he made on their behalf in 1978 and '79. That might explain why the figure is rounded: Although the Clintons and McDougals were fifty-fifty partners, the law does not require that every payment be split equally. Because of the irregularities, however, an auditor would demand both a bank statement showing how much of the amount was interest, if any, plus a signed, dated receipt from McDougal acknowledging the interest repayment. Without this hard proof, an auditor could treat the $9,000 as a nondeductible repayment of loan principal, not deductible interest.

If the Clintons' undisclosed 1978 and '79 returns surface, they may well spark more audit questions. For example, the White House claims the Clintons deducted $10,000 in interest on Whitewater loans in 1978. But Time magazine recently reported that records it reviewed show the banks received at most $5,752.

The second largest Whitewater deduction also appears on the Clintons' 1980 return—$4,350 paid to Citizens Bank in Flippin, which provided the $182,611 mortgage in 1978. But even that seemingly innocuous entry has a twist. In 1979 the Clintons and McDougals formed the Whitewater Development Corp. and contributed the 230-acre site to the newly formed company. This turn of events could prompt an auditor to ask for proof that the Clintons were the party entitled to the $4,350 mortgage interest write-off.

The White House has insisted in published reports that the Whitewater corporation did not assume the loans. Rather, the explanation goes, when the land went to the corporation, the Clintons, in effect, got a note from the Whitewater company obligating it to the same terms as on the loans they took out to buy the property. In that case however, an auditor would expect the Clintons to have reported Whitewater's interest payments on their returns as income and then claim an offsetting deduction for the interest they paid. But they did not do that; they never reported any interest income from Whitewater.

What actually may have happened is that all three—the Clintons, the Whitewater com-

pany and the McDougals—made loan payments directly to the bank at various times. When Whitewater didn't have enough money to make the payments, "McDougal would call up the Clintons and say . . . 'Can you write the check?" So Clinton would write a $4,000 check, or whatever, so the bank wouldn't foreclose on the loan," Lindsey told Money in a January interview. Whoever made payments during the year took deductions at tax time.

Despite that unorthodox approach, some tax experts think the Clintons could keep the deduction in an audit. "You have a leg up in defending your interest deductions as long as you actually made the payment," says a former high-ranking IRS official who requested anonymity.

Yet other tax experts, including Lee Sheppard, a tax lawyer and contributing editor of the professional journal Tax Notes, take a tougher stance: She says that when the land used as collateral for the loan was transferred to Whitewater, the corporation assumed the loans de facto and thus was solely entitled to the interest deduction no matter who, if anyone, paid the interest.

If there were a legal challenge to their deduction, the Clintons could rebut it by citing to the IRS federal court cases won by taxpayers in similar circumstances. Even then, however, they would have to present more Whitewater documents than they have so far. The worst-case outcome: The Clintons' $4,350 deduction would be denied.

The third set of Whitewater deductions, from 1984 through '88, relate to $20,800 that Bill Clinton borrowed from the Security Bank in Paragould in '83. In 1984 and '85, the Whitewater company paid Security $5,133 in loan interest and deducted it. A 1992 analysis commissioned by the Bill Clinton for President Committee and coordinated by James Lyons, a Denver tax attorney and family friend, revealed that the Clintons had also deducted the $5,133. The Clintons explained that the bank erroneously sent them a $5,133 interest statement, which they forwarded to their tax preparer, Redden. She then dutifully entered the deduction on their returns. To make good, the Clintons say they voluntarily paid the IRS some $4,000 in back taxes and interest in 1992.

The Clintons' Whitewater headache doesn't end there, though. Any IRS auditor who asks Bill why he borrowed the $20,800 would learn of Hillary's earlier $30,000 loan—and the many tax questions that surround it. When she borrowed the $30,000 from Kingston Bank in 1980 to build a model home on a Whitewater lot, the corporation transferred the three-acre lot to her; she then used the land, at the time worth about $5,500 according to Whitewater real estate agent Chris Wade, as collateral. Records examined by Money show that she paid $10 to record the deed; but it's unclear whether she paid a cent more than that.

The upshot: The Clintons may be on the hook for a taxable capital gain on the transfer of the $5,500 lot in 1980. The Clinton's gain would equal the fair market value of the lot, minus their tax basis (that is, essentially, the amount they invested in Whitewater from their own pockets). In the absence of further documentation, an auditor would assume a very low basis figure, say the $500 that the couple have said they contributed to the corporation when it was formed. Here's the math: The lot's $5,500, minus the $10 Hillary paid for the deed, minus her $500 basis, equals a $4,990 capital gain. The audit tally on this transaction alone: $4,454, made up of tax ($1,098) and interest ($3,356). To beat an IRS challenge, the Clintons would have to prove that they either paid much more for the lot, or that it was worth much less than $5,500 or that their tax basis in Whitewater was far higher than $500.

One more Whitewater matter: As we went to press, AP reported that in 1984 and '88 the Clintons deducted more than $1,400 in Whitewater property taxes they had paid but may have been reimbursed for later on. Whatever the final outcome, the drip-drip-drip of Whitewater revelations will likely continue for years to come.

And then, Mr. Speaker, finally so you can get to that event and I can go home and prepare to discuss tomorrow, and hopefully I will talk to Ted Koppel tomorrow, the show that was structured by an ABC producer named Rick Caplan who produces World News Tonight, gave that letter to Bill Clinton 3 days in advance, and Mandy Grunwald whose dad was 25 years ahead of Time magazine, she in that same Style section could not keep quiet a secret. She claimed authorship of the line:

"They're accusing me of sleeping with a woman I didn't,"—wrong— "and dodging a draft I didn't,"—wrong, dodged it three times.

Here is an article that will probably be a first in my life. Never have I put in an article from a homosexual magazine, and I would not put this one in with titles around the edges like:

"Roseanne's Lesbian Kiss";

"Canada's Politically Correct War";

"The Gay Oscars";

"The Gay Menendez Jurors."

Randy Shilts, 1951 to 1994, died at age 43 of AIDS who wrote the book, "The Band Played On." He tried to blame everything on Reagan and Bush. It would not fly, but I feel very sorry he died.

The cover story is a picture of the Surgeon General of the United States, the leading voice on health matters in the United States. It is titled, and this is the March 22 issue of the Advocate, a homosexual tabloid, tabloid size. It is titled, "Condom Queen."

"Surgeon General Joycelyn Elders," and I cannot read on the Xerox the subtitle, but there is a big picture with a button with a lightning bolt on it. I do not know what that means, but it says: "The Condom Queen Reigns. Surgeon General Joycelyn Elders speaks out where the President fears to tread," by Chris Bull. He is a prominent homosexual writer, and I want this in the RECORD because tonight I am calling for her resignation or firing.

I am joining the front page story of today's Washington Times where Cardinal Hickey—what did I do with that—here it is—Cardinal Hickey, never known as a conservative cardinal, the cardinal for the Archdiocese of Washington, DC; he says, "her advocacy of homosexual behavior, her support for homosexual adoptions is outrageous. The President must publicly disavow her positions," and this is quoting from a letter from the Archbishop of Washington to the President of the United States.

Furthermore Cardinal Hickey says, "I deeply regret her apparent intolerance of people whose religious faith and moral values collide with her own ill-considered views. The Surgeon General irresponsibly accuses religious leaders," and it goes on and on with some of the absurd statements that she has not denied in her exclusive interview with this outrageous homosexual tabloid.

So, Mr. Speaker, with that there is plenty of things to discuss tomorrow night, Mr. Speaker, and I would like to be courteous to you. The news is exploding. I do not know where to go next. So, we will be back tomorrow with some more fascinating stuff and an analysis of the February month in the campaign and the very cleverly structured "Nightline" show with Ted Koppel which put away the draft issue until I brought it back into the public consciousness from this microphone in September 1992.

The articles referred to are as follows:

[From the Advocate, March 22, 1994]

THE CONDOM QUEEN REIGNS

SURGEON GENERAL JOYCELYN ELDERS SPEAKS OUT WHERE THE PRESIDENT FEARS TO TREAD

(By Chris Bull)

In a memorable and often-quoted line uttered in 1989 while she served as the director of the Arkansas Department of Health under then-governor Bill Clinton, Joycelyn Elders, who is now Clinton's U.S. surgeon general, compared driver's education for young people to sex education in the schools. "We taught them what to do in the front seat of the car," she said. "Now it's time to teach them what to do in the backseat."

Elders made the remark as part of an aggressive campaign to lower the rate of teenage pregnancy in the state, which at the time had the second highest rate in the nation, after Mississippi. But Elders says that the now-famous quote should apply equally to gay youths who are at high risk for infection with HIV. The federal government, she insists, has a responsibility to teach young gay men "what to do in the backseat" to protect themselves from HIV, especially in the light of several recent studies indicating that a sizable number of young gay men have not been reached by AIDS education campaigns and are continuing to engage in unprotected sex.

"If there are young gay men out there who are not hearing the message, then we have to step in and figure out how to get to them." Elders says. "The federal government has a responsibility to all of our citizens, not just the heterosexual citizens. This country has to get over the judgmental way it makes decisions and make sure we are fair to all our citizens."

Statements like these have earned Elders a reputation as the most fearless and most outspoken member of the Clinton administration; so much so, in fact, that she appears to be on a collision course with her boss. Last December, for instance, Elders precipitated a political firestorm by saying that legalizing drugs would reduce crime and violence. Clinton quickly distanced himself from his surgeon general by insisting that drugs would "not be legalized on my watch."

Elders is able to maintain this stance without jeopardizing her relationship with Clin-

ton—who is known for his political caution—through a combination of personal popularity and political savvy. "Elders is widely perceived as sincere, well-meaning, and tough," says Christopher H. Foreman Jr., a research associate at the Brookings Institution, a Washington, D.C.-based policy-analysis group. "Those qualities will keep her in good stead in a time when so many politicians are seen as weak and insincere."

Although she rarely addressed gay and lesbian issues during her six-year stint as Arkansas's top health official, as U.S. surgeon general Elders now appears ready to risk the president's ire by speaking out on behalf of gay causes. For this interview Elders insisted that she wanted to address gay-related topics gingerly until she had thoroughly familiarized herself with them, but then she proceeded to unhesitatingly express her opinion on a wide range of gay-related causes. Elders endorsed gay and lesbian adoption, advocated suicide-prevention efforts aimed at gay and lesbian youths, termed the Boy Scouts of America's ban on gay scouts and scout leaders "unfair," denounced antigay campaigns by conservative religious groups, and said that Americans "need to be more open about sex."

Indeed, Elders is seemingly willing to address topics that have landed other Administration officials in hot water. Last October, for instance, after receiving flak from conservative groups, the White House's AIDS policy coordinator, Kristine Gebbie, was forced to back off her statement that sex is "an essentially important and pleasurable thing" that continues to be "repressed" by the country's "Victorian morality." Before the outcry over her remarks occurred, Gebbie had said she considered it part of her job to stand on the "White House lawn talking about sex with no lightning bolts falling on my head."

Elders does not appear to fear lightning bolts. What underlies antigay attitudes in this country, she says, is an irrational "fear of sexuality" in general. "Society wants to keep all sexuality in the closet," she says. "We have to be more open about sex, and we need to speak out to tell people that sex is good, sex is wonderful. It's a normal part and healthy part of our being, whether it is homosexual or heterosexual. There are certain times and places where sex is inappropriate, but just because it is inappropriate at certain times does not mean that it's bad. I think the religious right at times thinks that the only reason for sex is procreation. Well, I feel that God meant sex for more than procreation. Sex is about pleasure as well as about responsibility."

During a 1992 campaign stop, Clinton refused to criticize the Boy Scouts ban on the grounds that as a private organization it is entitled to set its own policies. But Elders says she opposes the ban "in principle" because of its negative effect on the mental health of gay youths. and she has promised to oppose it publicly. "If we have important organizations that we are all supporting, I certainly think that all our youth should be allowed to participate," she says. "Once again we are dealing with the ignorance of our society about what gay people are like and the effect of policies like this on them."

Elders says the fight for full equality for gays and lesbians depends at least in part upon the ability of most Americans to "learn that gay people are not just out there wanting to have sex with anybody who walks down the street and that gay people have real loving, lasting relationships and families."

As a result, Elders says gays and lesbians can play an important societal role by adopting children as well as by raising their own. "I feel that good parents are good parents—regardless of their sexual orientation." she says. "It's clear that the sexual orientation of parents has nothing to do with the sexual orientation or outlook of their children. Many children in this society are born unwanted, and I feel that if gay or lesbian couples feel that they want children enough to adopt, well, then they are probably just as capable of being good parents as heterosexual parents who choose to adopt. Gays and lesbians are not going to choose to adopt or have their own children unless they really want children. They are making a conscious choice. We have too many parents who did not choose nor did they want, to be parents."

Despite what seem to be enlightened convictions, this is the first time that Elders has been asked to address gay and lesbian health issues in a comprehensive manner—a task she says has been one of the most difficult challenges she has faced since assuming her post last September. "One of the biggest problems in this job that I am facing is that I don't know enough about gay and lesbian issues," she admits. "I'm trying to get educated as fast as I can. I don't want to do a lot of speaking out until I am comfortable with the issue and I can answer all the questions that are posed to me from both sides."

Even so, Elders is taking some tentative steps toward addressing gay-related health issues. During a Jan. 18 meeting, for example, Elders surprised lesbian-health advocates by suggesting that the Department of Health and Human Services (HHS) fund the creation of brochures aimed at educating health care workers about lesbian health concerns.

"I can see that there are many problems that lesbians face that physicians have yet to address," Elders says. "We have to train our nation's physicians to ask the right questions and to offer lesbians advice that is appropriate to them. Many times doctors may be concerned that women are taking proper contraception, but if some women are having sex only with other women, that's not the right kind of concern to have."

At other times, though, Elders has been on the defensive. During a public appearance last December for World AIDS Day, Elders was targeted by Luke Sissyfag, a 20-year-old AIDS activist who loudly accused her and the president of dragging their feet on issues revolving around AIDS. But Elders took the protest in stride. "I've met Luke on several occasions now, and I respect what he's doing," she says. "I think that it's OK for him to feel like we're not doing enough. I don't feel like we're doing enough. One of the wonderful things about America is that Luke can go around and be critical of me and of the president if he doesn't think we're doing enough. There are many ways of skinning the cat."

Elders is facing a learning curve on gay-related issues in part because she steered clear of them while in Arkansas. Eric Camp, a spokesman for the Arkansas Gay and Lesbian Task Force, a statewide political group based in Little Rock, says that addressing homosexuality publicly in the state would have amounted to political suicide. "She was already seen as an extremist in the state for talking about birth control and abortion," he says. "Her programs never would have gone anywhere had gay and lesbian issues been included. But I think that on the national level she will be far more inclined to consider gays and lesbians part of her constituency."

Elders says she did not consciously dodge the issue, though. "I did talk to gay groups in Arkansas, and when I did it got a lot of press," she says. "I've spoken out before, It was not as well-organized a constituency there as some other groups might have been, but that would not have been a reason to avoid it."

In Arkansas, Elders focused primarily on what has been a lifetime mission: reducing the rate of teenage pregnancies, which she says have made a generation of young women into a "slave class" by forcing them to raise children before they are ready to do so at the expense of their own educational and employment opportunities. Among her initiatives was a controversial plan to place medical clinics in each of the state's 300 school districts that would dispense condoms, sex education, and health care. So far, 24 districts have installed clinics, and 28 more are on a waiting list for state funds to established them.

Elders' emphasis on youth and sexuality as public health concerns may lend itself easily to addressing AIDS and gay-related issues. Kerry Lobel, lead organizer for the Arkansas Women's Project, a Little Rock-based advocacy group, says that when seeking support from Elders, gay and AIDS activists would be well-advised to frame the issue in terms of youth, prevention of sexually transmitted diseases, and reproductive health. "Dr. Elders will stick up for children and young people no matter what," she says. "If the issue can be presented that way, she will listen. That's where her heart is."

Elders, a pediatrician by training, indeed becomes most passionate when the topic turns to gay and lesbian youth. While the school-based clinics in Arkansas were designed to focus primarily on the needs of heterosexual students, Elders says they should eventually address the needs of young people who are struggling to come to terms with their sexuality as well. "We can't just write off 10% of our student population." Elders says. "We should certainly work on gay and lesbian health issues. We need to make sure our teachers are educated about sexuality and that counselors know how to address the issue in a sensitive manner."

Commenting on a hotly contested 1989 HHS report-later suppressed by the Bush administration—that found that gay and lesbian youths represent approximately 30% of teenage suicides, Elders says that "when we are talking about young people taking their own lives, that's the worst health threat we can possibly face. So for me it has to be an issue. Again I have to admit stupidity on exactly how to address the issue, but certainly we should make educators and counselors aware of the issue and make sure they know how to respond to the situation when it arises. I certainly see addressing gay and lesbian youth suicide as part of my mission. My job as surgeon general is to talk about all of the health issues that have an impact on Americans."

Elders has been able to speak out forcefully on a variety of topics in Arkansas and in Washington, D.C., in part because of her personal popularity with the public. The daughter of sharecroppers who lived in rural Arkansas, the 60-year-old Elders overcame poverty to serve in the U.S. Army as a first lieutenant. She later attended the University of Arkansas Medical School on the GI Bill.

That modern Horatio Alger story has helped to disarm some of her critics. During her contentious confirmation hearings last July, for instance, Elders repeatedly invoked

her upbringing to explain her position on a number of issues. Still, the Senate finally confirmed Elders in a less-than-overwhelming 65–34 vote. "She's a very sympathetic figure, and even her critics have to be careful not to appear to be attacking a black woman," says Foreman.

Elders also benefits from a close relationship with Clinton, who stood behind her despite fierce attacks from right-wing pressure groups and conservative members of Congress. During the confirmation hearings the Traditional Values Coalition, a conservative lobbying group, dubbed Elders the nation's "condom queen" for her staunch support of condom distribution in the schools and said she was "clearly the worst Clinton nominee yet." After her confirmation Elders responded in an interview with The New York Times by saying, "If I could be the 'condom queen' and get every young person who is engaged in sex to use a condom in the United States, I would wear a crown on my head with a condom on it."

Conservative members of the Senate were most critical of a 1992 remark that Elders made attacking the Roman Catholic Church. Elders said the church hierarchy's opposition to abortion rights is more vehement than was its opposition to the Holocaust and "the 400 years in which black Americans had their freedom aborted." Sen. Don Nickles (R–Okla.), who led the opposition to Elder's nomination, said the statement "exhibited strong anti-Catholic belief."

Clinton's support also helped Elders withstand attacks from right-wing groups in Arkansas. After conservative opponents spread false rumors that the clinics she had proposed for the state's schools would perform abortions for students, Elders, a Methodist, called them "very religious non-Christians" who "love little babies as long as they are in someone else's uterus." Conservatives demanded an apology, and Elders complied in a letter to the state legislature, but she continues to use the phrase to describe her opponents anyway.

By way of contrast, Clinton did not display the same fortitude when another black female nominee, Lani Guinier, came under attack for statements and beliefs that are less incendiary than some of Elders's. In fact, longtime Arkansas political observers say that Clinton and Elders have for years played out a political cat-and-mouse game that benefits both players.

An incident at the 1987 press conference where Clinton introduced Elders to the state illustrates the point. In response to a question as to whether she planned to distribute condoms in public schools, Elders said, "Well, we won't be putting them on their lunch trays, but yes." Press reports at the time described Clinton as blushing from embarrassment but nodding in agreement with Elders.

"Clinton relies on Dr. Elders to say the things he cannot say for political reasons," says Lobel, who has observed the complex political relationship between the two for years. "When he finally said that he was prochoice, we all said, 'Well, of course he's prochoice,' but we really only knew that because she had been so outspoken and he would not have let her do that unless he agreed with her."

That same dynamic was at work during the outcry over Elders's December statement about legalizing drugs; the situation escalated further when her 27-year-old son, Kevin, was arrested in Little Rock on drug charges. Sen. Robert Dole (R–Kan.) said Americans "must be wondering if the surgeon general is hazardous to our health," and Nickels called for her resignation.

Elders said she had "no second thoughts" about the remark, and Clinton said he remained "four-square" behind her. "When you have someone who is outspoken and energetic like she is," he said, "there are going to be times when she'll be outspoken and energetic in a way that I don't necessarily agree with."

Marj Plumb, health policy director for the National Gay and Lesbian Task Force, a Washington, D.C.-based political group, says she has seen that dynamic at work on gay-related topics as well. During the meeting at which Elders suggested developing lesbian-health brochures, Plumb recalls that she turned to Patsy Fleming, special assistant to HHS secretary Donna Shalala, who was sitting next to Plumb, and said, "'Are your sure you want to take the heat for something like this?" and when Patsy said, "Marj, this is Dr. Elders you are talking about.' So even internally at HHS there is a general understanding that she is going to articulate a vision that is not necessarily politically safe for others to articulate."

Elders's ability to speak out on national health issues is also aided by the surgeon general's office, which has little official authority but has come to serve as a bully pulpit for the officeholder's political and medical agenda. The office has just ten full-time employees and a $550,000 annual budget. In contrast, the administration's AIDS policy office, headed by Gebbie, has 55 employees and a $5-million annual budget.

Dr. C. Everett Koop, who served as President Reagan's surgeon general from 1984 to 1988, paved the way for Elders on AIDS-related issues. Though considered a staunch conservative when he was nominated for the post, Koop nevertheless bucked the Reagan administration by advocating humane treatment of people with AIDS and supporting sexually explicit educational campaigns to stem the spread of HIV.

Elders says she intends to continue Koop's tradition. "If AIDS had started out as a disease of upper-middle-class white babies, it would have gotten a lot more attention," she says. "Koop recognzied this and did what a surgeon general has to do. You have to stand up for what's right—based on the medical and scientific data—regardless of what your personal beliefs are."

Elder's outspokenness occasionally offends even her allies. In 1991, for instance, Elders said that one of the benefits of legal abortion is the reduction of severe birth defects, citing Down's syndrome as an example. A number of parents of children with Down's syndrome protested, saying that Elders was implying that handicapped babies should not be allowed to be born. Elders responded that she had a nephew with the syndrome whom she loved and that she cared for many Down's patients in her pediatric practice.

But the comment raises disturbing questions for gays and lesbians as well. With increasing evidence of a genetic basis for homosexuality, some scientists and medical ethicists have raised the possibility that antigay parents, upon learning that their fetus carries a gene for homo-sexuality, could opt for an abortion rather than give birth to a child that might grow up to be gay.

Elders refuses to get drawn into that debate, though. "I think that's a decision only parents can make, she says. "If a woman had an abortion because they located the gay gene, it would not upset me any more than choosing an abortion on any other grounds. It's not a position for the government to take. The choice has to be left up to the individual. No one can try to make such a choice for a woman.

That nonjudgmental view is consistent with Elder's approach to gay rights in general. Commenting on antigay campaigns undertaken by conservative religious groups, Elders says that if "you are truly right within your heart and with Christianity, you know in advance that you do not know in advance that you do not know enough about other people's lives to judge them. You do not love enough to make decisions about how other people should live their lives. How can I be judgmental of you when in the sight of God you may think you are better than me? You have to wonder how much love that people who hate gay people have in their hearts."

[From the New Republic, Apr. 4, 1994]

THE NAME OF ROSE

(By L.J. Davis)

You see a girl walking down the street. You can say, "There goes a beautiful girl" or "There goes a whore." What the hell's the difference? They've both got legs.

—Jon E.M. Jacoby, executive vice president of Stephens Inc., explaining the Arkansas system of politics and finance as it reached perfection during the Clinton years.

AN ARKANSAS THRILLER.

I.

In Arkansas, the latest backstairs of the national political system, you hear a lot of things. Concerning Whitewater, for example, you are constantly—and probably correctly—reminded that the dustup involves nothing but a typical loony tunes S&L deal from the 1980s, despite the august personages involved and their perplexing insistence on behaving like refugees from a Raymond Chandler novel. In Arkansas memories are long, political rascality is king of regional sports and rumor and truth tend to commingle until otherwise reasonable people are driven slightly bonkers trying to sort out one from the other, In Little Rock the whole Whitewater affair is regarded as something of a hoot—the Yankee carpetbagger press, with the reality of Arkansas staring it in the face, has gone and missed the real story again. But if Whitewater was nothing but a minor peccadillo that the press has glommed onto because it thinks it understands it—and compared with the private financial shenanigans of Arizona Governor Fife Symington, Whitewater resembles a misdeed along the lines of crossing the street against the light—why, then, has the Clinton administration so frantically placed its back to the door, as though a peek beyond would reveal grandpa tied to a chair, surrounded by his looted bank books? In Arkansas the answer to this question verily resembles the epitaph on the tombstone of Sir Christopher Wren: if you would see Clinton's monument look around.

When it comes to Bill Clinton's home state, the national press has repeatedly looked, seen everything and observed next to nothing (the honorable, largely ignored exception being the Los Angeles Times). Visiting Little Rock in search of atmosphere during the presidential campaign, reporter after reporter dutifully described the imposing Stephens Building, the elegant Capitol Hotel, the Worthen Bank tower and the headquarters of Arkla Petroleum, future White House Chief of Staff Mack McLarty's gas company, without realizing that all of these things were either owned, controlled or

under the influence of a single, immensely powerful family: the Stephenses.

By a happy chance, the family is also the stellar client of Hillary Rodham Clinton's old employer, the Rose Law Firm. Although it usually served as a hired gun with a conveniently blind eye, Rose proves to be a handy prism for observing a Gothic, sometimes darkly humorous tale of bonds, banks, a friendly cocaine distributor, sinister Pakistanis, shadowy Indonesians and the uses to which an agreeable state government can be put. The story is in fact three connected stories, combined in a typically Southern saga: Stephens Inc. and the Worthen Bank Corporation; the Rose Law Firm itself; and the Arkansas bond business, which, like most bond businesses, is extremely difficult for the well-educated layman to understand, thus making it an excellent place to hide things in plain sight. Central to the story is a pair of siblings named Witt and Jackson Stephens.

II.

In one sense, nothing unusual occurred in Arkansas during the 1980s: tales of high jinks in high places have always figured prominently in American discourse, and some of the most colorful stories—a number of them actually true—have come out of the Bubba Belt of the South and Southwest, whose geographical heart happens to be occupied by Arkansas. But Arkansas is rendered sui generis by the presence of the only major investment bank not headquartered on Wall Street, Stephens Inc. of Little Rock, which does much to explain some of the arresting peculiarities of a state that is more than a little strange even when judged by the spacious standards of its region.

For one thing, although Arkansas is the home to some of the nation's wealthiest families, it is one of the poorest states in the country, although there is no reason for it to be poor at all. Abundantly endowed with minerals, petroleum, timber and some of the most fertile agricultural land on the surface of the planet, it bears a close resemblance to a Third World country, with a ruling oligarchy, a small and relatively powerless middle class and a disfranchised, leaderless populace admired for its colorful folkways, deplored for its propensity to violence (on a per capita basis, Little Rock has one of the highest murder rates in the nation) and appreciated for its willingness to do just about any kind of work for just about any kind of wage.

In the words of one local wag, the farther you get from Arkansas, the better the Stephens boys look. Indeed, the family's sanitized, Horatio Alger-like biographies have been featured, accompanied by a remarkable lack of examination, in publications as various as Forbes and Golf Digest. The dynasty's founder, Witt Stephens, together with his younger brother by sixteen years, Jackson, grew up on a hardscrabble farm near the town of Prattsville, the sons of a small-time speculator in oil stocks and sometime state legislator, A.J. Stephens, who remained a power in state Democratic politics until the end of his life.

An eighth-grade dropout, Witt first makes his living by peddling Bibles and belt buckles before he discovered a pair of bonanzas in undervalued, Depression-era municipal bonds and the natural gas with which Arkansas is so richly endowed. Meanwhile, Jackson briefly served as a page with his father in the state legislature and went on to become a classmate of future President Jimmy Carter at the Naval Academy, a circumstance that would later serve the family's fortunes well while causing a disaster of still unmeasured magnitude in the American banking system.

After World War II the brothers joined forces at Stephens Inc, in Little Rock, with Witt—or Mr. Witt, as he came to be known—serving as the company's colorful, cigar-chumping and aphoristic face to the world (or as much of the world as paid attention) while the taciturn Jack toiled away in the back office, revealing a golden touch at investment strategy. These things are relative, of course; by the time Witt (who died in 1992 at the age of 83) handed over the reins to Jack in 1957, while retaining his petroleum interest and serving as the presiding genius of the firm. Stephens Inc. was worth a beggarly $7.5 million. But in the Arkansas of 1957, a financial institution with $7.5 million had the money and the clout to do a number of things—including purchase a governor.

Witt, like his father before him, was a staunch hereditary Democrat, a supporter and friend of such Arkansas luminaries as Senator William Fulbright. He was also a great patron of the infamous, six-term Orval Faubus—not, apparently, because of the governor's segregationist policies (to the family's credit, Jack Stephens, a trustee of the University of Arkansas since 1948, had successfully lent his voice to the cause of integrating the institution), but because Faubus was sound on the subject of natural gas, a subject dear to the Stephens' heart. As the family's fortune continued to wax after the Faubus years, it became an axiom of Arkansas policies that someone could occasionally become governor without permission from Stephens headquarters, but the politician was unlikely to remain governor for very long unless be paid close attention to the care and feeding of the brothers—the great exception to the rule being two-term Republican Winthrop Rockefeller, the beneficiary, representative and broken reed of an even vaster American fortune, who became the failed hope of Arkansas liberalism. Decades later, when the self-effacing Jack became chairman of the Augusta National Golf Club in Georgia, naive visitors were quickly enlightened on the subject of how a man so shy could assume a post so prominent in the sport of the moneyed and the gently bred. "Jackson Stephens?" it was explained. "He's the man who owns Arkansas.

It was Jackson Stephens at the helm that Stephens Inc. propelled itself into the stratosphere of the American financial plutocracy, making a bewildering variety of investments in enterprises as various as real estate, hazardous waste incineration, data processing, nursing homes, trucking and airplane maintenance, while simultaneously diversifying into the business of underwriting issues of common stock. In its new role, the firm called on the services of young C. Joseph Giroir, the only trained securities lawyer in the state, and his paralyzing respectable firm, Rose.

The securities business, in turn, led to a chain of peculiar events beginning in 1977 (the year, it so happened, that Bill Clinton became Arkansas attorney general and the Rose hired his wife). That year, no less a figure than T. Bertram Lance appeared on the corporate doorstep of his old friend's classmate, bringing with him a load of troubles and a glittering opportunity. Lance was compelled to resign as head of Jimmy Carter's Office of Management and Budget because of his long history of questionable financial practices in Georgia. As a result of that history, he was also beset by a negative net worth, substantial loans from banks in Chicago and New York and a large stock holding in the National Bank of Georgia. Sadly for Lance the price of the bank stock was depressed and its sale on the open market could not rescue him from the specter of bankruptcy, which was the dilemma Stephens Inc, was invited to solve.

A solution was soon found in the form of the now notorious Bank of Commerce and Credit International (BCCI), although whether Lance introduced Stephens to the Pakistani-run scam or vice versa is a matter of some debate. Beyond dispute, however, it is the fact that the comptroller of the currency, the nation's principal regulator of commercial banks, had clearly stated that BCCI was never to enter the American banking system under any circumstances. Oddly, this unambiguous order did nothing to prevent Stephens Inc. from solving Lance's problems while settling a small score of its own. The National Bank of Georgia was controlled by a holding company called Financial General one of the few entities in the country allowed to engage in interstate banking under the laws of the time. The Stephens interests controlled slightly less than 5 percent of Financial General and the investment had soured, partly because Financial General refused to hire the family data processing company. It was, Stephens soon persuaded BCCI, just the sort of investment BCCI was looking for, the comptroller's edict notwithstanding.

In short order, Stephens launched Lance on the path to renewed solvency, assembled blocks of stock for purchase by the front men who would conceal BCCI's identity, effected an introduction to the subsequently disgraced Democratic wise man Clark Clifford, turned a small but tidy profit on the sale of its own shares, pocketed fees of at least $95,000—and, in return for a sum that in Stephens terms amounted to chump change, set in motion the process that would give BCCI involvement by the Securities and Exchange Commission, Stephens Inc. neither admitted nor denied the SEC's findings but promised to go and sin no more.

But BCCI was not the only exotic party attracted by Lance's bank holdings. Also appearing on the scene was Mochtar Riady, one of the wealthiest men in Indonesia, with far-ranging interests and a known connection to his country's dictator, General Suharto. When someone went into business with Riady, there was also the possibility that they were in business with the general, a fairly decent chap by dictatorial standards (he had begun his reign with the slaughter of 200,000 supposed Communists, a feat he had not found necessary to duplicate except on the island of Timor) but a tyrant nonetheless.

Stephens Inc., which appeared to be uninterested in the true activities of BCCI, exhibited a similar indifference when it came to Riady. Moreover, the Stephens people did not appear to be the least bit curious about the business endeavors of the distinguished former statesman who effected the introduction between Jakarta and Little Rock. This was Robert B. Anderson. Formerly a secretary of the treasury in the Eisenhower administration, Anderson had carried out diplomatic assignments for President Lyndon Johnson in the Middle East and had served as President Richard Nixon's chief negotiator in the Panama Canal talks before opening an offshore bank—Commercial and Trade Bank and Trust Ltd. on Anguilla—that catered to people who needed to launder money, evade taxes, or both.

Jack Stephens had willingly presided over the handoff of a big hunk of an American bank to a bunch of Pakistani thugs, but he was not willing to let Riady go so easily. "He

wanted to buy into an American bank, an idea I was not enthusiastic about," Stephens told an interviewer some years later, perhaps making an unconscious semantic distinction. He'd seen nothing wrong with selling BCCI an American bank—they even named it First American—but he and Riady soon began planning an entirely new kind of Arkansas bank holding company, for which they required the services of Giroir and his expertise in securities law. But they also needed something that increasingly became a hallmark of the Rose firm: a willingness to perpetrate a subtle conflict of interest.

Founded in 1820, well before Arkansas became a state, Rose is one of the oldest surviving law firms west of the Mississippi, one of the most competent and one of the most quietly influential. Often, in looking at the state government of Arkansas, the Rose firm and the Stephens interests, it is hard to escape the impression that one is looking at a single entity, rather along the lines of NATO. The law partnership takes its curious name from U.M. Rose, a talented attorney who dominated the firm from the mid-1860s to the end of the century, was one of the founders of the American Bar Association and is one of two Arkansans whose statues adorn the Capitol in Washington. Over the years Rose has provided Arkansas with numerous legislators and justices of the state supreme court. In 1957, when the modern civil rights era was born in Governor Faubus's refusal to integrate Little Rock's Central High, it was a Rose lawyer who acted as lead counsel to the school board. (Rose still has no black partners.) And from 1975 until 1988 the firm enjoyed a spectacular run—growing from seventeen lawyers to fifty-three—under the leadership of the dapper and charming Giroir, the first and only chairman in the history of Rose, who deeply entwined the partnership and his personal destiny in the affairs of the Stephens family's empire.

During the Clinton administration, the history of the Rose firm could be divided into two periods: the Giroir years, and the shorter period, from 1987 to 1992, when the firm claimed to be a democracy, voting on its future rather than blindly following a single, charismatic leader. This democracy, however, was publicly dominated by three partners: the amiable Webster Hubbell, who was until a few days ago associate attorney general; the quiet Vincent Foster, who was deputy White House counsel until his suicide last summer; and Hillary Rodham Clinton, who as of press time is still First Lady. The firm's sea change, which generated a certain amount of hoopla from the legal press, was more apparent than real. Under the surface, Rose was much the same as always, doing good for its friends and clients while doing well for itself, but much more silently.

In his years as Rose's chief, Giroir conspicuously chaired a group drawn from the State's so-called Good Suit Club. The club successfully lobbied the legislature to change the state usury law, which made owning an Arkansas commercial bank a much more attractive proposition. It also was active in convincing the State's lawmakers to revise the law restricting the formation of bank holding companies, which enabled Giroir, Riady and Stephens to make a substantial and potentially lucrative investment.

On his own, Giror had purchased control of four Arkansas banks. He sold all four—including the second largest bank in the city of Pine Bluff—to Worthen Banking Corporation, the new holding company Riady and Stephens had been able to set up after state law, with Giroir's help, had been made more congenial to such things. For his part in the deal, Giroir was compensated with $53,760,294 in cash, stock and assumed debt. He also became a major stockholder of Worthen (named after the venerable and very large Little Rock bank that was the pride of the Stephens commercial banking empire) and a powerful member of its board. He received further income by renting property to the company, and he pocketed an additional $2.1 million when he sold part of his stockholdings to a company affiliated with Riady's son James (who was also Worthen's co-president). More important, he managed to create a whole new client for his firm; Rose became Worthern's principal outside counsel.

These things are complicated, dull and dry, which is an excellent form of concealment, but consider the sequence of events. With the stroke of a pen and without a visible second thought, then-Governor Bill Clinton, following his traumatic period as a voter-rejected civilian between 1980 and 1982, gave life to two pieces of legislation inspired by his wife's boss—revising the usury laws and permitting the formation of new banking holding companies.

In a State as small as Arkansas, where everybody of importance knows everybody else, it seems impossible that Governor Clinton could not have known that the relevant legislation would be of immense personal benefit to the boss in question, the state's most powerful family and an Indonesian investor whose presence in Arkansas seemed to be regarded as the most natural thing in the world. Last and not incidentally, the governor, by permitting the creation of the Worthen Bank Corporation, had arranged a new payday for the Clinton family through the windfall in legal fees provided to the Rose firm (Hillary Rodham Clinton, partner). When the compensation of the firm's partners was computed. Rodham Clinton has insisted, she specifically exempted herself from receiving a share of Rose's business with the state. But although Worthen could not have been brought to life without the help of her husband's government, it was not a government agency, Rodham Clinton was therefore not excluded from a partner's share of its fees.

More important, Worthen also became a major depository of the state's tax receipts. Nothing unusual here; governments frequently park their deployed funds with large private banking institutions until they decide what to do with the money. But the results soon proved to be imprudent under the most charitable interpretation of the word. In 1985 Worthen Bank managed to lose $52 million of Arkansas state taxpayers' money in a purchase of government securities from a New Jersey brokerage with a questionable past and no future whatever; several of its principals ended up in the jail for fraud. With its capital wiped out in a single stroke and a seizure by federal regulators imminent, Worthen was swiftly rescued with a $30 million cash infusion from its major stockholders, in the form of a loan that paid the Stephens partners a handsome 10 percent—together with additional funds from Stephens Inc., which pocketed a $3.2 million fee for its trouble. (The risk, is true Stephens fashion, was not great. Two-thirds of the funds were swiftly replaced by Worthen's insurance company, which made Stephens Inc.'s noble rescue of the bank—and of a big hunk of the Arkansas treasury—an almost surefire, profitable investment.) Also conspicuous during the complex negotiations were Joe Giroir and his partner Webb Hubble, appearing in their capacity as members of Rose.

Two questions surround this incident. First, how could Worthen have allowed the state to make such an obviously tainted investment via the New Jersey brokerage firm? Second, and more important, why did nobody in Arkansas appear before the bar of justice? The New Jersey firm was a direct lineal descendent of a peculiar regional phenomenon: the world of so-called bond daddies. The bond-daddy racket, long centered in Memphis but with many of its members drawn from Arkansas, specialized in selling questionable government securities to gullible investors, principally small banks with little financial sophistication.

Here is where the oddity begins, at least as it concerns Worthen. The Stephens brothers, if not Giroir and Riady, were intimately familiar with the black arts of finance. They were also experts in the government bond market. Moreover, at least one of the principals in the New Jersey brokerage of Bevill, Bresler & Schulman Inc. (which executed the transaction for Worthen and the state of Arkansas) was well-known in the region. Bevill's operations had all the earmarks of a standard bond-daddy scam, and yet Worthen committed $52 million anyway. (At the bank, the official explanation was that co-president Jim Jett acted naively, on his own and without the supervision of his principal stockholders, which is possible but not entirely plausible, since Giroir, who represented the Stephenses, sat on the board.)

Consider a virtually identical event at the same time in Ohio, in which a savings bank controlled by Marvin Warner, Jimmy Carter's ambassador to Switzerland, invested in the same kind of fraudulent securities, destroyed itself, ignited a statewide financial panic and caused Governor Richard Celeste to declare the first Ohio bank holiday since the Great Depression. A number of the responsible parties, including Warner, found themselves behind bars, some for a very long time. Why? Under long established Anglo-American law, an officer or director of a bank is governed by the "prudent man" rule, which states that he is personally responsible for the financial and legal consequences of his acts. In Arkansas, where the prudent man rule seems to have been suspended, a number of people were fired, but the Clinton government hauled precisely no one into court on criminal charges. Once again in Clinton's Arkansas, the law seemed to be different than it was in the rest of the United States—which makes certain Arkansans smile in knowing amusement over the fact that Bill Clinton now happens to be running the United States.

III.

The near failure of Worthen in 1985, like the arrival of BCCI, proved to be another pivotal event in recent Arkansas history: Stephens, Worthen, Rose and the Clintons remained at the center of the stage, but the cast of supporting players began to change.

A former Stephens executive named Ray Bradbury, who had been deeply involved in the BCCI negotiations—hardly a job qualification, one would think—took the helm at Worthen, where he discovered that the bank was also stuffed with bad real estate loans. Meanwhile, federal regulators learned that the bank had made an excessive number of insider loans, particularly to the Riadys, although what happened next is, as usual, a matter of mutually exclusive explanations.

Knowledgeable observers in Little Rock and elsewhere say that the Riadys were slowly forced out of the bank by the federal gov-

ernment; at Worthen, the official version says that the Riadys disengaged because it was clear the troubled bank could not be a major force in international finance. In any event, the Riadys soon departed.

The role of Joe Giroir also underwent a change. As a principal owner of Worthen, he was charged with securities fraud in a shareholder suit; he was also sued by Worthen itself for taking illegal "short-swing" profits when he sold stock to the Riady affiliate. Not only did Giroir lose his board position and partial ownership of the bank—with Giroir and Riady out of the picture, the Stephenses gradually increased their stockholding to more than 40 percent, while stoutly denying they controlled the place—but, following Giroir's disgrace in 1988, Rose lost Worthen as a client that had once paid the firm hundreds of thousands of dollars per year.

As for Giroir, his troubles were far from over. In 1986 he was revealed to be a shareholder in and a substantial borrower from a Pine Bluff thrift called FirstSouth, the first billion-dollar S&L failure in the country. Before the dust had cleared, the head of FirstSouth had gone to jail together with a former president of the Arkansas Bar Association, and Giroir had sued the federal regulators while the federal regulators were suing him, putting a considerable crimp in the plans of his partners. Hubbell and Foster, to create a lucrative practice in the cleanup of the S&L crisis. (At failed S&Ls, the fees for firms like Rose could be enormous. According to one frustrated federal investigator, private lawyers in Dallas were making $500,000 per month from the thrift catastrophe, more than the total annual budget for the federal cleanup effort in the entire state of Texas—and in Arkansas, where lawyers were cheaper, the damage per capita was among the worst in the country. Somehow, Governor Clinton escaped criticism for this interesting fact.) It was clear that Joe Giroir, who had built the modern Rose Law Firm, was not the partnership's greatest liability—the firm's reputation aside, federal regulators charged that Giroir had used Rose letterhead to give FirstSouth legal advice beneficial to himself; Rose was forced to settle with the Federal S&L Insurance Corporation regulators for a reported half-million dollars—although once again there is a contradictory official version of his abrupt departure.

Giroir once claimed that he left the firm voluntarily but will no longer comment on the matter. The Rose firm fell abruptly silent on this and all other subjects following recent allegations that it had shredded its Whitewater files, but its spokesman told American Lawyer in 1992 that Giroir departed in a coup arranged by litigators who were miffed that he and the firm's other rainmakers were paid substantially more than the lawyers who actually did the scut work in court—litigators prominently including Hubbell, Foster and Rodham Clinton, who actually seemed to be engaged in very little legal work at all.

With the departure of Giroir, life at Rose became quieter if no less active. The three partners became the firm's public face to the world. The most physically imposing and locally active of these was Hubbell, a six-foot, five-inch giant of a man who had played football for the University of Arkansas, had almost made it into the big time with the Chicago Bears, had served briefly as mayor of Little Rock (when Rose received a significant portion of the city's bond business) and had received an interim appointment as chief justice of the Arkansas Supreme Court from Governor Clinton. (According to a reliable source, Hubbell's father-in-law. Seth Ward, a septuagenarian self-made entrepreneur, once complained that keeping Hubbell in politics cost him $100,000 a year.)

The second was Foster, once described as an immaculately brown-suited man in an immaculate brown office, who was regarded as the "soul" of a firm that, according to grand jury testimony, shredded volumes of his records the moment an independent federal prosecutor appeared in the vicinity. The last was Rose's first female partner, Rodham Clinton, who occasionally did some lawyering in the intervals when she wasn't working for the Children's Defense Fund, attending to her personal business affairs or serving as the governor's first lady. The three were described to American Lawyer as "big, big buddies"; Rodham Clinton's office was next door to Hubbell's, and much of her work was actually done by Foster. The three also were closely entwined in a curious financial arrangement. This was Mid-life Investors, a partnership set up by E.F. Hutton in 1983. Hubbell, Foster and Rodham Clinton each kicked in $15,000 and named each other—rather than their spouses—as beneficiaries. But although the fund was active at least until 1991, Rodham Clinton reported annual dividends of under twenty dollars from Mid-life Investors, a sum that comes as a surprise to Roy Drew, the financial counselor who supervised the partnership and invested its money in such 1980s takcover candidates as Diamond Shamrock and Firestone Tire. According to Drew, with the likes of Sir James Goldsmith and the Japanese offering huge sums for the stock of Shamrock and Firestone, there was no way Mid-life Investors could have failed to reap substantial profits.

Although Rodham Clinton was a litigator—that is, a lawyer whose task is to appear in court, if only to force the other side to settle—and an attorney who was named one of the 100 most influential in the country by the National Law Journal in 1988 and 1991, she was almost never seen in the courtrooms of Little Rock; some court reports remember an occasional appearance, and one could not remember having seen her at all. According to a search conducted by American Lawyer, she tried just five cases during her fifteen years at Rose; other published sources say her work revolved around copyright infringement cases involving songwriters and bread companies. But paradoxically, in view of what happened to Giroir, she (like Giroir) received extra compensation for the business she generated from her extracurricular activities, even if she did not work on the cases at all.

For example, she was only one of two Rose partners to act as a corporate director, serving at various times on the boards of four companies carning $64,700 on 1991 from director's fees alone. (Her 1991 salary from Rose was in the vicinity of $110,000; her husband earned $35,000 and go to live in a free house.) She was on the board of Wal-Mart, a Rose client that Stephens had launched on the road to glory. (Rodham Clinton also owned $80,000 worth of Wal-Mart stock.) She served Southern Development Bancorp, a holding company created to give development loans in rural Arkansas, which, according to the The Washington Post, paid Rose somewhere between $100,000 and $200,000 in fees. In 1989 she joined the board of TCBY yogurt company, which occupies the tallest building in Little Rock. TCBY then proceeded to pay Rose $750,000 for legal work during the next few years. Last, and puzzlingly, she was a director of Lafarge, a giant French cement company that had no discernible, connection to Arkansas except like Stephens Inc., it was engaged in burning hazardous waste. (As president, Bill Clinton did nothing to stop operation of an Ohio Waste incinerator, partly backed at one time by Stephens Inc., despite the fact that it didn't work, had no legal permit and his own vice president had promised that it would never operate until it was thoroughly investigated, which it wasn't.)

With Rodham Clinton aboard at Rose, the firm's long established connections to the governor's office were made firmer still. Rose, the gold standard of Arkansas law firms, had long enjoyed unusual access to the state's corridors of power. It both advised and did the bidding of the powerful family that acted as the state's shadow government, and during the Clinton years, the Rose Law Firm sometimes behaved as though it were an agency of the state rather than a legal partnership with offices in a converted YMCA.

The intimate connection between Rose, Stephens Inc. and the governor's office may help explain how the Stephens family made a vast amount of money when its most visible enterprises were doing no such thing. The investment bank had hit a gusher when it took Wal-Mart public, made a pleasing sum on the stock of Tyson Foods, the nation's largest chicken processor, but otherwise cut no great swath in the stock market. Until recently, Worthen was a disaster area. At least part of the answer for the family's continued prosperity seems to reside in the unusual way Bill Clinton's state dealt with Stephens Inc.'s old specialty, government bonds.

IV.

The crown jewel of Bill Clinton's avowed attempt to create industries and jobs in the state was an unusual entity called the Arkansas Development Finance Authority (ADFA). According to well-established common law, a government-chartered authority is supposed to be an independent body, insulated from the hurly-burly of everyday political life and its temptations. But ADFA, written into law with the help of Webb Hubbell, was no such thing. All ten members of its board were appointed by the governor. Though it was specifically granted the power to issue industrial development bonds, the governor, personally, was required to approve every bond issue. State agencies with the ability to issue industrial bonds are supposed to distribute the money (and thus create jobs and wealth) to companies and individuals who can't receive lines of credit on favorable terms from the usual financial institutions or venture capitalists. On significant occasions, however, ADFA spread its bounty to less than deserving clients. Nor do the peculiarities of this body end here.

Although it issued bonds, ADFA did no due diligence—the common practice of engaging an outside financial expert to examine the applicants for the proceeds and determine if they actually need the money and are otherwise worthy recipients. (Due diligence, according to an ADFA spokesman who happens to be the brother-in-law of one of Witt Stephens' daughters, was the responsibility of the purchasers of the bonds under the ancient principle of caveat emptor—a practice that had previously helped the region's bond daddies flourish and had wiped out the capital of the Worthen bank.) While its spokesman is a little fuzzy on the subject, it seems that there was no regular ADFA oversight to ensure that money was being spent

according to the original purpose of the loan, although an ADFA employee might occasionally be sent into the field to discover if everything was tickety-boo.

It is also somewhat difficult to discover just what ADFA was actually doing. A recent examination of the log kept at ADFA headquarters for the enlightenment of wandering reporters and inquisitive citizens reveals just twenty-five bond issues from 1985 to the present—or twenty-six, if you count the paperwork on a bond issue that was removed in a reporter's presence. Moreover, the log suggests that ADFA was heavily involved in good works with religious orders. But according to the Los Angeles Times' count of ADFA's activities, the authority released seventy industrial bond issues—according to my count, the number is sixty-five—none of them to religious charities or university hospitals, and most of them missing from the official log. Which begs the question: Just what was ADFA doing with the $719 million it dispensed (or whose dispensation it authorized) as of January 1992?

"AFDA," says Larry Nichols, a dismissed authority official, "was set up by Clinton for Dan Lasater." Now, it should be borne in mind that Nichols is something of an Arkansas character and, in some circles, a figure of fun. A well-known supporter of the Nicaraguan contras, Nichols was also the person who originally alleged that Clinton had an affair with Gennifer Flowers and four other women, only to destroy his credibility when he retracted his charges in a document remarkable for its abject contrition. But there are those in Arkansas who insist that Nichols is neither entirely a vindictive nut nor the sort of notorious regional liar who has to hire a man to call his own dog. "You ought to listen to Larry Nichols," says a Little Rock political consultant. "He says a lot of things, but sometimes he tells you something you really need to know." And, certainly, there is something intriguing about Bill Clinton's relations with Lasater, a man no governor in his right mind would let in the front door.

If Dan Lasater was not the largest cocaine user in the state of Arkansas, he was certainly the most conspicuous one. A prosperous Little Rock bond dealer, he was an acquaintance of the Clinton family and a contributor to the governor's political fortunes. Lasater distinguished himself in other ways, too. He served ashtrays full of cocaine at parties in his mansion, stocked cocaine on his corporate jet (a plane used by the Clintons on more than one occasion) and later told the FBI that he had distributed cocaine on more than 180 occasions. "I shared my success . . . in that manner," he explained.

He was also a patron of Governor Clinton's cocaine-using half-brother, Roger, employing the younger man in his thoroughbred racing stables in Florida and claiming that he gave Roger Clinton $8,000 to pay off debts to drug suppliers. By 1985 it was also known that Lasater was the subject of a police investigation that even the most uneducated guess would suggest, could end in only one way. But that year, Governor Clinton deemed Lasater worthy of handling a $30.2 million bond issue to modernize the state police radio system, despite the fact that the expenditure would normally be made by an appropriation from the treasury and the fact that Lasater was about to be busted. Nonetheless, Clinton vigorously lobbied the legislature, ignored the wishes of the Stephens family and won the day, giving Lasater & Co. a handsome $750,000 underwriting fee, according to the Los Angeles Times. In 1986 Lasater was sentenced to two and a half years in prison, with Roger Clinton testifying against him at his trial. In 1990 he received a state pardon from Governor Clinton.

For whatever it's worth, one of the few people to have access to the office of the late Vincent Foster during the three days it was unsealed following his suicide was White House official Patsy Thomasson, who managed Lasater's business affairs while he was in jail. But in the Clinton system, perfected in Little Rock and now being practiced in Washington, none of these things should be considered a mistake or an aberration.

Lasater was not the only strange thing about the Arkansas bond business during the time of Bill Clinton. Whenever a normal state issues bonds, there are many ways for a variety of people to get well on the public nickel. The beneficiary of the proceeds receives a loan at below-market rates. The financial institution that sold the bonds receives underwriting fees. For each bond issue, an outside attorney is engaged to certify that the deal conforms to the law and prepares the documents required by the Internal Revenue Service and the federal treasury. A bank is chosen as trustee for the money, collecting the repayments from the lucky borrowers and making the repayments to the purchasers of the bonds. And the borrower itself almost invariably retains a lawyer. But when one examines the activities of ADFA, a certain pattern emerges concerning at least some of the beneficiaries of Arkansas largess.

For example, one of the very first ADFA bond issues provided $2.75 million to POM, a manufacturer of parking meters in Russellville, whose president happened to be Seth Ward II, the brother-in-law of Webb Hubbell. Despite the fact that Hubbell was chairman of the conflicts committee at Rose, he seemed to see nothing amiss in the fact that Rose then collected a fee as ADFA's certifying attorney or that he himself served as POM's attorney. Nor did Hubbell seem to see anything unusual in the fact that he was representing the Resolution Trust Corporation in its case against the auditors of Madison Guaranty, despite the fact that his father-in-law, the senior Ward, had not repaid millions in loans from the thrift, or that Ward had received an airplane from Madison in the bargain.

Between 1985 and mid-1992 Stephens Inc. was involved in the underwriting and sale of 78 percent of ADFA's housing and industrial bonds, an unsurprising figure considering the firm's familiarity with the market and its clout in the state. Still, considering Stephen's involvement in the authority's affairs, Governor Clinton did not appear to feel that it was ever so slightly wrong to appoint two Stephens associates—a vice president of one of Worrhen's banks and a vice president of a chain of nursing homes partly controlled by the Stephens empire—to ADFA's ten-member board. Nor did the man who signed off on every single ADFA bond issue exhibit suspicion when Stephens seemed to be supplementing its brokerage fees by helping itself to ADFA's money in the form of favorable loans. Meanwhile, at least another member of the board, the vice president of Twin Cities Bank, an institution that served as trustee in one of ADFA's tangled deals, appeared to take a similar double-dip. And the governor's wife's law firm was not only receiving a healthy chunk of ADFA's legal business, but Rose apparently found nothing wrong with affiliates of Stephens receiving ADFA money, or with the fact that on not one but two occasions, ADFA issued bonds that benefited the relatives of Rose partners.

In 1988 and 1989 ADFA lent a total of $1.37 million to the Pine Bluff Warehouse Company. Rose received $22,321 in legal fees from ADFA. The trustee bank was Worthen's National Bank of Commerce in Pine Bluff, whose vice president sat on the ADFA board and whose chief executive officer was not merely a member of Pine Bluff Warehouse's board but the father of a senior Rose partner, William Kennedy III, now associate White House counsel. Stephens, unsurprisingly, underwrote the bonds.

In 1989 ADFA loaned $4.67 million to Arkansas Freightways, whose largest outside stockholder was Stephens Inc. Co-counsel on the bond issue was Rose. The trustee bank's executive vice president was a member of the ADFA board. The underwriter was Stephens.

Also in 1989 ADFA tried to loan $83 million to a Texas entrepreneur for the purpose of bailing out Beverly Enterprises, the country's largest operator of nursing homes, 10 percent owned by Stephens, whose vice president sat on the ADFA board, at a time when Beverly's stock was being hammered by the company's persistent losses. A swift and decisive halt to the deal was called by Arkansas Attorney General Steve Clark, a rising political star who was expected to be a strong gubernatorial candidate in 1990, and who claimed that a Stephens-Beverly lobbyist had offered him a $100,000 bribe (as campaign contributions, of course) if he would just lay off and let the deal go through. The lobbyist was later cleared by an Arkansas court, but Clark was caught charging personal expenses on his state credit card. His political career in shambles, he was later disbarred. Current reports place him somewhere in the state of Georgia.

But these were only the most conspicuously questionable of ADFA's doings, the ones most easily understood by the public and the press. There was also the question of the true extent of Rose's involvement in the authority's bond business. According to the Daily Record, a Little Rock business journal, Rose ranked fourth among the law firms working directly for ADFA, with fees of only $175,000 for the years up to 1991. But not everyone agrees with this assessment. When Frank White, the only man ever to defeat Clinton in a gubernatorial election, tried to repeat the feat in 1986, his campaign claimed that Rose had actually been in on every ADFA deal (for the authority or for the recipient) while Clinton was governor.

Unfortunately, the relevant data was assembled under the supervision of White's political consultant, Darrell Glasscock, a former Louisiana state official and a great supporter of the contras (an occupation that appears to have been an Arkansas cottage industry). Reached recently by phone, former Governor White, now an official of Worthen's principal competitor, the First Commercial bank holding company, clearly wishes he had never heard of Glasscock, cheerily questions Glasscock's veracity and pleasantly turns aside any questions about Rose.

When a visitor to ADFA asks for the complete documentation on any particular bond issue, he is presented with a thick volume that, if placed on a chair, would allow him to dine with the grown-ups. A small sampling of these volumes reveals an interesting thing: every company examined, including POW, Arkansas Freightways, Pine Bluff Warehouse and Concert Vineyards appears to be eminently creditworthy. These are the sorts of enterprises that could walk in the door of any bank and walk off with any reasonable sum they needed.

Why, then—in addition to the mutual back-scratching described above—were they

being given loans at below market rates by a desperately poor state with other uses for its money? This question takes added luminosity from the fact that ADFA really didn't work very well. The old Arkansas Industrial Development Commission, started by Orval Faubus, created 90,000 jobs in nine years. And it had no bonding power. After seven years under the Clinton regime and with tens of millions in issued loans, ADFA had created just 2,700 jobs, many at wages significantly below the national standard. This anemic showing obscures the fact that ADFA had yet another purpose: its generosity was returned in the form of campaign contributions for William Jefferson Clinton.

According to the Los Angeles Times, in the 1990 race for the governorship, the recipients of ADFA's largess contributed $400,300, nearly one-fifth of the Clinton war chest. They then kicked in with millions more for the presidential race. Outside Arkansas the white-shoe investment bank of Goldman Sachs, which later contributed its co-chairman, Robert Rubin, to President Clinton's inner circle of economic advisers, raised millions for the presidential race and even paid for a substantial hunk of the Democratic National Convention. According to ADFA's incomplete records, Goldman was either the lead or sole underwriter of at least $400 million in ADFA bonds. In addition, two of ADFA's board members were active Clinton fund-raisers, which raises yet another question among many: Wasn't this against the law? For once, the answer is terse and straightforward. Not in Arkansas.

Under the Arkansas ethics-in-government act, passed in 1988 and, according to state legislators, either drafted or inspired by Hubbell, state legislators were required to report possible conflicts of interest. Surprisingly, the laws specifically exempted the governor and other elected or appointed officials, including officials of state agencies and commissions. Moreover, these officials were not even required to report dealings with entities—such as Rose—that employed their relatives. This was not the only remaining service that Rose had provided to the governance of its state. When the time came to rewrite the state's incorporation laws, it was Rose that drew up the 397-page treatise that formed the basis of the legislation.

Well, somebody has to draft a state's legislation, and under Arkansas' unusual ethics law, it was perfectly all right for Rose to do just that. Less clear (if anything in these murky waters can be described as clear) is just why Clinton seemed so eager to assist the Stephens family, which was hardly enamored of the man and kept bankrolling the candidates who ran against him for governor until it experienced a change of heart in 1990. Witt Stephens habitually referred to Clinton as "that boy." In a moment of candor his brother Jack once remarked that "it would be awfully easy for Stephens, if we wanted to be close to a governor, to be close to Bill Clinton." Nonetheless, the Clinton governorship's assistance to Stephens extended well beyond ADFA. During Clinton's years in Little Rock, the Stephens interests were involved in some 61 percent of the $7 billion of all the state bonds issued in Arkansas.

Contrary to state law, Stephens Inc., according to the Arkansas Democrat-Gazette, was given the underwriting for the state university system without competitive bids from other bond dealers. The Fayetteville campus alone, where the Clintons had once taught law, had $33 million in bonds outstanding. Under Clinton, Stephens devised a plan to rescue the state's troubled student loan authority, in which the authority's bonds would be bought by the state employees' retirement funds. An independent consultant—Roy Drew, the very man who created Mid-life Investors for Hubbell, Foster and Rodham Clinton—was brought in to examine the deal. Drew thought it was a terrible investment and so did the state's auditor, Julia Hughes Jones. But Drew was dismissed, Jones's budget failed to pass the legislature (the first time ever for an Arkansas state auditor) and she began to receive late-night harassing calls from a collection agency—concerning, ironically, her own daughter's student loan, which was current. In the upshot, the retirement funds bought $100 million of the loan authority's bonds, another $100 million in the bonds of two other state agencies, ADFA was given the task of overseeing the retirement fund's investment policies and Stephens Inc., according to The Philadelphia Inquirer, made $1.8 million.

These were very considerable favors to a family that not only bankrolled Clinton's opponents but seemed to despise him as a man. But Bill Clinton's canny instinct that the Stephenses needed to be appeased—rather than ignored—eventually paid off. After Clinton's unexpected loss in the New Hampshire primary, with the campaign coffers bare, the staff paying its bills on their personal credit cards and federal matching funds just beyond reach, the Worthen Bank rescued the candidacy with a prearranged $3.5 million line of credit, selflessly advanced at a lucrative rate of interest. Later, Worthen—whose executives, like many Stephens executives, experienced a spasm of Arkansas patriotism that caused them to reach for their checkbooks—became the Clinton campaign's depository of $55 million in federal campaign funds, which, in effect, was free money. Worthen did not have to pay any interest on this staggering sum, but as long as it was on deposit (and as long as Worthen, with its undistinguished track record in the department of government deposits, managed not to lose it), the bank was free to use it to make itself some money that it got to keep.

And when the votes were counted, everybody who wanted to go to Washington got to go to Washington: Bill Clinton and Hillary Rodham Clinton, president and First Lady; Mack McLarty, White House chief of staff; Vince Foster, deputy White House counsel; Webb Hubbell, associate attorney general; Patsy Thomasson, a White House aide. Jack Stephens, though mentioned as a candidate for secretary of the treasury, had, it now seems safe to say, the good sense to stay home.

Oh, and one last thing: when Whitewater special prosecutor Robert Fiske—who once defended Clark Clifford, the famed friend of Jack Stephens' old client, BCCI—arrived in Little Rock, something strange happened. Worthen Bank had a fire.

Is this a great country, or what?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FALEOMAVAEGA (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Ms. PRYCE of Ohio) to revise and extend his remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. RICHARDSON, 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 Ms. PRYCE of Ohio) and to include extraneous matter:)

Mr. CALVERT in two instances.
Mr. BLUTE.
Mrs. ROUKEMA.
Mr. COBLE.
Mr. GILMAN.
Mr. CRAPO.
Mr. HUTCHINSON.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. BORSKI in two instances.
Mr. MANN.
Mr. JOHNSON of South Dakota.
Mr. HOYER.
Ms. KAPTUR.
Mrs. MEEK of Florida in two instances.
Mrs. MALONEY in two instances.
Mr. WILLIAMS.
Mr. UNDERWOOD.
Mr. HAMILTON in two instances.
Mr. REED in two instances.
Mr. DIXON in two instances.
Mr. MENENDEZ in two instances.
Mr. BRYANT.
Mr. TOWNS.
Mr. KOPETSKI in two instances.
Mr. JACOBS.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. CUNNINGHAM.
Mr. KLUG
Mr. GILLMOR.
Mr. ROHRABACHER.
Mr. STARK.
Mr. JOHNSTON of Florida.
Mr. ENGEL.
Mr. PALLONE.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 208. An act to reform the concessions policies of the National Park Service, and for other purposes; to the Committee on Natural Resources.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 171. Joint resolution to designate March 20 through March 26, 1994, as "Small Family Farm Week."

ADJOURNMENT

Mr. DORNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, March 24, 1994, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2812. A letter from the Comptroller General of the United States, transmitting status of budget authority that was proposed for rescission by the President in his second special impoundment message for fiscal year 1994, pursuant to 2 U.S.C. 685; to the Committee on Appropriations and ordered to be printed.

2813. A letter from the Secretary of Housing and Urban Development, transmitting notification that 63 per centum of GNMA's authority to make commitments to insure mortgages and loans, under the National Housing Act, has been utilized, pursuant to 12 U.S.C. 1721 note; to the Committee on Banking, Finance and Urban Affairs.

2814. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to provide for a U.S. contribution to the interest subsidy account of the successor [ESAF II] to the enhanced structural adjustment facility of the International Monetary Fund; to the Committee on Banking, Finance and Urban Affairs.

2815. A letter from the Chairman, Federal Trade Commission, transmitting the 16th annual report to Congress on the administration of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. 1692m; to the Committee on Banking, Finance and Urban Affairs.

2816. A letter from the Secretary of Education, transmitting the Department's final regulations—Student Assistance General Provisions (Student Eligibility), pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

2817. A letter from the Secretary, Department of Transportation, transmitting the annual report on transportation user fees, fiscal year 1992, pursuant to 45 U.S.C. 447(e); to the Committee on Energy and Commerce.

2818. A letter from the Secretary of Energy, transmitting notification that the "Annual/Quarterly Report on Activities Undertaken Regarding the Strategic Petroleum Reserve" will be submitted to the Congress by March 31, 1994, pursuant to section 165 of the Energy Policy and Conservation Act of 1975, as amended; to the Committee on Energy and Commerce.

2819. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes; to the Committee on Energy and Commerce.

2820. A letter from the Chief Staff Counsel, U.S. Court of Appeals for the D.C. Circuit, transmitting two opinions of the U.S. Court of Appeals for the D.C. Circuit; to the Committee on Energy and Commerce.

2821. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the President wishes to exercise his authority under section 614(a)(1) of the Foreign Assistance Act of 1961, as amended (the "Act"), to authorize the furnishing of assistance for sanctions enforcement against Serbia and Montenegro without regard to provisions of law within the scope of that section, including section 660 of the act, pursuant to 22 U.S.C. 2364(a)(1); to the Committee on Foreign Affairs.

2822. Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to the Royal Saudi Air Force (Transmittal No. DTC–5–94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

2823. Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to France (Transmittal No. DTC–3–94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

2824. Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Kuwait (Transmittal No. DTC–10–94, pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

2825. Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Switzerland (Transmittal No. DTC–8–94), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

2826. Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to the Federal Republic of Germany (Transmittal No. DRSA–1–94), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

2827. A letter from the Director, U.S. Arms Control and Disarmanent Agency, a report entitled the "Chemical Weapons Convention Verification," also an independent assessment of the verifiability of the Convention, pursuant to 22 U.S.C. 2577(a); to the Committee on Foreign Affairs.

2828. A letter from the Inspector General, Federal Labor Relations Authority, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1993, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

2829. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's annual report in compliance with the Government in the Sunshine Act during calendar year 1993, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

2830. A letter from the Director, Institute of Museum Services, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1993, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

2831. A letter from the Secretary of Transportation, transmitting a report on activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2832. A letter from the Director, Selective Service System, 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.

2833. A letter from the Senior Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, 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.

2834. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting the Department's proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2835. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting the Department's proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2836. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a request to establish a Heritage Partnership Program to assist in the conservation and interpretation of certain outstanding natural, cultural, historic, and scenic resources that are the source of values important to the people of the United States, that contribute to the quality of life for residents and visitors, and that provide outstanding educational and recreational opportunities for this and future generations; to the Committee on Natural Resources.

2837. A letter from the Director, Government Relations, Girl Scouts of the United States of America, transmitting the Girl Scouts of the United States of America 1993 annual report, pursuant to 36 U.S.C. 37; to the Committee on the Judiciary.

2838. A letter from the Secretary of Commerce, transmitting a request to amend the authority of the commissioned corps of the National Oceanic and Atmospheric Administration to clarify the authority of the Secretary of Commerce and for the purposes; to the Committee on Merchant Marine and Fisheries.

2839. A letter from the Administrator, General Services Administration, transmitting the fiscal year 1995 General Services Administration's [GSA's] Public Buildings Service [PBS] Capital Improvement Program, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

2840. A letter from the Secretary, Department of. Commerce, transmitting the "National Implementation Plan For Modernization Of The National Weather Service For Fiscal Year 1995," pursuant to Public Law 102–567, section 703(a) (106 Stat. 4304); to the Committee on Science, Space, and Technology.

2141. A letter from the Secretary of Labor, transmitting the quarterly report on the expenditure and need for worker adjustment assistance training funds under the Trade Act of 1974, pursuant to 19 U.S.C. 2296(a)(2); to the Committee on Ways and Means.

2842. A letter from the Secretaries of Veterans Affairs and Defense, transmitting a re-

port on the implementation of the health resources sharing portion of the "Department of Veterans Affairs and Department of Defense Health Resources Sharing and Emergency Operations Act" for fiscal year 1993, pursuant to 38 U.S.C. 8111(f); jointly, to the Committees on Armed Services and Veterans' Affairs.

2843. A letter from the Secretary, Department of Energy, transmitting notification that the report "Study of the Implementations of the Unique Vulnerablities of the Insular Areas to An Oil Supply Disruption" will be submitted no later than May 1, 1994, pursuant to Public Law 102–486, section 1406(a) (106 Stat. 2995); jointly, to the Committees on Energy and Commerce and Natural Resources.

2844. A letter from the Chairman, Railroad Retirement Board, transmitting the results of determination of the Railroad Retirement Account's ability to pay benefits in each of the next 5 years, pursuant to 45 U.S.C. 231u(a)(1); jointly, to the Committees on Energy and Commerce and Ways and Means.

2845. A letter from the Administrator, U.S. Agency for International Development, transmitting a report on the origin, contents, destination, and disposition of humanitarian goods and supplies transported by the Department of Defense for fiscal year 1993, pursuant to 10 U.S.C. 402; jointly, to the Committees on Foreign Affairs and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROSTENKOWSKI: Committee on Ways and Means, 1993 Comprehensive Oversight Initiative of the Committee on Ways and Means (Rept. 103–450). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN of California: Committee on Science, Space, and Technology, Oversight Visit—Baikonur Cosmodrome (Rept. 103–451). Referred to the Committee of the Whole House on the State of the Union.

Mr. FROST: Committee on Rules. House Resolution 397. Resolution providing for consideration of a certain motion to suspend the rules (Rept. 103–452). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DELLUMS (for himself, Mr. SPENCE, Mr. SKELTON, Mr. UNDERWOOD, Mr. KYL, Mr. BILBRAY, Mr. MONTGOMERY, Mrs. SCHROEDER, Mr. LANCASTER, Mr. HOCHBRUECKNER, Mrs. LLOYD, Ms. FURSE, Mr. MCHALE, Ms. HARMAN, Mr. MEEHAN, Mr. PETE GEREN of Texas, Mr. ANDREWS of Maine, Mr. ABERCROMBIE, Mr. DORNAN, Mr. SISISKY, Mr. MCCLOSKEY, Mr. TEJEDA, Mr. HANSEN, Mr. PICKETT, Mr. MCCURDY, and Mr. TORKILDSEN):

H.R. 4112. A bill to amend title 10, United States Code, to provide certain procedural and administrative safeguards for members of the Armed Forces making allegations of sexual harassment or unlawful discrimination; to the Committee on Armed Services.

By Mr. BRYANT:

H.R. 4113. A bill to amend title 18, United States Code, to prohibit the practice by mental health care providers of using bounty hunters to attract patients for treatment; to the Committee on the Judiciary.

BY Mr. DELLUMS (for himself, Mr. PAYNE of New Jersey, Mr. OWENS, Mr. RANGEL, Mr. MFUME, Mr. FRANKS of Connecticut, Ms. BROWN of Florida, Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, Mr. BISHOP, Mr. BLACKWELL, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Ms. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. DIXON, Mr. FIELDS of Louisiana, Mr. FLAKE, Mr. FORD of Tennessee, Mr. HILLIARD, Mr. HASTINGS, Mr. JEFFERSON, Mr. LEWIS of Georgia, Ms. MCKINNEY, Ms. NORTON, Mr. REYNOLDS, Mr. RUSH, Mr. SCOTT, Mr. STOKES, Mr. THOMPSON, Mr. TOWNS, Mr. TUCKER, Mr. WASHINGTON, Ms. WATERS, Mr. WATT, Mr. WHEAT, and Mr. WYNN):

H.R. 4114. A bill to provide for sanctions against Haiti, to halt the interdiction and return of Haitian refugees, and for other purposes; jointly, to the Committees on Ways and Means, Foreign Affairs, Public Works and Transportation, the Judiciary, and Banking, Finance and Urban Affairs.

By Mr. ENGEL (for himself, Ms. MOLINARI, Mr. SERRANO, Mr. KING, Ms. LOWEY, and Mr. OLVER):

H.R. 4115. A bill to condition the lifting of sanctions on Serbia and Montenegro upon improvements in Kosova, and for other purposes; jointly, to the Committees on Foreign Affairs, Banking, Finance and Urban Affairs, and Public Works and Transportation.

By Mr. FOGLIETTA (for himself, Mr. HILLIARD, Mr. CONYERS, and Mr. BORSKI):

H.R. 4116. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Director of the Bureau of Justice Assistance to make grants to programs that create safe corridors for senior citizens; to the Committee on the Judiciary.

By Mr. GILLMOR:

H.R. 4117. A bill to amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (relating to fees for certain customs services) to create an exemption from fees for certain small aircraft traveling short distances; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4118. A bill to provide for necessary medical care for former civilian prisoners of war; jointly, to the Committee on Veterans' Affairs and Education and Labor.

By Mr. KOPETSKI:

H.R. 4119. A bill to declare that certain public domain lands are held in trust for the Confederated Tribes of Siletz Indians of Oregon, and for other purposes; to the Committee on Natural Resources.

By Mr. POMBO:

H.R. 4120. A bill to require the Federal Government to incarcerate, or to reimburse State and local governments for the cost of incarcerating, criminal aliens, and to expedite the deportation and exclusion of criminal aliens; jointly, to the Committees on the Judiciary and Foreign Affairs.

By Mr. STARK:

H.R. 4121. A bill to confirm limitations on the height of buildings and roof structures in the District of Columbia, to expand the authority of the National Capital Planning Commission to enforce such limitations, and for other purposes; to the Committee on the District of Columbia.

By Mr. YOUNG of Alaska:

H.R. 4122. A bill to temporarily extend certain provisions of the Marine Mammal Protection Act; to the Committee on Merchant Marine and Fisheries.

H.R. 4123. A bill to extend certain provisions of the Marine Mammal Protection Act; to the Committee on Merchant Marine and Fisheries.

By Mr. MANTON (for himself and Ms. DUNN):

H.J. Res. 344. Joint resolution designating May 14, 1994, as "National Police Survivors Day"; to the Committee on Post Office and Civil Service.

By Mr. FORD of Michigan:

H. Con. Res. 230. Concurrent resolution to correct an error in the enrollment of the bill H.R. 1804; considered and agreed to.

By Mr. SMITH of Michigan (for himself, Mr. ROBERTS, Ms. DANNER, Mr. MINGE, Mr. BOEHNER, Mr. LIGHTFOOT, Mr. BEREUTER, Mr. GLICKMAN, Mr. EMERSON, Ms. BROWN of Florida, Mr. KLUG, Mr. BAESLER, Mr. SHAYS, Mr. EWING, Mrs. THURMAN, Mr. DICKEY, Mr. PENNY, and Mr. GOODLATTE):

H. Con. Res. 231. Concurrent resolution expressing the sense of Congress that, to the greatest extent practicable, ink made from vegetable oil should be used in lithographic printing for the Federal Government; jointly, to the Committees on Government Operations and House Administration.

By Mr. GLICKMAN (for himself and Mr. HANSEN):

H. Res. 398. Resolution providing for consideration of the bill (S. 1458) to amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

318. By the SPEAKER: Memorial of the House of Representatives of the State of New Hampshire, relative to cable and telephone service; to the Committee on Energy and Commerce.

319. Also, memorial of the General Assembly of the State of Colorado, relative to the payments-in-lieu-taxes program; to the Committee on Natural Resources.

320. Also, memorial of the Legislature of the State of Washington, relative to harbor seals and sea lion populations; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 300: Mr. EVERETT, Mr. BACHUS of Alabama, Ms. DUNN, and Mr. HORN.

H.R. 330: Mr. THOMAS OF WYOMING.

H.R. 417: Mr. CRAPO.

H.R. 431: Mr. REED.

H.R. 702: Ms. ENGLISH of Arizona, Mr. QUILLEN, Ms. ROS-LEHTINEN, and Mr. DUNCAN.

H.R. 823: Ms. MARGOLIES-MEZVINSKY.

H.R. 1039: Mr. BARRETT of Wisconsin.

H.R. 1191: Mr. SAM JOHNSON.

H.R. 1277: Mr. EMERSON.

H.R. 1342: Mr. BARRETT of Wisconsin.

H.R. 1490: Mr. CLEMENT, Mr. KNOLLENBERG, and Mr. HILLIARD.

H.R. 1493: Mr. BARLOW.

H.R. 1538: Ms. BROWN of Florida, Mr. WHEAT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, and Mr. BACCHUS of Florida.

H.R. 1671: Mr. COYNE and Mr. MCCURDY.

H.R. 1719: Mr. WELDON.

H.R. 1736: Mr. CALLAHAN and Mr. COLEMAN.

H.R. 1793: Ms. ENGLISH of Arizona.

H.R. 1823: Mr. FOGLIETTA.

H.R. 2043: Mr. GONZALEZ.

H.R. 2135: Ms. ROYBAL-ALLARD.

H.R. 2199: Mr. HINCHEY and Mr. BEILENSON.

H.R. 2227: Mr. WYNN and Mr. SCHIFF.

H.R. 2420: Mr. RANGEL.

H.R. 2467: Mr. BOEHLERT, Mrs. CLAYTON, Mr. JACOBS, Mr. KOLBE, Mr. MENENDEZ, Mr. ORTIZ, Mr. PRICE of North Carolina, Ms. ROS-LEHTINEN, and Mr. SHAW.

H.R. 2767: Mr. WYNN.

H.R. 2890: Mr. MINETA.

H.R. 2898: Mr. DEUTSCH and Mr. WYNN.

H.R. 3005: Mr. HOKE and Mr. STEARNS.

H.R. 3293: Mr. KLINK.

H.R. 3365: Mr. GOSS.

H.R. 3367: Mr. BISHOP, Mr. STEARNS, and Mr. SHAW.

H.R. 3409: Mr. RANGEL, Mr. FISH, and Mr. HINCHEY.

H.R. 3421: Mr. HOKE and Mr. STEARNS.

H.R. 3458: Mr. KLUG, Mr. WALSH, and Mr. ZIMMER.

H.R. 3490: Mr. RAVENEL and Mr. WYNN.

H.R. 3492: Mr. GORDON, Ms. ESHOO, and Mr. DUNCAN.

H.R. 3513: Mr. FILNER and Mr. WYNN.

H.R. 3519: Mrs. MEYERS of Kansas, Mr. KLEIN, Mr. ORTIZ, Mr. DURBIN, Mr. MANZULLO, Mr. RAHALL, and Mrs. MINK of Hawaii.

H.R. 3572: Mr. WYNN.

H.R. 3584: Mr. BISHOP, Mr. CALVERT, Mr. CRAMER, Mr. JOHNSON of South Dakota, Mr. LINDER, Mr. STEARNS, Mr. STUMP, and Mrs. THURMAN.

H.R. 3656: Mr. GREENWOOD, Mrs. MEEK of Florida, and Mr. MINGE.

H.R. 3658: Mr. FARR.

H.R. 3660: Mrs. THURMAN, Mr. ANDREWS of Maine, and Mr. DIAZ-BALART.

H.R. 3704: Mr. CLINGER.

H.R. 3707: Mr. GORDON.

H.R. 3750: Mr. HILLIARD, Mr. OBERSTAR, Mr. TUCKER, and Mr. RANGEL.

H.R. 3785: Mr. JOHNSON of South Dakota and Mrs. LLOYD.

H.R. 3790: Mr. TOWNS.

H.R. 3860: Mrs. ROUKEMA.

H.R. 3866: Mr. KLINK, Mr. STOKES, Mr. DELLUMS, Mr. PAYNE of New Jersey, Mr. SARPALIUS, Mr. STRICKLAND, Mr. ANDREWS of New Jersey, Ms. DANNER, Mr. MANTON, Mr. HOCHBRUECKNER, Mr. FAZIO, and Ms. MCKINNEY.

H.R. 3869: Mr. BECERRA.

H.R. 3873: Mr. COLEMAN, Mr. FOGLIETTA, and Mr. STUDDS.

H.R. 3875: Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. CRAPO, Mr. DICKEY, and Mr. ROYCE.

H.R. 3906: Mr. BILIRAKIS.

H.R. 3935: Mr. JEFFERSON, Mr. BREWSTER, Mr. REYNOLDS, and Mr. CRANE.

H.R. 3955: Mr. CLEMENT and Mr. EWING.

H.R. 3958: Mr. ZELIFF.

H.R. 3978: Mr. HANSEN, Mr. YOUNG of Alaska, Mr. PACKARD, and Mrs. VUCANOVICH.

H.R. 4003: Mr. DARDEN.

H.R. 4007: Mr. FILNER.

H.R. 4024: Mr. FOGLIETTA and Mrs. THURMAN.

H.R. 4040: Mr. HOCHBRUECKNER.

H.R. 4055: Mr. CALVERT and Mr. STUMP.

H.R. 4057: Mr. JOHNSON of South Dakota, Mr. MEEHAN, Mr. TAUZIN, Mr. SWETT, Mrs. MALONEY, Mr. ACKERMAN, Mr. COPPERSMITH, Mr. POSHARD, Mr. LAROCCO, Mr. CRAMER, Mr. CONDIT, Mr. TAYLOR of Mississippi, Mr. SARPALIUS, Mr. BILBRAY, Mr. LANCASTER, Mr. PETE GEREN of Texas, Mr. DEFAZIO, Mr. BARRETT of Wisconsin, and Mr. BOEHNER.

H.R. 4078: Mr. ARCHER.

H.R. 4098: Mr. BEVILL and Mr. BARLOW.

H.J. Res: 166: Ms. WOOLSEY.

H.J. Res. 253: Mrs. FOWLER.

H.J. Res. 297: Mr. BARCIA of Michigan, and Mr. STENHOLM.

H.J. Res. 302: Mr. HOYER, Mr. GOODLING, Mr. DINGELL, and Mr. WILSON.

H.J. Res. 303: Mr. BAKER of California, Mr. MURTHA, Mr. RAVENEL, Mr. ARCHER, Mrs. THURMAN, Mr. ACKERMAN, Mr. BACCHUS of Florida, Mr. CRAMER, Mr. UNDERWOOD, Mr. MOAKLEY, Mr. HOAGLAND, Mr. ROBERTS, Mr. SLATTERY, Mr. EDWARDS of California, Ms. ESHOO, Mr. BROWN of California, Mr. PALLONE, Mr. ABERCROMBIE, Mr. MANTON, Mr. BARLOW, Mr. MORAN, Mr. FAZIO, Mr. KINGSTON, Mr. SMITH of New Jersey, Ms. NORTON, and Mr. SANDERS.

H.J. Res. 325: Mr. WOLF, Mrs. MINK of Hawaii, Mr. MURPHY, Ms. NORTON, Mr. PAYNE of New Jersey, Mr. CLINGER, Mr. COYNE, Mr. BILBRAY, Ms. COLLINS of Michigan, Ms. ROYBAL-ALLARD, Mr. TORRES, Mr. MFUME, and Mr. HERGER.

H.J. Res. 328: Ms. SLAUGHTER and Mrs. MEYERS of Kansas.

H.J. Res. 332: Mr. DE LUGO, Mr. WILSON, Mr. KASICH, Mr. WHITTEN, Mr. SHAYS, Mr. MARTINEZ, Mr. PASTOR, Mr. MORAN, Mr. JOHNSON of South Dakota, Mr. SLATTERY, Mr. MCDERMOTT, and Mr. LIPINSKI.

H.J. Res. 333: Mr. MCCOLLUM, Mr. MARTINEZ, Mr. SERRANO, Mr. MURPHY, Mr. SABO, Mr. SCHUMER, and Mr. ROHRABACHER.

H.J. Res. 335: Mr. SOLOMON, Mr. HOBSON, Mr. DIAZ-BALART, Mr. HUTTO, Mrs. THURMAN, Mr. MARTINEZ, and Mr. FRANK of Massachusetts.

H. Con. Res. 15: Ms. MARGOLIES-MEZVINSKY.

H. Con. Res. 124: Ms. LOWEY.

H. Con. Res. 147: Mr. STENHOLM.

H. Con. Res. 148: Mr. ORTIZ, Mr. PETE GEREN of Texas, and Mr. BACCHUS of Florida.

H. Con. Res. 202: Mr. HUGHES.

H. Con. Res. 212: Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. PORTER, Mr. SANDERS, and Mr. YATES.

H. Res. 270: Mr. EHLERS.

H. Res. 281: Mr. BROWDER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3958: Mr. SHAYS.

SENATE—*Wednesday, March 23, 1994*

(Legislative day of Tuesday, February 22, 1994)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. CAMPBELL].

PRAYER

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

Let us pray:

* * * *he that is greatest among you shall be your servant.*—Matthew 23:11.

Eternal God, Lord of Heaven and Earth, Ruler of the nations, in gratitude we pray for those who are the servants of the servants of the people.

We pray for the Secretary of the Senate, Joe Stewart, and the Assistant Secretary, Jeri Thomson, all who labor in the Secretary's office and in the various departments which are under the Secretary's supervision. May Thy blessing rest upon them, their loved ones, and their friends.

We pray for the Sergeant at Arms, Martha Pope, and the Deputy Sergeant at Arms, Bob Bean, all who serve in the Sergeant at Arms' office and in the various departments which are under the Sergeant at Arms' supervision. Encourage them in their labors and grant them Your grace for every situation.

Be with any who have special need; assure them of our love and care; and direct them in all their ways—personal, family, and professional.

Thank You, Lord, for faithful men and women who are strong support for the leaders of our Nation.

In His name who lived to serve. Amen.

RESERVATION OF LEADER TIME

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

CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of Senate Concurrent Resolution 63, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 63) setting forth the congressional budget for the U.S. Government for the fiscal years 1995, 1996, 1997, 1998, and 1999.

The Senate resumed consideration of the concurrent resolution.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from New Mexico, [Mr. DOMENICI], is recognized to offer an amendment.

AMENDMENT NO. 1560

(Purpose: Proposing a Republican substitute)

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for himself, Mr. DOLE, Mr. GRASSLEY, Mr. NICKLES, Mr. GRAMM, Mr. BOND, Mr. LOTT, Mr. BROWN, Mr. GORTON, and Mr. GREGG) proposes an amendment numbered 1560.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The text of the amendment is located in today's RECORD under "Amendments Submitted.")

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. DOMENICI. Mr. President, as I understand it, we have 2½ hours on this amendment, presumably equally divided. Hopefully, we will not use all of our time, but there are a number of Senators who want to speak. Perhaps the vote can occur at 11 instead of 11:30. We will try.

Let me say to the Republicans who were helpful in putting this budget together that the way I see things, we will probably use the next hour explaining our alternative budget, and if any of you want to speak, I urge that you come down during this hour or that you call our cloakroom and tell us precisely when you would like to come, and I will try to accommodate so that three or four Senators who indicated a desire to speak will get in as early as possible, so perhaps we will not have to delay things because of other meetings that are occurring.

Mr. President, essentially, this is a total alternative budget to the President's budget which essentially is before us—that is, the President's budget—with the exception that the Exon amendment was added to it, one of the last votes in the Budget Committee, an amendment that Senator EXON offered and was adopted. It further reduced the appropriated accounts, the so-called discretionary accounts, by $43 billion in budget authority over 5 years and by $26 billion in outlays over 5 years.

It is that budget, so amended, but essentially the President's, that we offer a full substitute for here today.

Mr. President, we have heard a lot of talk during the last few months about the current economic situation. In a word, it is good. Our economy is growing. We are creating jobs for our people. Our businesses are growing and, by and large, they are prospering, although there is a certain kind of jobs problem in America that is not related and associated with growth but has something to do with the changing nature of American business, so that there are pockets of unemployment and people very highly trained—many white collar people—are unemployed during this big transition.

But for the most part, there is good news about American jobs and the American economy. And I believe that this body and the work that we have done over a number of years has in no small measure contributed. I also believe that, without question, the work of the Federal Reserve Board in the last 4 or 5 years has had a lot to do with this economic growth that we are now prospering under.

But I also believe very firmly that the job is far from done. And now is not the time for us to take a long lunch break or an evening off and put our economy on automatic pilot.

First, the low-interest rates which began coming down 4 years ago, as I indicated in some detail yesterday, and have stoked, to some extent, this recent economic growth, are creeping back up. This increase has, according to economists, already begun to have a dampening effect on consumer activity.

Moreover, the current decline in our Federal deficit is temporary, and the deficit trend, after 1996, is not good because, as we all know, after fiscal year 1996, the deficit swings upward again and embarks on a relentless upward spiral, driving past the $300 billion mark shortly after the turn of the century.

Yesterday, I showed the Senate and those interested in this discussion the unequivocal evidence of that as put forth by the Congressional Budget Office. Let me repeat: Now is not the time to rest because the deficit will start going up again, in a relentless spiral upward, past the $300 billion mark after the turn of the century.

As I indicated yesterday, the longer we continue to leave this deficit in place and permit it to grow adding to the public debt, we are taxing, without

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

representation, the next and the next and future generations. Americans sort of have a gut sense that taxation without representation is one of the true evils of Government. We have had revolutions about that. And if this deficit, which is now at about $200 billion for next year, starts back up because we fail to do anything significant while the economy is reasonably strong, then we have taxed the next generation of Americans enormously for our unwillingness to act.

Moreover—and I think we all know this—and we alluded to this during the last year's debate, the President essentially has said, "Don't worry, and let me stress why we should not worry: Because health care reform will bring down the deficit in the future."

Almost everyone agrees that unless we get health care reform under control and reduce the cost to our Government, we will never get the deficit under control. Hence, the statement: "We will get the deficit under control by reducing the costs of health care."

Health care reform will not bring down the deficit for a long, long time, if ever.

The Congressional Budget Office dashed that myth. The secret is out. There is no deficit reduction in the Clinton health care reform plan—none, none for at least 10 years. And anyone who would believe that they can count on health care reform savings 10 years from now, when it might occur, I believe is really risking future generations in terms of taxation without representation because we are increasing their debt load; they will have to pay for it, which essentially is the definition of taxation. And obviously, since they are young or yet unborn, they are not represented; they are not here. Nobody is here voting for them.

So let me say again there is no deficit reduction in President Clinton's health care reform plan. So we cannot fool people anymore. We cannot say we did the work last year. We are taking this year off. We cannot duck our responsibilities because it is an election year. And we all know that we have more to do if we are to keep our economy moving forward.

I believe—and let me make it clear—that Republicans are willing to make that happen. I want the President to succeed, I want this Nation to succeed; and I want the economy to succeed. I wish to bring the deficit down to help create jobs and provide some security to our people.

Now, if there is fear that interest rates are going up because we are reaching full capacity industrially speaking and the Federal Reserve, being concerned about that, wants to tighten money just ever so mildly in an effort to keep the economy from going into a downturn sooner than it should or keep it growing, if not as fast as possible, for a longer sustained period of time, then obviously we would contribute and help bring interest rates under control and cause sustained growth to occur for a longer period of time during this business cycle if we could commit to deficit reductions that are much larger, much more diverse; that is, covering the entitlements and mandatory expenditures just as we attempt to reduce discretionary accounts more than suggested by the President.

So this budget which I am offering on behalf of all of the Republicans on the Budget Committee and Senator DOLE, who has joined us as a cosponsor, is a principled one. It is a budget that I think is designed to do for our people what one might call real security to the American people. This alternative helps President Clinton in a way achieve two of his most important campaign promises: To cut the deficit in half and to provide a middle-class tax cut. And as I said, this alternative provides real security. It will give and enhance their national security by putting an additional $20 billion in defense, which is one of the most patent shortfalls in the budget, so we will enhance the national security; we will enhance their personal security and their future security.

So how do we do that? It begins by providing for our current and future security by achieving real deficit reduction. The Republican alternative would reduce the deficit over 5 years $318 billion. This is $322 billion more in deficit reduction than the President proposes and $303 billion more in deficit reduction than the House-passed resolution over 5 years. It reduces the deficit essentially to $99 billion by 1999. We break the $100 billion deficit barrier.

An interesting number, $100 billion. My recollection is that President Lyndon Johnson—that is not too long ago for some to remember—was the first President to submit a $100 billion budget—not deficit, but a full budget for $100 billion. And he was worried about how the public and the Congress would accept a $100 billion total budget of the United States. The deficit in 1999 under the President's and the Democrats' proposal is just under $200 billion. We will reduce it to $99 billion. But as we do that, we will also seek to enhance personal security to the middle-class families of this country by providing tax relief to American families with dependent children and to small business in ways I will soon describe.

In addition to the deficit reduction and accomplishing the goal of $99 billion in 1999, this provides tax relief to families by providing a $500 tax credit for each child in each household in the United States. This provision grants what we perceive to be needed and, we know, welcome relief to families of 52 million American children.

The tax credit provides a typical family of four $80 every month for family expenses and savings by virtue of this credit. I wish to emphasize here, Mr. President and fellow Senators, because I know some of my colleagues on the other side will characterize, or try to characterize, this family tax cut as some gigantic tax cut for the rich, that is just not so—in fact, it is smoke—because 88 percent of the families who will benefit from this tax cut make less than $75,000 a year. So let us deal with a tax cut for the rich red herring right up front. It is foolishness.

This provision will help middle-class Americans who are struggling to raise their families. We believe that we ought to put some tax reductions where our mouths are. If there is anything we are talking about, it is helping families in this country. I believe especially families raising children are having a very difficult time, and they have seen the Tax Code of the United States, which at its inception tried to provide parents or a parent with enough money annually tax-exempt to raise their children, we have seen and the families of America have seen that concept eroded such that the $500 tax credit will not get us back to the ratios that existed in the 1950's and early 1960's, that is, with reference to per capita earnings versus the credit or deduction for dependent children.

We also help middle-class families and our young people seeking to advance their education by restoring the deductibility of interest on student loans. And we also seek to index once and for all something that almost all economists agree—at least a major portion—makes good economic sense; and, that is, we index for inflation capital gains, and we allow for capital loss on one's principal residence one time.

All of that means that on capital gains, equity, and assets—people own most of them in business—is that when they sell them they will not have that resource depleted by inflation when they sell it. The capital gains that we now have will be indexed just as the various brackets of tax payments have been indexed in the Tax Code since 1986.

Our alternative budget creates new incentives for family savings and investments through an IRA proposal that can be met by various types of IRA's that would allow penalty free withdrawal for first time home buyers, educational, and medical expenses.

Furthermore, we seek to help spur this economic recovery by extending the research and development tax credit that is in our Tax Code for American business for 1 year providing for a 1-year exclusion of employer-provided educational assistance and adjusts depreciation schedules for inflation.

I believe that we are willing to get the deficit moving strongly in the right direction and at the same time to share the fruits of our budget cuts with the American people through the tax provisions that I have just described.

So in addition on the expenditure side and process side, let me explain two or three other things. First, the Republican alternative budget seeks to ensure the personal security of Americans by funding the Senate crime bill trust fund. We provide $22 billion for crime measures over the next 5 years. Obviously, the Clinton budget does not. The House-passed budget does not. And, frankly, the way I see things moving, I am not sure that is going to pass as a mandatory measure in Congress, at least not in the foreseeable future.

Finally, our alternative bolsters our national security by increasing funding for President Clinton's defense program by adding $20 billion, a shortfall acknowledged by the Pentagon in their review of the bottom-up activities of our Federal defense activities. So we add $20 billion, and while the budget is austere, we would emphasis that Federal spending even at that will continue to grow under this budget. Total spending will increase from $1.480 trillion in 1995 to more than $1.7 trillion in 1999.

In addition, since there will be further debate along the line today and tomorrow about how much we should cut the defense in this budget although we reduce discretionary funding substantially, we reinstate firewalls; that is, we say that the $20 billion we add to the President's budget goes to defense, and after the adoption of this budget resolution, you cannot cut into defense to spend on domestic programs.

So this legislation would protect the defense budgets. The best advocate of this legislation on defense seems to me to be the President of the United States. As he said in his State of the Union Address, "Nothing is more important to our security than the Nation's Armed Forces."

Continuing to quote: "This year many people urged me to cut our defense spending further to pay for other programs," said the President. "The budget I send to Congress draws the line against further defense cuts. It protects the readiness and quality of our forces, and ultimately the best strategy is to do that."

Continuing to quote: "We must not cut defense further. I hope Congress without regard to party will support that position."

So this budget puts in the firewalls; that is, it sets up a very large roadblock to using any of the defense resources for domestic programs. To do that, you would have to have a supermajority.

I think I showed the Senate yesterday that the only part of the American Government over the past decade that is really being cut is defense, believe it or not. Everything else has gone up. Even while we talk about cutting, discretionary programs have gone up, albeit they are not nearly the problem that the entitlements and mandatory programs are in terms of contributing to this deficit over the past decade.

In my remarks, I alluded orally in words to this chart that is here. I just want to make sure that it is in my statement as part of an explanation. If you look at the budget deficit, which is in red—these numbers at the bottom are pretty small. But let us make sure. We are down here, 1995. Actually, the deficit of the United States will double slightly through mid-1996, and then you see the enormous surge upward passing $350 billion again.

So anyone that thinks we have the deficit under control is truly, truly not looking at facts.

This budget of ours would come down into the 1999 area, and it would be off this chart or it would be less than 100. This red line will continue on down here which we think makes good sense in good times and we ought to do that.

Again, I ask any of my Republican colleagues who want to speak—Senator COATS I understand would like to speak, Senator GRAMM will be here shortly, and Senator HUTCHISON.

So let me quickly go through how we get to this budget, and indicate to my friend, the chairman, that I will have to leave the floor for 15 minutes at 10 o'clock. Some of my Senators will be here on our side.

Total savings in this budget over 1995–99 slows the growth of Medicare from 10.6 percent average annual growth. Believe it or not, that is still what is in the budget. We expect Medicare to grow at 10.6 average. Clearly, if that continues, there is no way the deficit will ever be under control. Through a series of assumptions that could be adopted, we have reduced that growth to 7.8 percent. That is all. It will be still be growing at 7.8 percent.

Extensions of current law provide $17 billion of these reductions. Overall, the President had $54.5 billion in reform and changes in Medicare. We adopt all of those—selective contract competitive bidding, lab, home health care coinsurance, hospital of outpatient payments—all of those were in the President's budget, and we take advantage of them here.

Other savings that we have included in this proposal amount to $25 billion. I will insert in the RECORD a list of those by way of description of how we might reduce the spiraling costs of Medicare from 10.6 to 7.8 percent. We are not cutting it. We are reducing the rather extraordinary growth which this Senator thought we were going to commit ourselves to as part of health care reform and apply these savings somewhat to the deficit. We apply them all to the deficit.

On Medicaid, total savings over 5 years comes from slowing the growth of Medicaid from 12 to 8.1 percent.

Frankly, I believe that is going to happen, because I do not believe we can pay for Medicaid growing at the rate of 12 percent. We have chosen to reduce it to a growth rate of 8.1 percent and, in so doing, we have applied all of the savings to the deficit. We think we ought to start with a deficit plan. When we build health care on top of it, that has applied savings that will come from these programs so that we start with that as a basis.

We have also gone to capitalization instead of fee for service like the States of Arizona and Texas. We would do that for the Nation—pay per-person amounts to States allowed managed care without Federal waivers. That means this permission will be granted as part of legislation that would follow under our budget resolution. And we index amounts to the President's formula. I will state those in the RECORD by the year.

Disproportionate share is cut by 5 percent and frozen at 1994 levels; emergency services only for noncitizens, and we go on to a couple of other issues that we recommend as part of our percentage reduction. These are ways that this could be achieved if, in fact, the Finance and Ways and Means Committees in Congress find other ways to go from this spiraling cost of 12 percent, which is built into this red line on the chart. If they find better ways, obviously, that is not precluded in any budget resolution.

I note, Mr. President, that Senator COATS is here, and he has asked me for 10 minutes on our alternative budget.

I yield to him for 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Indiana [Mr. COATS] is recognized for 10 minutes.

Mr. COATS. Mr. President, I want to start out by thanking Senator DOMENICI, the ranking member of the Budget Committee. He has worked very, very closely with many of us to fashion a Republican alternative here that I think redirects the priorities of how we deal with taxpayer's funds. It is a budget that takes into account the needs of families, the needs of businesses to provide growth, and therefore, opportunity and jobs for families. We successfully address, in a serious way, the Federal deficit, which undermines our future from both an economic standpoint and from the sociopolitical standpoint.

We are simply denying opportunities that we have enjoyed to future generations. Unless we take serious steps to address the deficit, we are going to be passing on something to future generations none of us will be proud of. The Republican alternative effectively deals with reducing the budget deficit. I thank Senator DOMENICI for his very significant efforts in crafting an alternative that philosophically presents a clear choice to Members of the Senate and to the American public.

The part of the Republican alternative I want to address, in the limited time I have, is the $500 tax credit,

which will be made available to 52 million American children. The threats to the American family today are many, but one which we have direct control over is the amount of their own earnings they are allowed to keep. They need the ability to decide how to direct those funds in the best interests of their children.

The Congress has traditionally utilized the personal exemption as a means of compensating families with children, recognizing that they have special needs, that there are special costs that flow to families with children that do not affect many of the rest of us. With three children myself, I understand those costs. If you go buy a pair of tennis shoes, it is not a pair of $4.95 canvas Converse Keds I grew up wearing. It is the $125 Air Jordans that you have to pump up. Even if you get the discount models, you are looking at $60, $70, $80 for a pair of tennis shoes. When you have kids out in the driveway shooting baskets or playing football, it seems like you are in the shoe store every 3 months.

College costs have escalated to the point where it is extraordinarily difficult for American families to set aside funds to pay the tuition at many of our institutions of higher learning. On and on it goes—whether it is transportation or housing or clothing, it is clear that families with children have needs beyond many others.

How do we address those needs? Through the personal exemption. In the 1986 Tax Fairness Act, we finally made an adjustment to the personal exemption that was long overdue. In 1948, when Congress first implemented that personal exemption, it stood at $600 a year, and it only increased to $1,000 per child by 1986. Had it been indexed to inflation, or to the rise in wages the personal exemption would have been double or triple that amount. Today, we know that the value of that $1,000 exemption would need to be $8,000 just to keep pace with inflation. It is only a little over $2,000. Senator DOMENICI has recognized the need for middle-class tax relief in addressing the needs of middle-income taxpayers. So while we are looking at how to reduce the deficit and how we structure the way in which we spend taxpayers' dollars, we must consider families.

This is not necessarily a partisan idea, because it was a concept supported by the President, during his campaign when he called for middle-income tax relief and proposed a $400 tax credit per child. The President said,

> People say $400 is not very much money. I think it is a lot of money. It is enough for a mortgage payment, enough for clothes for the kids, and enough to have a big short-term impact on the economy.

And the Vice President advocated an $800 refundable tax credit for every child under 18. I quote him saying:

> This approach, family tax relief, is going to be the centerpiece of the Democrat agenda for 1992.

Well, it was—for 1992. That is when they were campaigning. But here it is in 1994, and we are looking at the Democrat budget, and it is not only not the centerpiece, it is nonexistent. It does not provide the relief for families I think people on both sides of the aisle have acknowledged is needed.

The $500 tax credit will allow families to retain hard-earned income and make decisions as to how best to meet the needs of their children. It is incorporated in this Republican alternative. It is one of the centerpiece——

Mr. SASSER. Will the Senator yield for a question?

Mr. COATS. I have a very limited amount of time. At the end of my statement, I will be happy to yield. I might be able to address some of the Senator's concerns in my statement.

He may have wanted to raise the question: Well, this is just a tax break for the wealthy. Let me point out, Mr. President, that three-quarters of the children eligible for the credit live in families with a gross income of less than $60,000 a year.

That is where the relief will flow. That is where the needs are the greatest. We need to understand, also, that while it is designated as a tax credit, we have in place programs that will meet the needs of many of those who are earning below $16,000 a year. That is where the earned income tax credit comes in. It is an important program for a family of two earning below $16,000 a year. Their entire Federal tax burden is erased by the earned income tax credit.

We are targeting those who are caught in the middle, those who have not been granted the relief we have provided for low-income families, who are struggling to meet the daily needs and expenses of their children.

This leaves a significant amount of money in the hands of families. It returns money to the States and to individuals and allows them to make decisions on how they will spend it.

Mr. President, I ask unanimous consent to print in the RECORD a listing of the dollars returned to each State through this $500 per child tax credit.

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

DOLLARS RETURNED TO EACH STATE BY A $500 PER-CHILD TAX CREDIT

State	Number of families with children in each State	Number of children eligible for a $500 tax credit	Amount each State could receive annually from $500 per-child tax credit
Alabama	984,846	836,486	$418,243,000
Alaska	131,801	134,962	67,481,000
Arizona	901,059	744,524	372,262,000
Arkansas	572,309	524,241	262,120,500
California	6,864,996	6,625,012	3,312,506,000
Colorado	832,055	737,544	368,772,000
Connecticut	835,801	723,674	361,837,000
Delaware	181,252	172,017	86,008,500
District of Columbia	101,346	81,195	40,597,500
Florida	3,410,974	2,233,271	1,116,635,500
Georgia	1,555,254	1,226,073	613,036,500

DOLLARS RETURNED TO EACH STATE BY A $500 PER-CHILD TAX CREDIT—Continued

State	Number of families with children in each State	Number of children eligible for a $500 tax credit	Amount each State could receive annually from $500 per-child tax credit
Hawaii	293,296	295,346	147,673,000
Idaho	251,430	263,945	131,972,500
Illinois	2,873,440	2,501,462	1,250,731,000
Indiana	1,454,936	1,110,887	555,443,500
Iowa	683,268	641,094	320,547,000
Kansas	637,247	651,174	325,587,000
Kentucky	901,634	648,121	324,060,500
Louisiana	996,911	868,702	434,351,000
Maine	298,512	223,255	111,627,500
Maryland	1,194,734	1,038,365	519,182,500
Massachusetts	1,437,080	1,110,453	555,226,500
Michigan	2,254,735	1,866,891	933,445,500
Minnesota	1,043,603	946,639	473,319,500
Mississippi	572,963	540,359	270,179,500
Missouri	1,256,963	981,008	490,504,000
Montana	205,770	197,938	98,969,000
Nebraska	414,899	427,724	213,862,000
Nevada	313,332	247,958	123,979,000
New Hampshire	307,359	246,361	123,180,500
New Jersey	1,893,615	1,522,756	761,378,000
New Mexico	365,776	321,854	160,927,000
New York	4,138,706	3,575,251	1,787,625,500
North Carolina	1,663,710	1,359,138	679,569,000
North Dakota	146,146	146,786	73,393,000
Ohio	2,650,194	2,392,172	1,196,086,000
Oklahoma	782,007	644,733	322,366,500
Oregon	745,406	607,615	303,807,500
Pennsylvania	3,057,172	2,507,260	1,253,630,000
Rhode Island	240,767	159,461	79,730,500
South Carolina	891,157	777,909	388,954,500
South Dakota	173,385	158,309	79,154,500
Tennessee	1,242,636	829,778	414,889,000
Texas	3,964,267	3,628,180	1,814,090,000
Utah	390,211	473,448	236,724,000
Vermont	142,093	116,058	58,029,000
Virginia	1,528,524	1,286,275	643,137,500
Washington	1,252,277	1,141,341	570,670,500
West Virginia	452,953	346,642	173,321,000
Wisconsin	1,252,892	1,175,695	587,847,500
Wyoming	117,117	122,668	61,334,000

Source: U.S. Census, 1992 Current Population Survey.

Mr. COATS. Mr. President, I urge Members to look at the money that will flow back to their States as a result of this tax credit. These are funds which will be invested back in the local community. These are funds which will be invested for the needs of children within their State.

Let me give a couple examples. In my State of Indiana, $555 million will be left in the State annually rather than being sent to Washington and spent in ways that do not provide relief for the family.

So I commend Senator DOMENICI for his sensitivity to this problem, for including it in this Republican alternative. It is a central feature of this Republican alternative, distinguishing it from the Democratic budget plan. It addresses the very heart of what we need to do to invest and provide relief for families. It significantly strengthens the incentives for savings. It provides incentives for businesses to grow and thereby create jobs that will be available for children coming out of the family, and provides relief that families need in order to make decisions that are in the best interest of their children.

I am proud to support this alternative, and I am again thankful that Senator DOMENICI has been such an effective leader and so instrumental in including the $500 per child tax credit in the Republican budget alternative.

Mr. DOMENICI. I think the Senator still has a little bit of time remaining.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute and about 10 seconds.

Mr. SASSER. Mr. President, will the Senator yield for a question on that time?

Mr. DOMENICI. Might I first inquire whether he has time, and I will yield in a moment.

I thank the Senator from Indiana for the leadership that is really sincere in this issue of families and Government policy that has been adverse to families economically and otherwise. I thank him for his leadership.

We adopted it as part of our assumption that we would do in this resolution many of the things he has advocated in various tax proposals and family-oriented proposals that he has been pushing here in the Senate. I commend him for that and thank him for that help.

Mr. COATS. I thank the Senator for his generous comment.

On the time I have remaining, I am happy to yield to the chairman.

Mr. SASSER. I thank the Senator from Indiana.

I make this point. As I understand the way this tax credit works, or child-care credit works, if a family is making $1 million a year they would get the same tax credit per child as a family making $30,000 a year. Is that correct?

Mr. COATS. The tax credit applies to every family with children. But I point out to the Senator that the bulk of this money, the vast majority of this money will go to middle-class families earning under $60,000 a year. What distinguishes it from the Democratic plan is that we have the——

Mr. SASSER. Mr. President, if the Senator will yield——

Mr. COATS. Excuse me.

If I could respond to the Senator on my time, we have the relief in the package and the Democrats have no relief. So it is bogus to argue that it goes to some people who should not receive it. We send it to everybody; the Democrats send it to no one.

Mr. SASSER. Let me ask this question.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. SASSER. On my own time, I will inquire of the Senator from Indiana:

A working family of four making $16,000 a year would get no credit under this plan. Is that not correct?

Mr. COATS. In response to the Senator, under this plan they would receive full credit under the earned income tax credit and pay no taxes.

Mr. SASSER. If they are paying no taxes and this gives them no tax credit, they would get no benefit under this proposal.

Mr. COATS. No.

Mr. SASSER. That is correct.

Mr. COATS. They get a rebate under the earned income credit, as the Senator from Tennessee knows. Those under $16,000 are fully protected. It is the middle class the President, the Vice President, Secretary Bentsen and others have said the Democrats want to reach out to, and have not done it. And the budget plan provides for no relief for middle-class income families, no relief whatsoever, and that is what distinguishes it from our plan.

Mr. SASSER. Is the Senator from Indiana trying to represent that this is a refundable tax credit to people who make under $16,000 a year?

Mr. COATS. Not at all. I said the earned income tax credit is available to those who earn under $16,000 a year, as the Senator fully knows.

Mr. SASSER. But it is true, is it not, that a family of four making $16,000 a year gets no tax credit under this Republican proposal that the Senator from Indiana is lauding today? Is that not correct?

Mr. COATS. The Senator seems to want to divert attention from the fact that it is Republicans who are providing relief to middle-income families and the Democrats provide zero. We provide a $500 tax credit and that is what distinguishes it, and one of the many things that distinguishes our plan from theirs.

I think the Senator from Tennessee knows the relief available to those earning $16,000 and under is the earned income tax credit.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. SASSER. Mr. President, speaking on my own time here, let us just consider this $500 child-care credit.

Mr. DOMENICI. Mr. President, could I put a chart in and then the Senator can give his speech?

Mr. SASSER. I am pleased to yield to my friend from New Mexico.

Mr. DOMENICI. Mr. President, I yield 1 minute of my time.

I just want to print a chart in the RECORD that shows that of this tax credit in terms of percentages below $200,000, taxpayers below $200,000, 98.3 percent of this tax credit. That is where 98.3 percent goes.

So to argue about millionaires, or $500,000, is to talk about 1.7 percent of this cumulative tax credit. So I do believe it is kind of smoke.

I submit the chart please and thank the Senator for yielding.

The ACTING PRESIDENT pro tempore. Does the Senator wish to have the table printed in the RECORD?

Mr. DOMENICI. Yes, and I so ask unanimous consent.

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

Where do the benefits of the $500 tax credit go?

AGI	Cumulative share (percent)
Below $1 million	99.9
Below $500,000	99.6
Below $200,000	98.3
Below $100,000	93.7
Below $75,000	87.4
Below $60,000	77.7
Below $55,000	72.4
Below $50,000	66.0

Source: Individual Income Tax Returns, 1990, Statistics of Income, August 1993.

Mr. SASSER. Mr. President, let us just consider this $500 child credit here.

Our colleagues have characterized this proposal as a middle-class tax cut. The truth is, nothing could be further from the truth. Let us just consider how this credit works.

For families with $16,000 in income or less, there is no benefit. Why? Because the credit is not refundable. Thus, working poor families get nothing under this scheme.

My friend from Indiana seeks to represent that these families under $16,000 would benefit from the earned income tax credit. You would almost think from listening to him that this is in the Republican alternative. The fact is that the earned income tax credit was in the President's budget proposal last year. That was passed in this Senate without a single Republican voting for it.

So, tax relief for families making under $16,000 is not present in this budget, not in this Republican alternative. It was present in the President's budget that was passed last year. As a matter of fact, the President's budget that we passed here last year gave tax relief to families of four earning $28,000 or less. That was the earned income tax credit provision that was passed here without a single Republican vote coming from the other side of the aisle.

It is true that even though a family of four making $16,000 a year or less gets no benefit from this alternative that is being proposed here, a family of four making $1 million a year does get the $500 per child tax credit.

If my friend wanted to be fair about this on the other side of the aisle, why not cap this? If we are really interested in helping middle-class families why do not we cap this tax credit at $100,000 a year, $75,000 a year, even $125,000 a year?

No. They did not want to do that. The family making as much as $1 million a year gets the tax credit, whereas a family making $16,000 a year or less gets no tax credit under this provision at all.

To characterize that as a child middle-income tax cut fair to all, Mr. President, I think stretches credibility.

Let me just say a few words about this Republican alternative. As I said when this alternative was presented in the Budget Committee at markup time, there are so many problems here I really hardly know where to begin. First of all, this alternative being pre-

sented here might best be characterized as cut taxes now, increase deficits later, and make the middle class and the poor pay for it. That would be a fair characterization, I think, of this alternative that is being presented here.

Yes, it has the Republican standard of tax cuts for the wealthiest of Americans which would drive up the deficits in the outyears. To pay for these tax cuts for the wealthiest, it slices health care programs for middle class people and for poor people. It cripples the key discretionary investments in infrastructure, in administration of justice programs, and it relies on very questionable savings indeed, like asset setters. For example, this Republican alternative raises a substantial amount of revenue out of leasing the ANWR project which the Congress has voted against time after time after time. And that could not be counted as income or revenues anyway, under budget rules. It also raises money through a very, very doubtful IRS compliance initiative.

So what we have here are some smoke and mirrors that are representing themselves as revenues to cover some of these tax cuts for wealthy people.

Since the beginning of the year, we in the Budget Committee have been subjected to a constant stream of complaints about long-term deficits and dire warnings about what is going to happen if we do not address them.

As I said before, I think we ought to be concerned about the outyear problems. We have made very, very substantial progress. The budget deficit-reduction plan that we passed last year in this body by a one-vote margin, with the Vice President having to come over here and break the tie, has reduced deficits in the outyears very significantly.

As a result of the deficit-reduction plan that we passed, the deficit in fiscal year 1998 will be $200 billion less than it would be otherwise. As a result of the deficit reduction plan that we passed last year, we have 3 years of declining budget deficits; the first year that we put 3 years of declining budget deficits together in a row since Harry Truman was President of these United States. And bear in mind that Harry Truman presided over a country that was coming out of World War II, so you would expect budget deficits to be declining.

But, having said all that, and in spite of the success of the plan that we passed last year which has led this Nation back into economic recovery—economic growth in the third quarter of 1993 stood at a very, very robust 7.5 percent real economic growth. We have not seen economic growth figures like that in years and years and years and years. In 1993, we created 1.9 million new jobs in this economy. In the previous 4 years, from 1988 through 1992, we created only 1 million. So we created almost twice as many new jobs in this economy in 1 year in 1993 than had been created in the previous economy over an entire 4-year period.

But, having said all that, I still have some concerns about the outyear deficit problems myself. What puzzles me, and what I cannot understand, is that several of the tax cut proposals advanced in this alternative that we have before us this morning actually worsen the deficit in the outyears; actually make it worse. That is right. The proposals that they are advancing make the deficits worse in the outyears instead of better.

Well, you may say, "How could that be? How could it be that those who have been complaining and wringing their hands and gnashing their teeth over the past few months about outyear deficits, how could they possibly be proposing a budget alternative that makes them worse?"

Well, let me just describe to my colleagues how this works.

For starters, let us take the individual retirement account expansion, expansion of the so-called IRA. We have here what is called a front-loaded IRA. Congress got its first taste of this gimmick back in 1989. What it does is, it allows people to put large sums of money in the IRA up-front pay. It is a so-called back-loaded IRA, where they put the money in, pay a little tax up front, and then, as the IRA grows later on and they take it out, they pay almost no tax.

As I say, we got our first taste of this gimmick back in 1989. And though this proposal is slightly different, it still suffers from exactly the same defects as its predecessors.

There is serious doubt in academic circles as to whether these new IRA's will increase national savings or not. But we do know that, beyond an initial revenue burst in the first 5 years, they will create a massive deficit hemorrhage in the years beyond.

More than 70 percent of all Americans are currently eligible for an IRA. Only the more affluent taxpayers, with tax-favored company pension plans, are excluded from IRA's. At least 95 percent of the proposed new tax benefits would go to the top 20 percent of all taxpayers, according to estimates for past IRA expansion proposals. And—get this—the richest 3 percent of all the taxpayers would collect nearly one-third of the tax cut under this IRA proposal being advanced in the Republican alternative. And for what?

According to the Joint Committee on Taxation, they estimated a 1991 proposal to restore one-half of the old-style IRA deductions would cost $15 billion over 5 years.

Restoring full IRA's would cost more than $30 billion over 5 years. What this proposal does, it merely postpones these revenue losses to the outyears. When my friends on the other side say they are very concerned about the deficit increasing, this merely postpones the losses to those outyears by back-loading the tax deductions; that is, by telling taxpayers they can pay a little more tax now in exchange for a lot less tax later.

Well, the long-term effect on the Treasury obviously is not good. A Congressional Budget Office analysis reported that for each dollar of short-term Government revenue from the rollover provision, it costs $9.93 in lost future revenues. Now, get this: For every dollar of short-term Government revenue, CBO estimates that it costs $9.93 in lost future revenues under a reasonable set of economic assumptions.

So for every dollar in revenues you get on the front end of it, CBO says you are losing $10 in revenues on the back end of it. Now, if that is not a prescription for increasing the deficits in the outyears, I do not know what is.

But what is so striking about this proposal is that it gravely worsens the problem that my colleagues on the other side have been complaining about so vociferously, day in and day out—the outyear increases in the deficit.

Well, Mr. President, the IRA proposal is not the only item in this alternative which is guilty of this sin of increasing the deficits in the outyears. The so-called neutral cost recovery for business is also another way of shifting huge tax losses into years beyond the initial budget window.

The proposal would restructure the tax treatment of depreciation by businesses and would, in the short run, generate revenues by reducing deductions.

But what happens in the outyears?

Just as in the IRA's, depreciation deductions would grow dramatically, expanding far beyond current baseline projections, and, once again, raiding the Treasury.

The effect of this proposal is to eliminate a good deal of income tax on business profits, all at the expense of U.S. taxpayers, those same middle-class taxpayers we were so concerned about just a moment ago. We heard those expressions of concern, that they would be the ones who would pick up the tab in the long run for this so-called business depreciation deduction. According to projections made by the Congressional Research Service, this little tax break would ultimately lose the Treasury $32 billion a year in the outyears. Once again, if we are so concerned, as some of my colleagues seem to be, about the outyear deficits, why in the world are they proposing these gestures which are simply going to increase the outyear deficits?

We have heard a lot of concern expressed here about small business over the past year, and I am very concerned about small business myself. I am a

strong supporter of small business. I think small business in this country is the last refuge of the true entrepreneur. My family has been engaged in small business. But for those who are concerned about small business, they may be surprised to know that the so-called small business tax break does nothing special for them. Small businesses are already allowed to expense capital costs of up to $17,500 per year. It is the larger corporations, those with more than $10 million in assets, who account for 90 percent of all corporate income tax. These are the corporations who would stand to benefit from this tax change that is billed as being a boon to small business.

What else do we have in this alternative that increases the outyear deficits? I have never seen an alternative or any economic initiative emerge from the other side that did not include in it the old standby: capital gains. I do not think there is a real need to rehash the debate over a capital gains tax cut one more time. Suffice it to say, we simply cannot afford it, nor do we need to enact it. It is simply another tax break that is pointed toward benefiting the wealthiest among us. More than half the benefits from this proposal will flow to those with incomes over $200,000 per year. The average benefit for those folks would be $8,000 per year. By contrast, the cut would be worth less than $400 to families with incomes between $30,000 and $50,000.

Let me just repeat that. The average benefit to those with an income of over $200,000 a year under this proposal would amount to $8,000 a year in tax cuts. Contrast that to the fact that this tax cut would be worth less than $400 to families with incomes between $30,000 to $50,000.

Perhaps we could do this if we could afford it, even though it does not seem to be very fair to me on the surface. But what is the price tag for all this largess to the wealthy? Why, a mere $7 billion a year when fully phased in; $7 billion more in revenue losses in the outyears, increasing the outyear deficits they were supposed to be so concerned about.

Finally, we have discussed to some extent the $500 child credit. Our colleagues have characterized this in their alternative as a middle-class tax cut. Nothing could be further from the truth. As I pointed out, for families with $16,000 in income or less, there is no benefit at all. Why? Because the credit is not refundable. Thus working poor families simply get nothing out of it.

If they wanted to be fair, why did they not make it refundable on the bottom end and cap it on the top end? There was some discussion, I think, among our colleagues on the other side about doing that. But those who wanted to take this approach were overruled. So on the other end of the scale for this so-called child credit, a family with $1 million in income gets the full credit and a working family making $16,000 a year gets no credit. That does not make much sense to me.

The alternative that we have before us proposes that we spend $103 billion on a tax credit over 5 years that does not benefit those who are the working poor and brings this benefit to those who are the wealthiest among us. Sure, this proposal helps some in the middle-income level. But if you really want to be fair about it, why do we not make it refundable for those who are the working poor and cap it so those who are the wealthiest among us, who do not need the money, do not get it? Let that money flow back into the Treasury to help reduce the deficit.

It would be great to be able to provide a middle-income tax cut. I have supported such a concept for a number of years. But, unfortunately, we just cannot afford it at this time. The plain fact is, when you blow all the foam off these tax proposals, two things become clear. It is just as plain as the nose on my face that this plan is going to drive the deficits up in the outyears. Second, it once again contains tax breaks that are aimed at the wealthiest taxpayers, and once again it leaves the poor folks to fend for themselves.

Some will say this is class warfare. It is not class warfare. This is just simply telling the truth about things. If some want to characterize it as class warfare they can, but I do not think it can be characterized as such when you are just simply laying out the facts about it.

(Mr. WOFFORD assumed the chair.)

Mr. SASSER. That is a quick overview of the tax changes.

Let us see what is happening on the spending side. I am sorry to say, the picture gets worse. It deteriorates even more. The fact is, this plan pays for its tax breaks by taking away health care from the poorest Americans. The plan would cut Medicaid by $64 billion, and a good deal of it specifically directed at payments for hospitals which serve large numbers of uninsured and the poor. This would mean that a great number of small and rural hospitals all across this country would simply go out of business. This would mean that the State governments would have placed upon their backs a greater burden in providing health care for the poor. And to compound the felony, a large proportion of the Medicare cuts would affect the same hospitals.

What is this paying for? This is paying for those tax reductions we talked about earlier, the capital gains tax cut that is targeted to the upper income groups and the IRA deduction that will be taken advantage of primarily by those in the upper income groups, the wealthiest Americans.

There is something else going on in this budget that our friends on the other side are not eager to advertise. This budget plan would absolutely kill health care reform. It would drive the last nail in the coffin of health care reform, and drive a wooden stake through its heart. I have no doubt that the Medicare and Medicaid cuts in this package would ensure no comprehensive health reform and would ensure no universal coverage.

The budget would cut Medicare and Medicaid by $144 billion over 5 years; that is, the budget advanced by our friends on the other side. That is more than twice what we cut last year. It would all be used for deficit reduction or to finance a tax cut for the wealthy. Either there would be no universal coverage health reform or there would have to be large tax increases to guarantee coverage and bring about health reform.

Let me point out something else about this alternative plan. Cutting large amounts in Medicare and cutting large amounts in Medicaid without any kind of health reform is really a huge tax increase masked as health insurance premium increases. There is already a well-documented health care cost shift from Medicare and Medicaid to private insurance payers.

In the hospital area alone, the Prospective Payment Assessment Commission found in 1992 that Medicaid paid about 80 percent of the hospital costs for its patients. Medicare paid about 90 percent and private insurance paid about 128 percent.

Now, what if we adopt these cuts in Medicare and Medicaid that our friends on the other side are espousing today? What happens? It simply means that the hospitals are going to transfer more of the cost to the private insurance patients. It means that those citizens who have private insurance, their employers and those citizens, are going to see their health insurance premiums go up because there will be more cost shifting for Medicare and Medicaid patients to make up the difference.

These cuts they are talking about in Medicare and Medicaid are nothing more than huge masked tax increases to those who have private health insurance.

Since the study of the Prospective Payment Assessment Commission, we have cut another $63 billion from Medicare and Medicaid. At a minimum, last year's reconciliation bill cut Medicare hospital rates by another 4 percent. This package would cut billions more without the benefit of a systemwide health reform. All of this means even larger shifts in hospital costs, larger shifts in doctors' costs and other health care costs to private payers. It means ever higher and higher premiums for health insurance for everyone else, and that is a direct tax on whoever pays it, whether the workers pay it, whether the employers pay it or whether just private individuals who

have privately held insurance policies pay it.

Let us not forget about this hidden tax, this health care cost shift tax. And that is a good part of the reason we are having a health care crisis now. That is why we are considering comprehensive health reform. That is why the distinguished Presiding Officer, the Senator from Pennsylvania [Mr. WOFFORD], has been working day after day, week after week, month after month in this body trying to bring about a comprehensive health care reform.

Mr. President, let me not leave the impression that Federal health care entitlements have been left untouched. Medicare has already been cut by over 20 percent. We have had health care cuts in 10 of the last 13 years. The cumulative impact of these bills has already reduced Medicare spending by as much as 20 percent below what it would have been today without the cut. Last year's bill alone cut Medicare by $56 billion and Medicaid by another $7 billion.

The specifics of the Medicare cuts include increases in beneficiary out-of-pocket costs, but without the additional prescription drug and long-term benefits in the President's plan. The Republican substitute says it includes only the Medicare cuts in the President's budget. But the President's budget included those cuts as part of a much broader health reform package and broader reforms in the Medicare Program.

This substitute would means test the Medicare monthly premiums charged to beneficiaries, and beneficiaries would have to pay a higher out-of-pocket cost for home health care and for laboratory tests.

The substitute offered by the Republican minority adds a new increase in part B deductible paid by all beneficiaries.

So what we have is an increase in the part B Medicare tax paid by all beneficiaries; we would means test the Medicare monthly premiums charged to beneficiaries; we would lower Medicaid and Medicare payments to the hospitals; we would, therefore, increase the premiums of those who hold private insurance. So what this amounts to is simply pushing back on to the population of this country more health care costs to be handled at a private level to pay for these tax cuts, most of which go to our wealthiest citizens.

Mr. President, this substitute that is being offered today does not include the President's proposal to add a prescription drug benefit to Medicare. As I said earlier, it does not provide extended long-term care services as part of health reform.

So much for the savageries to Medicare and Medicaid under this alternative that is presented to us today. Let us take a look at what is happening on the discretionary side of the budget.

The plan that our Republican friends put forth proposes to cut Justice funding by half a billion dollars in 1995 and by more than $2.7 billion over 5 years. Many of the proposed programs cut are cut to support initiatives of the crime bill. I hear a lot of talk on the other side about fighting the war on crime, but when it comes to providing the funding, this budget just takes a pass on that.

The alternative proposes to cut transportation funding by $8.3 billion in 1995 and by more than $37.2 billion over 5 years. This proposed cut would cripple the initiatives to improve our transportation infrastructure. This country's transportation infrastructure is vital to our economic well-being, allowing products to be shipped from producer to consumer with minimal cost in relation to the rest of the world.

This proposal would put our country at a competitive disadvantage as we enter the 21st century. Our highway system would continue to deteriorate. Roads and bridges would continue to deteriorate. Airports would continue to be congested. Amtrak would be in serious trouble in the Northeast corridor under this particular proposal.

I might point out to my colleagues, discretionary spending is already under very strict limits. By 1999, under the President's budget, discretionary spending, as a percent of gross domestic product, will be lower than any time since 1940.

Let me repeat that. I want all of my colleagues to hear that: By 1999, under the budget that we passed last year, discretionary spending, as a percent of gross domestic product, will be lower than any time since 1940. Now, if the budget is adopted, discretionary spending will drop by 6.3 percent by 1999 under this proposal.

Let us get to a provision here. I am really hesitant to bring this up, frankly, but I feel compelled to do so, and that is the question of asset sales. Now, this is a budget gimmick that I thought went out years ago. We have been embarking on a program of budget integrity and budget honesty. My friend, the distinguished ranking member, Senator DOMENICI of New Mexico, I remember, when we were at Congressman Leon Panetta's, now Director of OMB Panetta, confirmation hearing, talked about honesty in budgeting. He was committed to it. He still is. He asked Mr. Panetta: Are you going to submit your budget using bona fide CBO numbers? Will you get off of this business of rosy scenarios? Will you move in the direction of honest budgeting? And the answer to that was "yes," and that has been the case. We now are in an era of honest budgeting—no more smoke and mirrors, no more rosy scenarios, no more fooling ourselves with our own propaganda. And what do we find in this budget that we are looking at here today offered as the Republican alternative? That time-honored, old budget gimmick, asset sales.

Now, I should note that there are some questionable accounting techniques in this budget. Our friends' alternative that they are presenting would defer 7 years' prohibition on counting asset sales. The implication of this change is that the proponents of the amendment want to pay for current spending by selling the assets of the U.S. Government. It is like selling the garage to pay the monthly mortgage bill. You might be able to get away with it for 1 month but you certainly cannot do that for very long. I guess you would sell the garage 1 month and then sell maybe kitchen appliances out of the house the next month and then maybe sell the air-conditioning unit the next month, and keep on until finally you had just the bare walls of a house.

That is the asset sale approach to trying to meet the budget problems. The truth is that asset sales are no more than budget gimmicks. If we are going to be responsible, we should cover current expenditures with current income. We should not allow permanent spending increases to be covered by short-term asset sales. If you use the asset sale gimmick in the short run, all you are going to do is increase the deficits in the outyears.

Finally, we have heard from the day we first got it that the President's budget is incomplete. The distinguished ranking member called it the "MIA budget," missing in action budget, because some of the President's initiatives are not explicitly included in the budget totals.

Well, as I look at this substitute, I cannot help but wonder the same thing. It says nothing about how you are going to pay for GATT or how you are going to pay for health care reform or a number of other initiatives that are missing and were said to be missing from the President's budget.

Well, Mr. President, I think that about sums it up. What we have here is the usual alternative that we get from our friends on the other side year after year. It always includes tax cuts, and they are supposed to be tax cuts that benefit middle-income taxpayers, but when you peel it back you find that they are tax cuts that primarily benefit the wealthiest among us.

How do they pay for these tax cuts? Well, they cut Medicare, they cut Medicaid, they gut investment in our infrastructure, they do away with other important discretionary priorities, they use questionable accounting techniques, and they call it a deficit reduction budget.

Mr. President, I think if we will analyze this budget just in a cursory way, we will see that it does not measure up. It simply does not measure up. In the final analysis, it is going to increase

the outyear deficit problem, and in the short term it is going to wreak havoc on the discretionary portion of the budget. It is going to, I think, wreak havoc on Medicare and Medicaid. I do not think, if the American people understood this Republican alternative, they would countenance for one moment wanting to accept it.

Mr. President, I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Could I inquire, do we know how much time remains on each side?

The PRESIDING OFFICER. The Senator from New Mexico has 33 minutes; the Senator from Tennessee has 31 minutes.

Mr. DOMENICI. I am going to yield now in the RECORD 10 minutes to Senator GRAMM, 8 minutes to Senator HUTCHISON, 8 to Senator NICKLES, 5 to Senator GORTON, and I think that reserves about 5 minutes for the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, budgets are about vision, and I know probably many people trying to follow this debate have been almost asleep as they have listened to the droning on of facts and figures and outrage about the fact that there are rich people in America—shocking. There are too few in my opinion. I would like to do something about it.

But I want to get away from all that talk about what is really at issue. We have before us today in the Senate two competing visions for the future of America. That is what this budget debate is about. It is not about numbers. It is not about all of these thick sheets of facts and figures. They are just outward and visible signs of what we are talking about. What we are talking about basically comes down to two competing visions for the future of America.

The distinguished Senator from Tennessee represents and articulates one view of America's future. That is a view of bigger Government. That is a view supported by more taxes. That is a view that is founded on the premise that Government is the answer; that the way to provide opportunity and growth for the American people is to have the Federal Government getting bigger, spending more money, exercising more authority, and making more decisions. It is a perfectly legitimate viewpoint. It has been rejected in most of the world, but it has not been rejected in the Senate. In fact, it is the majority view.

Now, let me outline how that vision is manifested in the Democratic budget that is before us and then talk about our alternative.

The budget before us spends twice as much of the productive resources of the country on social programs as we spent at the peak of President Johnson's Great Society—that is, twice as much of the productive resources of America on social spending as we spent at the peak of the Great Society.

The budget before us spends half as much of the productive resources of America on defense as compared to what we spent when Jimmy Carter was President. The budget before us begins the implementation of the tax increase of the last budget retroactively, starting on April 15. It taxes Social Security benefits. It taxes gasoline. It taxes small business. And it proposes in its health care reform component that the Government take over and run another 15 percent of the economy so that, if adopted and if implemented, the budget before us contemplates legislative action that for the first time in American history would have Government at the Federal, State and local level taking more than 50 cents out of every dollar earned on average by all Americans.

That is the vision of the Democratic budget. It is a budget that spends more than any budget in the history of the United States. It is a budget that taxes more than any budget in the history of the United States. It is a budget which proposes a growth in Government spending, especially in health care, that has never before been contemplated by a free society.

That is the budget alternative for which the distinguished Senator from Tennessee speaks. I wish every American family could sit down around the kitchen table and look at that alternative, look at that vision for their future and compare it to the vision for their future which is being proposed by Republicans in the Senate.

Mr. President, I am proud of this amendment, not because I think it is going to be adopted—I think it is going to be rejected basically on a party line vote—but I think we have presented a vision for America's future with which most Americans would agree.

First of all, we think the deficit is too high, and we propose to reduce the deficit by cutting spending. We reduce the deficit over 5 years $322 billion more than the President did. We reduce the deficit over 5 years $303 billion more than the House-passed version of the budget. In short, our budget reduces the deficit dramatically, and in the fifth year of this budget the deficit is half the level that Bill Clinton's budget proposed.

But we do more than cut the deficit. We try to reorder priorities. We try to let working families keep more of what they earn. And we do that by providing a $500 tax credit for every American family that has children.

In 1950, the average American family with two children sent $1 out of every $50 it earned to Washington, DC. That same family today is sending $1 out of every $4. We have stressed the budget of working families in order that Government could grow. What we propose today is to give back to families $500 of their tax money that they were sending to Washington so that they can spend it themselves.

I know that the distinguished Senator from Tennessee and others will say, "Well, in the spending cuts, the freezes in your budget, you have cut spending growth for housing, nutrition, and education."

We did not cut spending on housing, nutrition, and education. We simply have changed who is doing the spending. The Senator from Tennessee would like the Government to do the spending. We would like the American family to do the spending. We know Government, and we know the American family, and we know the difference. We have absolute confidence that Government is going to squander this money, and we have absolute confidence that working families who love their children, who earn every dime they spend, if they get an opportunity to keep that money, they are going to invest it wisely in their future and in America's future.

Mr. President, there is only one form of bigotry that is still acceptable in America, and that is bigotry against the people who work, strive, sweat, and succeed. It is fundamentally wrong. I reject it. I deeply resent it.

I believe that people who work hard and succeed should be admired and not always attacked. I resent the fact that we are standing on the verge of rejecting a tax cut for middle-class America.

Let me cut through all the rhetoric, and get to the bottom line:

The distinguished Senator from Tennessee says do not give $500 of tax credit for every child in America, and do not do it for two reasons: No. 1, people who make less than $16,000 are not paying any income taxes anyway, and they will not get any of the benefits.

Well, my objective here is to help people who are paying taxes. I am tired of the only people we ever want to help around here are people who do not pay taxes. When do we start helping people who do pay taxes? We do a lot of things around here for very modest income families. I support many of those things. But it is about time we start doing something for middle-income families, the people who do the work pay the taxes, pull the wagon, and who make this the greatest and most successful country in history.

I reject the idea that working middle-class families ought not to get a $500 tax credit per child because people who are not paying any taxes do not get a tax cut. We are trying to cut taxes for people who do pay taxes.

Finally, if you take every family in America who earns $200,000 or more—America's most successful people—they only have 82,000 children. If I

thought I could get them to have bigger families, I would give them a tax credit. America needs more families who value ability, who encourage drive, who have vision, who yearn to succeed. The real point is that when less than 2 percent of the money from a tax credit may go to high-income people, to say that you are giving a "tax break to the rich" by having a $500 tax credit per child so that working families can spend more of their money, is just simply outrageous and unfair. To deny this help to 51 million working, middle-class families so we can be absolutely certain that not a single wealthy person is eligible for a tax credit is ridiculous.

So what is the debate about? The debate is about a competing vision. Under the President's budget as modified by the Democrats in the Senate, what is going to happen is taxes will go up, spending will go up, the deficit temporarily goes down, and then goes up like a rocket to over $300 billion in 10 years.

What we do in our budget is dramatically reduce the growth of Government spending. We take that savings, and we do two things with it: one, we reduce the deficit; and, two, we give part of it back to the people who earned it in the first place. We give much of it to working families, with a tax credit of $500 per child.

We restore the deduction for interest on guaranteed student loans. Every day we have young people getting out of graduate school, getting out of medical school, who have huge guaranteed student loans. They go out and they make good money. We tax them very heavily. They do not get to write off the interest on the guaranteed student loan. It is a business expense, and they ought to be able to write it off. This is a benefit to working people who want to be successful.

The PRESIDING OFFICER. The Senator has used the time.

Mr. GRAMM. I urge my colleagues to look at these two competing visions and to support the one that is in the interest of the working men and women of America. I think if they do, it will be our vision.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise today in support of the Republican alternative budget resolution. Although news from the provinces sometimes arrives late in this city, surely we must all realize how hard it is for middle-class American families to provide for their children, to give them their material needs, and to provide for their nurturing and care. For most parents, time with one's family and crushing financial needs are at war with each other.

Like most of the problems that face middle-class Americans, Government is not much help. But we can provide help today by enacting this substitute amendment, and its tax credit of $500 per child. That would amount to about $80 per month for most families. That may not sound like much when we are talking about billions of dollars in a Federal budget, but it means a lot to the moms and dads out there. For a Government that loves best telling Americans what to do, when to do it, how, where, and with whom, it is a bitter pill. But there is no escaping the fact that parents know best what their children need, whether it is new shoes, new books, rules to follow, love and encouragement, or more vegetables. The family tax credit will take dollars out of the hands of big government and put it back in the hands of parents.

I want to talk about the second provision of this amendment, because it is a bill that Senator BARBARA MIKULSKI and I have introduced. Millions of American women willingly take on the challenge of raising children. They stay home to provide the constant contact and attention. But working for no pay hurts them financially. Not only do they have less to live on, but if they are able to put money aside for retirement, the Federal Tax Code penalizes them for that too.

If both spouses in a household work, they can set aside $2,000 each, for a total of $4,000. But if mom or dad stay home, they can only set aside $250 more, for a total of $2,250. That is approximately one-half the amount a two-income family can set aside. As you know, Mr. President, we have a marriage penalty in the Tax Code. This limited deduction is a family retirement penalty.

Our amendment corrects this discrimination against those who work inside the home by giving them equal IRA opportunities with those who work outside the home. Over 30 years at 6 percent interest, this provides up to $150,000 more in security for the one-income earner family. This is private savings that will reduce the need for Government assistance later in life, a worry that can be particularly acute for women who work inside the home, especially when you consider the national divorce rate.

The Republican alternative budget cuts the deficit by $318 billion over 5 years. That is almost one-third of a trillion dollars that we will not have to borrow, and that our children will not have to pay interest on in the next century. We can seize this opportunity now to put the brakes on runaway debt. We can do it now by approving the Republican alternative budget plan.

At the same time, we can reorder our priorities, which are way out of kilter in this country. We can recognize the enormous contribution of the stability of families and the full-time homemaker and working mother, recognizing that work inside the home is every bit as valuable, if not more so, than work outside the home.

The Domenici alternative is not negative; it is positive. It cuts the deficit. It prioritizes our spending and puts the value where it ought to be: On the stability and security of the American family.

I thank the Senator from New Mexico [Mr. DOMENICI].

I yield the floor.

Mr. NICKLES. Mr. President, I wish to compliment my colleagues, Senator HUTCHISON, Senator GRAMM, and Senator DOMENICI, for their statements in support of this alternative. I think this is a positive alternative.

It is important to note for the RECORD, though, that neither one of these budgets cuts spending. Neither one of the budget alternatives we have before us cuts spending. I think we get so tied up in rhetoric and the use of current services baselines and projected CBO numbers that we forget the real facts and figures.

The real facts are, under the Democrats' budget, spending is going to rise from $1.5 trillion to $1.8 trillion over the next 5 years. In the Republican alternative, we slow that growth down significantly; but spending still grows from $1.5 trillion to $1.7 trillion. So spending goes up under our plan too, just not as fast.

I heard my colleague from Tennessee talking about the Republican substitute, that it gutted all of these social programs, and how catastrophic it would be to health programs. I looked at our health numbers, and this includes Medicaid. In 1995, we are going to spend $118 billion on health programs. Under the Republican substitute, which supposedly guts Medicaid, health spending grows to $150 billion—from $118 billion, in 5 years. I heard my colleague from Tennessee say Republicans are gutting Medicare, and we are going to close hospitals. Under our plan, Medicare grows from $154 billion in 1995 to $210 billion in 1999.

So my point is that the Federal spending grows under both of these approaches, but it grows a lot less under the Republican approach—about $322 billion less over the 5 years. That is significant. Then the Republican plan gives a tax credit to individuals, a $500 tax credit per child, per dependent, under the age of 18. Very simple. Very fair. That is a tax credit people really need. We allow families to decide whether they will use that money for education, or for health care, or for braces. Individual families can make those decisions. If you have a family of four that is a $1,000 reduction in the tax bill of people who happen to need that money. They can make the decisions on how to spend it.

My colleague from Texas, Senator GRAMM, was exactly right. Who do you

think can better make these decisions? Do you think Government should make these decisions concerning education, health, and housing? Or should individual families make these decisions?

We have two different visions here. We have one that will slow down the rate of growth in Federal spending. And this budget does touch entitlements. The Democrats' budget does not touch entitlements; it barely did last year. If you are going to allow half of the budget to grow without any restrictions whatsoever, I think that is very irresponsible. Any business that you look at, if they are running deficits would scrutinize their entire budget.

We are not doing that. This is a status quo budget. It does not touch entitlements. At least the Republican alternative slows down the rate of growth in some areas. Frankly, it still does not do enough. But under the Republican alternative, we have a significant reduction in the deficit every year. We do not end up at zero in 5 years, but we end up with less than $100 billion. Under the Democrat version, the deficit estimate is $174 billion in 1995. In 1999, it is $192 billion. You see their deficit growing. Under the Republican version, the deficit declines from $154 to $99 billion. At least it is coming down, and it is in the right trend.

I think it is a significant alternative that I hope my colleagues will adopt.

Mr. DOMENICI. Mr. President, as I understood, by previous request, Senator GORTON is next. I think he wanted 3 minutes.

I yield 3 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington [Mr. GORTON], is recognized.

Mr. GORTON. Mr. President, there is a substantial, vitally important difference between the two budgets between which we will choose in the course of the next few hours. That of the majority looks backward. It congratulates itself over the proposition that the budget deficit is lower now than it was a year ago or 2 years ago—due, of course, to vastly increased taxes, and to a natural recovery in the economy.

This budget includes within it no plans to do any better. The alternative budget proposed by the Senator from New Mexico looks forward, looks to the proposition that if we are going to have national growth, if we are going to have good times, if we are going to have the progress, which is assumed in the budget that the majority has put before us, we ought to use that time to reduce the deficits, to stop borrowing against the future, however valuable or valid spending programs may be.

It is, however, only the Republican budget that looks to that proposition. The Democrat budget is based on testimony, which this Senator elicited from Laura Tyson, the chairman of the President's Council of Economic Advisers, when she was opposing the balanced budget constitutional amendment. In response to a question after her criticism of that amendment, she said that this administration never plans to balance the budget, never shows a budget deficit of less than $150 billion a year through 1999, or for that matter, through 2001, the year in which the balanced budget constitutional amendment would have taken full effect.

So what we have is a budget plan here which assumes that times will be good, that the economy will be growing, that there will be no recession between now and the end of the century and, nonetheless, never gives us a budget deficit of less than $150 billion a year.

The Domenici alternative does. Budget deficits are much lower, as much or more than $100 billion a year lower, and it provides for tax incentives for savings and investment and thus for growth in our economy, and for education through the deductibility of interest on student loans and for families.

This budget has been criticized for various spending cuts, but no alternative has been proposed. The only alternative that is a valid alternative is to pass the Domenici budget.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, frankly, I have two more Senators, but we have been doing all the speaking. They are going to arrive shortly. I do not want to use all our time waiting.

I wonder if we could put in a quorum call. Let us try it for now and charge it to both sides.

I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SASSER. 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. SASSER. Mr. President, how much time do we have remaining on each side?

The PRESIDING OFFICER. The Senator from Tennessee has 29 minutes; the Senator from New Mexico has 10 minutes.

Mr. SASSER. Mr. President, we heard a lot of speeches here this morning. Some of them have been very good, some of them have been accurate, some of them have been amusing, and some of them have been the contrary to those three adverbs.

But I was struck by something that my friend, the senior Senator from Texas, had to allow today when he said that a budget is a vision, and then he went ahead to describe his vision of the budget that he is presenting here today, or the vision of the budget that he is supporting.

I will tell you what the reality would be of the vision that he is trying to foist onto the United States Senate today and onto the American people. The vision would create larger deficits in the outyears. The deficits would continue to grow and the red ink would continue to flow and the Treasury would continue to hemorrhage.

It is the same vision that the senior Senator from Texas espoused when he was a Member of the House of Representatives and helped put forth the Gramm-Latta budget proposal that set this country on the path of fiscal disaster. We are still reeling today from that faulty, faulty vision and proposal. We saw the deficits of this country go to unparalleled levels, unparalleled peacetime levels, during the 1980's in pursuit of that vision, and that vision is simply cut taxes for the wealthiest among us, and let everybody else fend for themselves, and let us do not worry about what occurs with the deficit.

We see it here again. Capital gains tax cuts benefit principally the wealthiest among us. I have nothing against wealthy people. I wish I were one of them. I hope someday I will be. But I think they ought to pay their fair share, and I do not think that they ought to pay less so that others can pay for them paying less through cuts in things like Medicare and Medicaid.

So we have it in here the capital gains tax cut that benefits the wealthiest. We have a backloaded IRA that benefits the wealthiest. And how do we pay for this revenue loss? We pay for it by cutting Medicare. We pay for it by cutting Medicaid. They would cut Medicaid by $64 billion over the next 5 years. And you know what that vision would produce? It would produce higher taxes at the State level as State governments try to cope with their responsibility under the Medicaid provisions. It would produce rural hospitals going out of business and depriving people in rural and deprived urban areas of health care that was adjacent to their community.

They would cut Medicare and Medicaid together by $144 billion over 5 years. What their vision is or what the vision of the Senator from Texas would amount to is a health care wasteland in this country, a health care wasteland, Mr. President.

It would mean that those who have private health insurance would see their premiums go up to make up for these cuts that are coming in Medicare and Medicaid. It would mean that those on part B Medicare would see their Medicare taxes go up. It would mean that employers who furnish their employees with health care policies

would see their premiums go up and, ergo, you would have fewer employers being able to afford it so you would have more uninsured employees.

What kind of vision is that? I submit, Mr. President, that that is a vision of a Medicare wasteland or a health care wasteland. That is a vision that is an anachronism in the modern society in which we live. That is a vision that might have been satisfactory in the 1920's but a vision that this country began to reject in 1932 and has continued to reject more or less ever since then.

Now, let us talk about the question that was raised about we need to do something about this family that in 1950 was sending $1 out of every $50 they earned to Washington and today is sending $1 out of every $4.

First, those figures in my view are highly suspect. I do not accept them as accurate. But just for purposes of argument, let us sort of strip it back and see what all that means. In 1950, we were at the lowest point militarily than we had been since the 1930's. This was prior to the Korean war buildup. So, we were not asking the American people then to pay for a substantial military budget.

In 1950, if momma or daddy at the age of 65 had to go in the hospital and they did not have any money, their daughters or their sons had to foot the bill. We did not have any Medicare in 1950. In 1950, if you were a poor person, you either got no health care or you were dependent on the kindness of strangers or the kindness of a physician somewhere. There was no guarantee, no assurance that you could get health care in 1950.

In 1950, if you were a person of modest means and you wanted your child to go to college, either you had to foot the bill or you could not go. There were no college loan programs or student loan programs in 1950.

In 1950, there were no clean water bills, so there were no wastewater treatment plants and you just dumped a lot of sewage into the river and into the creeks and continued to pollute. I could go on and on.

Does anybody really want to go back to 1950? Is that the vision that we are talking about here? Sometimes I think that is the vision of the senior Senator from Texas.

But I say to you, Mr. President, that does not even pass the Dicky Flatt test. I will bet that if you called up Dicky Flatt and said, "Dicky, do you want to go back to 1950?" I will bet, when you described it to him, Dicky Flatt would say, "No, I don't believe that would pass my test. I don't believe I want to go back to 1950."

So, when we talk about vision, what we are talking about in the vision of this budget that we have before this United States Senate is a vision of staying the course, a vision of being responsible, a vision of making the hard choices and assigning the proper priorities.

That is what we are doing. That is the reason that these irresponsible deficits of the 1980's are coming down. That is the reason we are having to cut some programs that the American people want and need, because we are bringing these deficits down and we are having to cut those programs to pay for the irresponsibilities of the 1980's and the vision of those who were in control of the budgetary priorities of this country at that time.

Mr. President, this budget that we have before us today is a budget that will continue the prosperity that the American people are now just starting to sense and to understand; will give energy to the economic recovery that we are now seeing with us presently and more of it out there on the horizon. Oh, the figures are very encouraging. Because of this Deficit Reduction Act that we passed last year and this stay-the-course budget that we present to the Senate today, we are creating jobs.

In 1993, we created 1.9 million jobs, more jobs than were created under the previous 4 years under the vision of others; in 1993, more increase in real disposable per-capita income in 1 year than in the previous 4 years, all because of the Deficit Reduction Act of last year and the stay-the-course budget that we are presenting to this body today.

I admire Dr. Alan Greenspan. He is a very intelligent, highly educated man. I disagree with him on a lot of fundamental economic policy and he knows that, but I respect him immensely. Dr. Alan Greenspan, a conservative Republican economist appointed by President Ronald Reagan, said before the Joint Economic Committee of this Congress in February of this year that the economic outlook for our economy was better than it has been in 20 or 30 years—20 or 30 years.

Now, that is the product of the vision that is in this particular budget that is before this body today; not a budget that runs out here and promises a tax cut here and a tax cut there, knowing it is irresponsible, knowing we cannot afford to pay for it. I believe the American people see through that. They understand that there is no free lunch. They understand that we have got to be responsible and we have got to pay our way.

And, Mr. President, that is what this budget before us does today. And it does it without gimmicks. It does it without using things like asset sales. That is selling your seed corn, Mr. President. It would be just like a farmer selling the corn that he is going to plant in the spring of the year, selling it that fall to get through the winter. What happens when the spring comes and there is no corn to plant?

So, Mr. President, I think we do have two conflicting visions here. I think the senior Senator from Texas is right. We have a vision of a budget that is being presented here by the majority that is responsible, that assigns the proper priorities, that makes the tough choices; a budget of discipline so that we can continue the economic recovery that is well underway, so that we can see this recovery continuing out to the year 2000, continued noninflationary economic growth as the economists are predicting. It is going to occur because we are taking responsible, measured decisions to try to deal with this deficit and reverse the excesses that occurred years ago, perpetrated by those who had a different vision of what the budget should look like, what the economy should look like, and what the Government of this country should do.

So, Mr. President, I rejoice in this contrast of visions, because I think if the American people can see both of these visions for what they are, they are going to accept the vision that is in the budget proposed by the majority here, the budget proposed by the President, and I think they are going to reject the vision that is proposed in the alternative offered by our friends from the other side.

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

The PRESIDING OFFICER (Mr. AKAKA). The Senator from Tennessee has 13 minutes remaining.

Mr. SASSER. I thank the Chair.

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

The PRESIDING OFFICER. The Senator from New Mexico has 10 minutes remaining.

Mr. DOMENICI. I yield 3 minutes to Senator LOTT from Mississippi.

The PRESIDING OFFICER. The Senator is recognized.

Mr. LOTT. Mr. President, I thank the distinguished Republican leader on the Budget Committee for yielding me this time.

I know the time is all running out. I do have some points I would like to make, but it is hard to stay on what I had planned to present here in this 3 minutes, after having listened to the presentation from the Senator from Tennessee.

I think we have just heard a perfect prescription and description of what is in the Budget Committee's resolution; that is, the solution is Government: Government can do it all. The private sector cannot handle it. Let the Government move in and take over every program.

Comments were made, "We can't afford to let the people have tax cuts." Now listen to that. We are saying to the people that we cannot afford to let you keep your money. No, because we have to bring it up here and spend it in Washington.

Yes, there is a clear difference in vision. And the only place where you are

going to get a vote for the vision you just heard described is on the floor of the U.S. Senate. The American people would not vote for that vision.

Let me talk first about the Clinton package. The most notable thing about it is what is missing. There are no real spending cuts. There is no credible deficit reduction, no economic growth incentives, and certainly true reflections of the Nation's spending priorities are not in this budget.

Now, why do I say that? First of all, with over 5 years in new spending initiatives, the President's budget would be up $127 billion. Oh, there are a few little small cuts suggested this year, but a couple of things happened. The President turns around and recommends that they be spent in other areas. Even where the President took a courageous stand in several instances, the Budget Committee said, "Oh, no, we can't afford to have cuts there," and the Budget Committee took back those spending cuts.

The American people need to know that this courageous budget we just heard described will add almost $2 trillion to this Nation's debt over the next 5 years. Remember that now. If there is such courageous deficit reduction here, why is the debt going to go up another $2 trillion? So there is no credible deficit reduction here. There are no economic growth incentives. What else is missing is no provisions for the health care reform, no provisions for the cost of welfare reform, and many of the important crime initiatives are not provided for in this package. So I describe the Clinton budget and the Budget Committee recommendation as a hide and seek budget, because you really have to look to find what is in there. And many of the important things are not in there.

The alternative that we have proposed for the Senate to consider, I think, is a very good one. It has tough but credible, responsible deficit reduction, 60 percent of it on the entitlement side and 40 percent on the domestic discretionary side.

I urge my colleagues to look very seriously at this alternative. The American people would support this Republican alternative. Why do I believe that? Because, as I said before, with the President's and Democrat's budget I feel a bit like I am playing one of my favorite games—hide and seek. I am seeking several things in this budget for our Nation: Real spending cuts, deficit reduction, and economic growth incentives. I would also like to find the Nation's priorities—crime reduction, welfare reform, and health care reform—reflected in our Federal spending. Unfortunately, each of these components are hiding—very well—or, more likely, not there at all.

I have looked hard for some real spending cuts. They are not in this budget. The administration claims to cut 100 domestic discretionary spending programs and eliminate 115 others. In reality, when Defense is factored out, domestic discretionary spending actually increases. Even if you include the drastic Defense cuts, the spending cuts total $5.5 billion—a spending cut of 0.36 percent of the $1.52 trillion budget. That's hardly a drop in the bucket—only one-third of 1 percent of the total budget.

The economy is not booming, but it is definitely in a recovery. Now is the time to take advantage of this and cut spending while the economy is stronger.

In reality, the budget proposed by the President proposes higher spending in each of the next 5 years. The proposed terminations and reductions in fiscal year 1995 amount to $5.5 billion while the new spending amounts to $8.2 billion. Over the next 5 years, the budget increases spending on various programs by $127 billion. Federal budget outlays will increase 17.1 percent from fiscal year 1994–98.

The Senate passed budget resolution does include additional cuts to discretionary spending. It is doubtful these cuts will survive on the Senate floor. If they do, I doubt they will survive the conference because the House passed resolution does not include any additional cuts. While I fully support additional spending cuts, I do believe we must be careful where we cut.

I am concerned about this amendment because it does not specifically state that the cuts will not come out of Defense.

The President said in his State of the Union Address that we must "hold the line on Defense" and not cut it any further. I agree with the President. We have cut Defense too much and too fast. Now is not the time to reduce it more. I hope we will have the opportunity during the floor debate to modify the committee passed amendment to specify that the spending cuts be made—but not at the risk of our national security. As the situations in North Korea, China, Bosnia, and Somalia prove, the world is not yet a safe place.

This annual deficit spending has an outrageous effect on our national debt. The debt at the end of fiscal year 1993 was $4.351 trillion. By the end of fiscal year 1999, this debt is projected to be $6.305 trillion. The projected growth in national debt over the 6 years for which the President has submitted budgets is $1.954 trillion. This looks pretty much like business as usual to me—more deficits adding to our national debt.

The deficit projections in this budget are lower. But, are they real? What is alarming is that these projections don't include funding for health care, welfare, or many of the necessary crime initiatives. Additionally, there are no funds for GATT, Superfund, the Bottom-Up Review shortfall or disaster relief.

Since 1989, we've had the San Francisco earthquake, $3 billion; Hurricane Hugo, $3 billion; Hurricane Andrew, $9 billion; Midwest flooding, $5 billion; and the L.A. earthquake, $10 billion. Buried in these relief programs are all kinds of congressional pork. At this rate, we have basically set up another Federal entitlement and we may as well budget for it.

When these issues are addressed in one way or another, I fear these deficit projections will go out the roof.

ECONOMIC GROWTH INCENTIVES/JOBS

We have heard a lot about the lower deficit projections. While I believe this is due to our recent economic growth. I do not think we should focus on who gets the credit for what. We must look forward and enact policies that will best position our Nation for economic growth.

This budget does not contain any growth incentives, which are the only way to create real, lasting jobs. The President attended a jobs summit in Detroit last week. Why? Because we have not seen the necessary job creation.

In his State of the Union Address President Clinton boasted about the creation of 1.6 million new jobs during his first year in office. While this figure is better than no job creation, it represents a much smaller increase than usually experienced. At this stage in an economic recovery, 33 months after the low point of the recession, total employment traditionally has increased by an average of 9.2 percent.

Even including the 1.6 million jobs created last year, total employment has climbed by just 2.5 percent since the bottom of the recession-far below the average.

With higher payroll and income taxes, new mandated benefits, added regulatory burdens, and the uncertainty over health care, employers today have been much more cautious. The job market's lackluster performance indicates Government policy is inhibiting job creation.

FAMILIES

In addition to providing incentives to businesses to create jobs, I believe we should do something for families who are really carrying the tax load. While I have been looking, I am not sure what the President's proposed budget has in it for families.

NATIONAL SPENDING PRIORITIES: CRIME

The rise of violent crime in this country is forefront in almost every American's mind. Yet, this budget is sorely lacking in it's crime proposals.

For everything it "giveth, it taketh away"—the rhetoric does not match the reality.

The President proposes cutting $600 million from existing law enforcement and anticrime programs. The budget

cuts the DEA—surveillance airplanes, high speed ships—organized crime, the U.S. Parole Commission, the INS, the ATE, the IRS, the Customs Agency, the Coast Guard, the Office of National Drug Control Policy, and the FBI. It also proposes the elimination of the Edward Byrne Formula Grant Program, which is an essential source of funds for multijurisdictional narcotics task forces that are the main defense against drug traffickers at the local level.

What does the budget do in the crime area? The budget only earmarks three provisions of the Senate crime bill for funding and yet, it proposes a 30-percent cut in prison construction and increases the civil rights and environmental law divisions at Justice. It increases funding for the Legal Services Corporation by $100 million and it funds $100 million in grants to States for criminal record upgrades to implement the Brady bill. Additionally, it does fund 50,000 additional police officers on the street, $1.7 billion; $300 million for immigration control, including greater enforcement of sanctions on employers; and it proposes $303 million in unspecified crime control.

I believe we must make some radical changes to the President's proposed budget. We can—and should—do better.

REPUBLICAN ALTERNATIVE

For that reason, I fully support the Republican alternative. I believe it charts a much better course for our Nations's future. It addresses each of the areas I have discussed where the President's budget is lacking.

In terms of real spending cuts, we propose $318 billion, $287 in policy savings and $31 billion in interest savings. This is $322 billion more in deficit reduction than the President proposed. In 1999, the Republican alternative budget proposes a deficit of $99 billion—$106 billion less than the $205 billion deficit projected by the Clinton budget in 1999.

This would allow President Clinton to fulfill his campaign promise to cut the deficit in half in 4 years.

In addition to reducing the deficit through spending cuts, our alternative provides relief to families and offers incentives for real, sustained economic growth.

Our plan would help President Clinton keep another one of his campaign promises—a $500 per child tax credit for families.

No, this is not a tax break for the rich. This would benefit over 51 million children. This credit would be available to every family with children in the Nation—not just middle to high income families as many of my colleagues have stated. The median income of a family in my home State of Mississippi, is $24,448. Is that rich I ask my colleagues?

It is important to note that 86 percent of the children in the country are in families with incomes less than $75,000. The credit is available to children of two-parent and single-parent families.

This tax credit will benefit families on the lowest end of the income scale because it is designed to offset either income or payroll taxes, much like the EITC. Thus, anyone who is working, regardless of their income tax liability, could benefit from this tax relief.

This bill puts money back in the hands of the American family—they are carrying the tax load. This will directly impact the lives of approximately 51 million children. One may make partisan arguments about how the tax burdens have shifted over the years—but no one will dispute the fact that families were hit hard by the Tax Code.

In 1950, a family of four with an average income paid only 2 percent of its annual income to the Federal Government while today that family pays 24 percent in income and payroll taxes. When State and local taxes are included, the tax burden exceeds one-third of the family's income. In 1950, close to 80 percent of family income was protected from Federal income tax through the personal exemption. Today the personal exemption only shields 20 percent of that income.

Since 1960, a family with 2 children has seen their tax burden increase 43 percent—and a family with 4 children has seen a rise of 223 percent.

ECONOMIC GROWTH INCENTIVES

The Republican alternative also provides real incentives for economic growth. It would: Index capital gains; allow for capital losses on the sale of a principle home; provide for neutral cost recovery; and create a new IRA and allow penalty free IRA withdrawals for education, medical expenses, and first-time homebuyers. It would allow equality for spouses as well.

Additionally, it would extend the R&E tax credit for 1 year. It would also assist people trying to get an education by restoring the deductibility for interest on student loans and providing for a 1-year exclusion of employer provided educational assistance.

The alternative reflects our national priorities by funding the Senate crime bill, providing $22 billion for anticrime measures. It also funds the $20 billion defense shortfall acknowledged by the Pentagon.

CONCLUSION

This amendment clearly offers Senators a choice between two very different approaches to Government. I am proud to stand for the alternative which includes additional spending cuts and deficit reduction, tax relief for Americans, and incentives for real economic growth.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I modify my allotment of time and give 1½ minutes to the Senator from Alaska [Mr. STEVENS], and 1½ to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1½ minutes.

Mr. STEVENS. Mr. President I am delighted to share the time left with my good friend from Iowa. I was surprised here, a moment ago, to hear the Senator from Tennessee talk about the number of jobs created in 1993. Those jobs were created because of several years of good monetary and fiscal policy reducing the interest rates. Now I think the people on the other side of the aisle ought to look and see what is happening now under the Clinton administration's policies—interest rates are going up.

I support the Republican alternative budget resolution offered by my good friend from New Mexico for three reasons: It includes greater deficit reduction than President Clinton's proposal; it fully funds the Department of Defense's Bottom-Up Review force structure, and it addresses the growing problem of entitlements.

Over the next 5 years, the Republican alternative would result in more than $322 billion in deficit reduction over the President's plan. It would reduce the deficit to $99 billion in fiscal year 1999 ultimately providing $318 billion in deficit reduction over 5 years. That is $106 billion less than the 1999 deficit projected under the Clinton Plan.

In addition to greater deficit reduction, the Republican alternative includes an additional $20 billion to fully fund the Department of Defense's Bottom-Up Review force structure. The Bottom-Up Review was prepared by the Department of Defense outlining the restructuring and minimum financial resources needed to ensure this country's military preparedness. It is the blueprint of how the steep downward trend in defense spending through 1999 will be accomplished. Recently the Chief of Staff of the Army, said, "The fiscal year 1995 budget is our tenth consecutive budget representing negative raw growth." He is talking about Defense real growth. Although President Clinton funded the review in fiscal year 1995, his budget fails to fully fund it in fiscal year's 1996–99. Unless we sustain the force levels assumed in the Bottom-Up Review we can expect the President not to have the flexibility to deal with contingencies such as Bosnia, another Desert Storm or Korea. Failure to have a 10 division Army, 20 Airforce wings and 350 Navy combatant vessels leaves the country unable to lead in international crisis. In hearings before the Defense Appropriations Subcommittee, all the members of the Joint Chiefs have testified that we are at the edge—deeper cuts will destroy our ability to meet the two Major Regional Conflict scenario envisioned by the Bottom-Up Review.

In addition to reducing the deficit and funding crucial defense spending, this proposal begins to address the spiraling growth of entitlement spending. Approximately 56 percent of the savings in this plan comes from changes in mandatory and entitlement spending. This deficit reduction package includes $162 billion over 5 years in discretionary cuts in Government programs and $213 billion in mandatory spending cuts. Without facing the fact that entitlement spending must be addressed—serious deficit reduction will never take place.

Last month during consideration of the balanced budget amendment I spoke about the need to reform our entitlement spending which accounted for over 61 percent of all Federal spending in fiscal year 1992. I voted against the balanced budget amendment, in part, because it did not include any requirement to reform entitlement spending. It did not set up a procedure to address the problem of "uncontrollable spending." Under current law, most of the cuts required by the balanced budget amendment would have come out of Government programs and services from airport control to weather service to Coast Guard search and rescue to national defense. I believed that was not in the best interest of our country's national security.

The Republican alternative is a blueprint for serious deficit reduction. It contains reductions in entitlement spending as well as cuts in other Federal programs. This proposal contains specific reforms that if adopted will result in deficit reduction exceeding both the President and the House's proposed budgets.

Incidently, I would like to commend the drafters of the Republican alternative for including a provision to lease the Arctic National Wildlife Refuge [ANWR]. One-half of the receipts would be deposited in the Federal Treasury and the other half would be paid to the State of Alaska as required under the Alaska Statehood Act. The opening of ANWR is one example of how the Federal Government can better manage its resources to help reduce the Federal budget deficit.

In the final analysis the cuts found in the resolution before the Senate from the majority will cut national defense. The Republican alternative budget resolution is what this country needs to put it back on the path of fiscal responsibility.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1½ minutes.

Mr. GRASSLEY. Mr. President, I want to offer my strong support to a middle-class tax cut for the family, which is in the Republican alternative. It is time to start giving back to families what is rightfully theirs.

If the dependent exemption had kept up with inflation, it would be near $7,000 by now, instead of the $2,350 one that exists.

A new $500 tax credit for each dependent in every family will help the President keep his promise to cut middle-income taxes.

This amendment is the latest in a series of attempts to achieve family tax relief. Besides legislation I have introduced in the past, the Budget Committee voted for a resolution of mine 2 years ago in support of family tax relief. Congress later passed a family tax credit that was part of a vetoed bill.

A $500 tax credit will send billions of dollars directly back to families. Families in my State of Iowa will get over $300 million back. In the chairman's State of Tennessee, families will get direct tax relief in the amount of over $470 million.

Instead of throwing more money at Government bureaucracies, we need to let people keep more of their own money and use it in a way that is best for them. Not in the way that the Government says is best for them. People are sick and tired of hearing from some Government bureaucrat who says I am from the Government and I am here to help you.

So, Mr. President, now is the time for all of us here to start giving people back the money that Congress has been taking away from them. We can never give Government back to the people as long as we continue picking their pockets. If you really support family tax relief, now is the time to vote for it.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

Mr. DOMENICI. We have 4 minutes remaining, is that correct?

The PRESIDING OFFICER. The Senator from New Mexico has 4 minutes remaining.

Mr. DOMENICI. How much time does the chairman have?

The PRESIDING OFFICER. The Senator from Tennessee has 13 minutes remaining.

Mr. DOMENICI. Is it possible the Senator could use some time while I wait for our leader? It would be helpful to us.

Mr. SASSER. Of course.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. SASSER] is recognized.

Mr. SASSER. Mr. President, it has been suggested here on the floor that there are no provisions for health care or welfare reform in the budget being presented here by the majority. There are no provisions in the alternative before us either. In both versions they are included through reserve clauses. That is how we deal with these matters in a budget resolution. We simply create a reserve clause for health care or welfare reform or whatever. That allows the committee of competent jurisdiction, or of appropriate jurisdiction, to take up that particular subject and to produce a deficit-neutral provision with regard to that particular item.

For example, in the case of health care, because of the reserve clause in this bill, should the Finance Committee choose to produce a health care reform bill, they are free to do it under this budget on either side, as long as it is budget neutral. So the two are similar in that particular way.

The statement was made a moment ago that perhaps we could afford a tax cut at this time. I wish we could give our citizens a tax cut. We gave a lot of our citizens a tax cut when we passed the Budget Act last year. There was a lot of discussion at that time about the fact that we were passing nothing but a tax bill, that everybody was going to get their income taxes raised.

I did a study—I did not do it, the Treasury Department did a study of the taxpayers in my native State of Tennessee. We have something akin to about 2 million individual income tax filers down there. Interestingly enough, the Treasury study indicated that 1 percent of that group was going to see their taxes go up. It also indicated that 16 percent of those who filed in my native State of Tennessee were going to see their taxes go down: 20,000 people would see their taxes go up; 305,000 people would see their taxes go down. And the overwhelming majority, over 80 percent, those in the middle, would see their income tax liability not change at all.

I would like very much to be able to give middle-income citizens another tax cut. I look forward to the day when that will come. But we cannot do it until we can do something about these very severe deficits we have been trying to deal with over the past few years. We have made very, very substantial cuts. We have cut spending in mandatory entitlement programs, in Medicare, in Medicaid, cuts in other entitlements which I lined out in detail to the Senate yesterday. Discretionary spending, the other portion of the budget, will be at its lowest level as a percentage of gross domestic product next year than at any time since 1940. Domestic spending next year is going to be lower than it was last year. I am talking, Mr. President, about not lower on a CBO baseline factor; I am talking about lower in nominal dollars, in actual dollars. We are lowering domestic spending from year to year, and that is the first time that has happened since 1969. Bear in mind, 1969 is the last time that we had a balanced budget in this country.

So we are cutting spending. We have cut the fat and, in some cases, we are now cutting right into the muscle.

We simply cannot get in the posture of, I think, at this time doing what we like to do, and that is come forward with a tax reduction for middle-income people, until we can get our deficits under control somewhat better.

Mr. President, may I ask how much time we have remaining?

The PRESIDING OFFICER. The Senator from Tennessee has 6 minutes 20 seconds remaining. The Senator from New Mexico has 3 minutes 52 seconds remaining.

Mr. SASSER. Mr. President, I yield the floor to my distinguished friend from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. We have 4 minutes?

The PRESIDING OFFICER. Four minutes remaining.

Mr. DOMENICI. Mr. President, I yield myself 2 minutes and, hopefully, Senator DOLE will arrive shortly.

I just want to remind everyone that if we take one more look at this chart, the stay-as-you-go budget with reference to future generations and what kind of legacy we are leaving them is described right here in these two bar graphs. The stay-as-you-are, steady-as-you-go, everything-is-going-great approach shows that the entitlements and mandatory expenditures of this Government from 1995 to 1999 will go up from $843 billion to $1.99 trillion. At the same time, the nondefense discretionary will go from $249 billion to $283 billion, a $45 billion increase.

Mr. President, that is not what we ought to be doing in good economic times if we want to rid our future generations of this taxation without representation that is represented by a growing debt.

Second, I do not know what would be said on the other side if they could not speak of the rich and the poor. It seems like, to be fair with everyone, including those who are wealthy in America, we have to always hear an argument that unless it hurts them, it cannot possibly help the poor. Frankly, I do not think anyone believes that. It makes nice rhetoric.

The PRESIDING OFFICER. The Senator has spoken for 2 minutes.

Who yields time?

Mr. DOMENICI. I yield as much time as I possibly can, without the chairman taking away what little time he has, to the Republican leader.

How much does that mean the leader can speak?

The PRESIDING OFFICER. The Senator has about 1 minute remaining.

Mr. DOLE. Can I use 2 minutes of leader's time?

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Republican leader.

Mr. DOLE. Mr. President, after years of having Democrats declare Republican budgets dead on arrival, or D–O–A, Senator DOMENICI has called President Clinton's first complete budget "missing-in-action." It is missing measures to control the deficit. It is missing the tough decisions about entitlement spending. And, it is missing funding for the President's biggest new spending initiatives. But before the American people get too discouraged, I can assure them that there is a choice: One budget plan does contain the tough calls on spending; that is the republican budget plan. I thank my colleague from New Mexico, Senator DOMENICI, for his efforts and the efforts of Republicans on the committee.

Our plan cuts President Clinton's 1999 deficit in half. And we do it without any tax increases and without any cuts in Social Security. The Republican recipe for deficit reduction is simple—tough, enforceable, balanced cuts in Federal spending.

And, while the President wants us to invest in more Big Government and more bureaucracy, Republicans make a real investment in America's future by providing much-needed tax relief to working families and children.

The Congressional Budget Office, the President's hand-picked budget scorekeeper, estimates that if the President's budget were adopted, the deficit would move down from $223 billion this fiscal year to $174 billion in fiscal year 1996, then move right back up again to more than $200 billion in fiscal year 1999 and even higher in future years. The budget resolution reported out of the Budget Committee is an improvement over the President's budget. Over 5 years, the projected deficits are more than $43 billion lower than the levels set in the President's budget.

After all the tough talk we heard last year about the importance of reducing the deficit, and after all the appeals from the American people to "cut spending first," the White House has consistently opposed any additional spending cuts for deficit reduction. Republicans are not satisfied with $200 billion deficits as far as the eye can see, and we believe we can do better.

As indicated, under the leadership of Senator DOMENICI and the Republicans on the Budget Committee, Senate Republicans have put together an alternative budget that makes progress in cutting the deficit without any new taxes and without any cuts in Social Security.

Over 5 years, the Republican plan cuts the deficit by more than $300 billion below the President's budget plan and more than $275 billion below the Senate Democrats' budget plan.

Mr. President, the Republican alternative demonstrates that Republicans are serious about offering entitlement and discretionary spending cuts to reduce the deficit. Our plan would get the deficit down to $99 billion by 1999. That is more than $100 billion lower than President Clinton's 1999 deficit and more than $90 billion lower than Senate Budget Committee's 1999 deficit.

Mr. President, budgets say a lot about priorities.

Because working families and children are a priority for Republicans, our plan contains a number of provisions aimed at providing tax relief to working families.

We believe that inflation is a tax that erodes the value of your assets—whether it is your home, your small business, your family farm, or your investments. To protect these assets from the corrosive effects of inflation, and to unleash new investments, our plan would index capital gains.

Maintaining a strong national defense is a Republican priority. The administration's own defense experts calculate a shortfall of at least $20 billion in the Clinton defense plan. And while the President used his State of the Union address to announce that he would make no further cuts in Defense, his budget plan forces our military to eat that $20 billion shortfall. This is a hidden cut on top of the $127 billion cut the President has already applied.

The truth is that the Republican alternative is the only budget that provides what the President's own defense experts say they need.

The Republican alternative backs up the tough talk about crime-fighting by fully funding the violent crime trust fund with $22 billion over 5 years. This money will hire more cops, make our schools safer, put away violent criminals, and slam shut the revolving prison door.

The American people want us to make the tough decisions needed to get the deficit under control. This plan demonstrates that Republicans are willing to make the tough calls and set priorities, not just with words but with our votes. We are willing to cut back Government programs in order to make continued progress to reduce the deficit, provide tax relief for working families, provide the funds needed for a strong defense and a tough crime-fighting package.

I urge my colleagues to vote for our approach—less spending, less Government, lower deficits, tax relief for working families, and a stronger, more secure America both at home and abroad.

Mr. ROTH. Mr. President, the budget alternative we are proposing today returns us to the promises President Clinton made during his campaign. Leading up to his election, President Clinton was clear about his desire to offer middle class Americans a tax cut. President Clinton was also determined to cut the deficit in half during his first term in office. Well, Mr. President, this is exactly what we propose today with this alternative.

This bill will reduce the deficit by $318 billion over the next 5 years. It will provide middle class tax relief, and it offers incentives that America needs right now to save and invest for the future. This alternative represents a real cure for the tax-as-usual, spend-as-usual virus that seems to be contagious around these parts. This alternative brings together some of the best ideas

of both parties—proposals that have found strong support in this body before.

In fact, this alternative mirrors a proposal I introduced with Senator Lloyd Bentsen—now our Secretary of the Treasury—back in 1991. It offers tax credits for children and expansion of individual retirement accounts. Each of these proposals has found strong support on both sides of the aisle. As currently written, this plan will benefit some 52 million Americans, giving them a $500 tax credit for dependent children. In Delaware alone, more than 180,000 families will benefit from a tax break of more than $85 million. In Delaware and all across America, millions more will benefit from the IRA program, a terrific vehicle for encouraging Americans to save.

Savings equals investment; investment equals economic expansion; economic expansion equals jobs; and jobs equal a secure future for our families and our Nation. It is a simple equation. And under this bill, up to a $2,000 tax deduction would be available for all Americans, including spouses who work at home. This bill also expands the usefulness of the IRA, allowing it to better serve our families. Early withdrawals can be made to pay for education costs, to buy a first home, to cover medical bills or expenses during long-term unemployment. Again, Senator Bentsen and I championed these changes for years before he was picked by President Clinton to run the Treasury.

Mr. President, there are many components of this alternative that will be beneficial to Americans. It is the right medicine at the right time. History has proven that our economy does best when taxes are cut and when spending is controlled. This is no secret held by one party or the other. President Kennedy successfully cut taxes to spark the economy in the 1960's. In much the same way, President Reagan created record-setting job growth in the 1980's. President Clinton appeared to understand this when he was campaigning. Americans believed him. This is the opportunity to make good on those promises.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. SASSER. Mr. President, I will be very brief. I will not use the 3 minutes.

Mr. President, to sum up, in essence what this Republican alternative does to the majority budget, it simply cuts taxes, reduces revenues, and the principal tax cuts are the time-honored capital gains tax cut which we know from past experience inures primarily to the benefit of those in the upper income brackets.

It also includes a back-loaded IRA which also inures primarily to those in the upper income brackets. It includes a $500 child credit which is not capped, so a family making a million gets the same credit as one that makes $30,000 and one that makes $16,000 or less gets no credit at all under this particular proposal. It pays for all of these tax cuts that are primarily aimed at upper income taxpayers, it pays for these tax cuts by cutting Medicare and Medicaid by $144 billion over the next 5 years. This is simply going to mean that many rural and urban hospitals are going to go out of business. It is simply going to mean that private health insurance premiums are going to go up because employers and employees who have private health insurance are going to have to make up the difference from these Medicare and Medicaid cuts.

It also pays for these tax cuts with cuts in discretionary spending, cuts that affect the infrastructure, cuts that affect a whole host of programs.

And interestingly enough, I know that many of my colleagues on the other side of the aisle are worried about cuts in military spending. Well, looking at the discretionary allocation in the Republican alternative, we find that outlays in discretionary spending are cut $118 billion over the next 5 years under that in the majority budget. Now, we all know where those cuts are going to take place—75 to 80 percent of those cuts in discretionary spending, if they were enacted, would take place in the military budget.

Now, that may be all right with a lot on my side of the aisle, but those on the other side of the aisle who have been constantly concerned about cuts in the military budget, if their budget is enacted, should it become the governing force here, then we are going to see very, very substantial cuts in military spending below those proposed by the President.

Mr. DOMENICI. Mr. President, might the chairman yield for a question on that?

Mr. SASSER. I will be pleased to yield.

Mr. DOMENICI. I believe the Senator is mistaken. I believe the Republican alternative has the fire walls in so I do not think the situation just alluded to could happen as a matter of law.

Mr. SASSER. It is my understanding that it is a sense-of-the-Senate fire wall resolution.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. It is because of a 60-vote majority, so it is a sense of the Senate.

Mr. SASSER. But it would not be effective really in safeguarding the discretionary spending from being raided.

Mr. DOMENICI. The Senator is correct.

Mr. SASSER. Mr. President, has all time expired?

The PRESIDING OFFICER. All time has expired.

Mr. DOMENICI. Mr. President, might I have 30 seconds on a different issue?

Yesterday, I think the Senate under the leadership of Senator GORTON with all Senators voting in favor accomplished something. The administration has changed its mind on the Byrne grants and had the Attorney General appear before Appropriations and say the Senate is right. I congratulate Senator GORTON. They are going to find other cuts so that the Byrne grants helping our cities and States to fight illegal drugs can be fully funded.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question now is on agreeing to amendment No. 1560 offered by the Senator from New Mexico [Mr. DOMENICI].

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 42, nays 58, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—42

Bennett	Faircloth	McCain
Bond	Gorton	McConnell
Brown	Gramm	Murkowski
Burns	Grassley	Nickles
Coats	Gregg	Packwood
Cochran	Hatch	Pressler
Cohen	Hatfield	Roth
Coverdell	Helms	Simpson
Craig	Hutchison	Smith
D'Amato	Kassebaum	Specter
Danforth	Kempthorne	Stevens
Dole	Lott	Thurmond
Domenici	Lugar	Wallop
Durenberger	Mack	Warner

NAYS—58

Akaka	Feinstein	Mikulski
Baucus	Ford	Mitchell
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boren	Harkin	Murray
Boxer	Heflin	Nunn
Bradley	Hollings	Pell
Breaux	Inouye	Pryor
Bryan	Jeffords	Reid
Bumpers	Johnston	Riegle
Byrd	Kennedy	Robb
Campbell	Kerrey	Rockefeller
Chafee	Kerry	Sarbanes
Conrad	Kohl	Sasser
Daschle	Lautenberg	Shelby
DeConcini	Leahy	Simon
Dodd	Levin	Wellstone
Dorgan	Lieberman	Wofford
Exon	Mathews	
Feingold	Metzenbaum	

So the amendment (No. 1560) was rejected.

Mr. DECONCINI. Mr. President, I move to reconsider the vote.

Mr. SASSER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut [Mr. DODD] is recognized to offer an amendment.

AMENDMENT NO. 1561

(Purpose: To increase the Federal share of education funding for individuals with disabilities by $6 billion in fiscal year 1995 and $30.5 billion over 5 years)

Mr. DODD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mr. JEFFORDS, proposes an amendment numbered 1561.

Mr. DODD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 24, line 17, increase the amount by $6 billion.

On page 24, line 18, increase the amount by $0.7 billion.

On page 24, line 25, increase the amount by $5.5 billion.

On page 25, line 1, increase the amount by $4.7 billion.

On page 25, line 8, increase the amount by $5 billion.

On page 25, line 9, increase the amount by $5.4 billion.

On page 25, line 16, increase the amount by $6.5 billion.

On page 25, line 17, increase the amount by $5.3 billion.

On page 25, line 24, increase the amount by $7.5 billion.

On page 25, line 25, increase the amount by $6.3 billion.

On page 10, line 3, decrease the amount by $1 billion.

On page 10, line 4, decrease the amount by $0.5 billion.

On page 10, line 10, decrease the amount by $1.6 billion.

On page 10, line 11, decrease the amount by $1.2 billion.

On page 10, line 17, decrease the amount by $2 billion.

On page 10, line 18, decrease the amount by $1.7 billion.

On page 10, line 24, decrease the amount by $2.4 billion.

On page 10, line 25, decrease the amount by $2.2 billion.

On page 11, line 6, decrease the amount by $2.5 billion.

On page 11, line 7, decrease the amount by $2.4 billion.

On page 5, line 1, increase the amount by $5 billion.

On page 5, line 2, increase the amount by $3.9 billion.

On page 5, line 3, increase the amount by $3 billion.

On page 5, line 4, increase the amount by $4.1 billion.

On page 5, line 5, increase the amount by $5 billion.

On page 5, line 11, increase the amount by $5 billion.

On page 5, line 12, increase the amount by $3.9 billion.

On page 5, line 13, increase the amount by $3 billion.

On page 5, line 14, increase the amount by $4.1 billion.

On page 5, line 15, increase the amount by $5 billion.

On page 5, line 22, increase the amount by $0.2 billion.

On page 5, line 23, increase the amount by $3.5 billion.

On page 5, line 24, increase the amount by $3.7 billion.

On page 5, line 25, increase the amount by $3.1 billion.

On page 6, line 1, increase the amount by $3.9 billion.

On page 6, line 7, increase the amount by $0.2 billion.

On page 6, line 8, increase the amount by $3.5 billion.

On page 6, line 9, increase the amount by $3.7 billion.

On page 6, line 10, increase the amount by $3.1 billion.

On page 6, line 11, increase the amount by $3.9 billion.

On page 6, line 17, increase the amount by $0.2 billion.

On page 6, line 18, increase the amount by $3.5 billion.

On page 6, line 19, increase the amount by $3.7 billion.

On page 6, line 20, increase the amount by $3.1 billion.

On page 6, line 21, increase the amount by $3.9 billion.

On page 7, line 1, increase the amount by $0.2 billion.

On page 7, line 2, increase the amount by $3.5 billion.

On page 7, line 3, increase the amount by $3.7 billion.

On page 7, line 4, increase the amount by $3.1 billion.

On page 7, line 5, increase the amount by $3.9 billion.

On page 7, line 8, increase the amount by $0.2 billion.

On page 7, line 9, increase the amount by $3.7 billion.

On page 7, line 10, increase the amount by $7.4 billion.

On page 7, line 12, increase the amount by $14.4 billion.

On page 8, line 7, increase the amount by $02. billion.

On page 8, line 8, increase the amount by $3.5 billion.

On page 8, line 9, increase the amount by $3.7 billion.

On page 8, line 10, increase the amount by $3.1 billion.

On page 8, line 11, increase the amount by $3.7 billion.

On page 70, line 21, decrease the amount by $3.9 billion.

On page 70, line 22, decrease the amount by $3.5 billion.

On page 70, line 24, decrease the amount by $3.0 billion.

On page 70, line 25, decrease the amount by $3.7 billion.

On page 71, line 2, decrease the amount by $4.1 billion.

On page 71, line 3, decrease the amount by $3.1 billion.

Mr. DODD. Mr. President, I offer this amendment on behalf of myself and the Senator from Vermont [Mr. JEFFORDS].

Let me briefly describe what this amendment does. Senator SIMON of Illinois and I offered a similar amendment in the Budget Committee several days ago, which was defeated on a tie vote. Our colleague from Mississippi, [Mr. LOTT] arrived a few minutes late, and under the rules of the Budget Committee, was unable to vote. He would have voted for the amendment and it would have carried. On a tie vote, the amendment failed.

I have changed the amendment Senator SIMON and I offered in the committee. In the committee, we took money from the Milstar Program, made modest cuts in the intelligence budget, and across-the-board cuts in the Departments of Agriculture, Commerce, and several other agencies. In this amendment, we still maintain the cuts in the Milstar Program and intelligence, but we eliminate the across-the-board cuts that were offered as part of the amendment we proposed in the Budget Committee.

In lieu of that, we have a partial restoration of the spending resulting from the Exon-Grassley amendment that was successfully proposed in the Budget Committee.

Let me just break out the numbers very quickly and then get to the substance of the amendment.

This amendment would provide for $6 billion in fiscal year 1995 and $30.5 billion over 5 years to go to the States and localities to offset the spiraling increase in special education costs. A number of years ago, the Federal Government made a commitment to spend or contribute 40 percent of that cost. Nonetheless, we are only contributing 7 percent of that cost currently. This amendment would raise our participation in the cost of special education in every school district in this country by 23 percent, raising the Federal commitment to 30 percent of the original commitment of 40 percent.

So the numbers spin out this way: We would reduce intelligence funding by $300 million in 1995, reaching a height of $1.7 billion of cuts in 1999, for a grand total in budget authority, of some $5.4 billion over the next 5 years; we would cancel the Milstar Program, which gives us a budget authority savings of $4 billion over that same period of time; and we would restore about 50 percent of the reductions in the Grassley-Exon amendment. This would provide us with an additional $21 billion in budget authority, giving us a rough total of $30 billion that I mentioned a moment ago. That is how we pay for this.

So it is the cancellation of Milstar, a modest reduction in intelligence, and then a partial restoration of Exon-Grassley.

What do we do with this money? This is where I want to ask for the attention of my colleagues because this is something we have talked about here on countless occasions. We have heard over and over again the word "mandates" used. This is not a mandate. We have to be careful about the use of that word.

Special education is a critically important program that the Federal, State, and local units of government have a legal responsibility to fund. But, it is also a very expensive program. We have insisted that our States and localities participate in paying for

the cost of educating children with disabilities across this Nation. When the Individuals With Disabilities Education Act was authorized, we said we will help you pay up to 40 percent of the total costs; we will participate. We do not want you to bear all the burden. We will participate.

As I mentioned earlier, we spend about 7 percent or $3.3 billion of the total costs of special education across the Nation. This amendment would raise our participation by 23 percent reaching a total of 30 percent of the 40 percent we originally talked about.

Let me explain what some of the costs mean in real terms, in terms of some of our States.

Let us take the State of Kansas, for instance. The latest statistics that were available from the U.S. Department of Education indicate that the State of Kansas has an $8.7 million commitment from the Federal Government for special education. The State of Kansas spends $53.8 million, and the local governments in Kansas spend $53.5 million for special education. If this amendment were to be adopted, we would provide an additional $15.8 million to the State of Kansas. That would potentially reduce the local commitment to special education in the State of Kansas by $15.8 million in property taxes.

In the State of New Hampshire, the reduction could be $3.4 million. In the State of Oregon, the reduction could be $31.1 million. In the State of Connecticut, it could be $35.5 million, just to cite some examples. I will be glad to provide any Member who is interested in how his/her State will fare with this information. But every single school district in America potentially has a property tax reduction if this amendment is adopted.

It is clear the costs are tremendous, and they are rising. In fact, we are being told by the Governors conferences, and others, that the costs of special education are skyrocketing. By relying heavily on local property taxes, the costs are most painful to communities that have the least amount of economic viability. Our wealthier communities, of course, can afford to do it, but poor rural and urban communities are strapped tremendously.

I think we ought to be more of a participant in special education. And, I also think we ought to be more of a participant generally in the education of our children.

Today, in fiscal year 1994, out of the entire Federal budget the commitment of the U.S. Government to the education of our children in this country is somewhere between 1.8 and 1.9 percent of the entire Federal budget. Of the entire Federal budget, that is our commitment to education in this country. Yet every single one of us knows—and I am confident everyone has given a speech about—how important education is for the 21st century. Yet of the entire Federal budget, that is all we commit to the education of our children. I am including higher education.

With the Clinton budget—and I commend him for it—that number reaches just about 2 percent for 1995, maybe up a tenth of a percentage point. If this amendment is adopted, we would be at 2.5 percent of the Federal budget by picking up more of a share of the special education costs of our children.

Mr. President, it is not easy to come up with offsets. We have to do it. I am sure there will be people here who do not like these particular offsets. We tried to do it in a balanced way. We have suggested canceling a program that many have raised some very severe reservations about.

I am not permitted, nor would I mention the total amount we spend on intelligence. That is a number that I am not allowed to reveal. But I am confident my colleagues here know what that number is. When I talk about a $300 million reduction in the intelligence budget reaching $1.7 billion in 1999, I am not talking about reducing a great deal of that budget.

Given the fact that the cold war has ended and the world has changed dramatically, this is not a significant reduction in that particular budget.

Then, of course, we are picking up 50 percent of Exon-Grassley. Again, I realize deficit reduction is an important issue, and it should be. But we should not continue to reduce our deficits simply by shifting the costs to other units of government. I think we could really assist our financially overburdened communities by taking some of our resources and applying them to meet our promised levels of educational commitment.

There is a great movement going on across this country over property tax relief. Here is a chance for us to finally do something about it in a very real and meaningful way, to actually reduce the property tax burden because of the rising costs of special education needs.

So I would urge my colleagues to look at this amendment carefully and raise questions if they have them. But here is a chance, as I say, for us to provide either real potential tax relief or greater resources to allow communities to purchase computers, additional teachers, better facilities, et cetera. Local communities simply cannot continue to raise these tax rates much longer, or much higher, and this amendment would provide some relief either to cut that tax or relocate resources in other areas.

So I would urge the adoption of the amendment. I would be glad to yield to my colleague from Vermont for any comments he may have as well.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I rise in support of my colleague from Connecticut, and commend him for this amendment.

As Senator DODD has pointed out, this amendment is within the budget cap. But most importantly, for the knowledge of Members, it follows the instructions which were given us in a 93-to-0 vote on the Goals 2000 bill. In that Sense-of-the-Senate vote, we stated that as soon as reasonably possible we should fulfill our commitment dating back to 1975 and fully fund 40 percent of the cost of special education in this country. To remind everyone what that vote of 93 to 0 was about I will read the language delivered a few months ago.

"It is the sense of the Congress that the Federal Government should provide States and communities with adequate resources under the Individuals With Disability Education Act"—that is special education—"as soon as reasonably possible through the reallocation of noneducation funds within the current budget monetary constraints."

What we are doing here today, is what we were committed to do after that vote. We are fulfilling that commitment, to give you the opportunity to be able to go back to your States and say that you have lived up to a 93-to-0 vote that we should move toward fully funding the special education provisions.

We have done our best to try to find the most logical and sensible way to take funds from other parts of the budget and move them over to this critical area.

But before I get into more detail on Special Education, let me turn to a little bit of budget philosophy and to the critical crisis this Nation faces with respect to education. I think to fully understand why this amendment is so important, we must not only recognize the problems that have been created by the underfunding of special education, but we must also fully understand the realities of our educational system as we move toward the future in critical areas.

First of all, it is critically important that we are able to have the work force we need for the next century.

Mr. President, the evidence is overwhelming that unless we devote more resources into education, and direct them toward attaining what the Goals 2000 would require, we will not have an adequately educated work force. We will not be able to meet the competition in the next century to be able, or keep this country at the level of greatness that it is now, and it should be in the future.

Second, we cannot solve the problems of crime by building more prisons. We must go to the causes. And when you understand that 82 percent of those who are incarcerated are school dropouts, it is not difficult to see the linkage between education and crime.

Third, we must also look at the impact that our welfare system has had and understand that in order to solve the causes of the welfare problem, we must also look to education. To dramatize that, reflect on the fact that 60 percent of our teenage pregnancies are school dropouts.

Finally, if we are going to bring the problems of health under control in this Nation, it will be impossible to do so unless we provide the resources to ensure that our people are knowledgeable and understand what must be done to take care of their children to make sure they are healthy and ready for school.

In my mind, I have a budget philosophy, and that is that we have to cut, but when we cut, we should also consider that we have to reallocate resources to meet the priorities of this Nation. I could go on at length about the dire need for reordering resources to go into education.

The philosophy that I have adopted and am pursuing here is that when we make cuts, we should reserve half of those cuts for reordering national priorities and half of those cuts for deficit reduction. That is what the Dodd-Jeffords amendment does.

What we have been doing, I think unfortunately, for the past few years is placing ourselves on a course which is guided only by the amount of deficit reduction. I call this fiscal dead reckoning. It is a lack of ability to discern what course we want in the budget situation. We chart forward where we are going, using the same course and the same speed, and we hope when we are finished we will get to where we want to be.

We only use that when we do not have the ability to look at navigational aids, whether it be land or satellites or whatever. But when we see that a course change is necessary, to continue on a dead reckoning course will lead you into the shoals and destroy your ship. We cannot allow our ship of state to continue on that same course without recognizing we need to modify the course and the speed in many respects.

So when we do the cuts, I believe strongly, as I said, that we should save some of those cuts to reorder national priorities and not mindlessly pursue a locked-in course with the same priorities at slightly lower levels.

Now let me again take a look at the crisis in education in this country. It is not a simple matter of throwing money at an issue. I will be the first to recognize that. But, on the other hand, it is incomprehensible that we can do what must be done without some reallocation of resources.

We have chosen one where reallocation is most significant and most necessary in order to free up our educational agencies, our local educational agencies in States, to be able to unshackle themselves from the failure of the Federal Government to meet its commitments in funding of special education.

My colleague from Connecticut has outlined very dramatically what it could do for each of the States. But, more importantly, it will provide reassurance to those communities so that they can plan for the future under the Goals Planning Act, with some hope that they will have Federal resources to meet some of the demands that are being placed upon them.

Yes, it is true that you can do much without those resources to better define the programs and plans at the local level. But it is also impossible to recognize that, without additional money to fulfill the Federal commitment, it will not be possible to meet the goals and provide the work force for the future.

In the HHS appropriations bill back last September, without objection, an amendment was included by myself, Senator SIMON, and Senator DODD which, in essence, states this:

> To express the sense of the Congress that the total share of Federal spending on education should increase by at least 1 percent each year until such share reaches 10 percent of the total Federal budget.

That was what we passed in the HHS appropriations bill.

For the knowledge of my colleagues, the House the other day passed an amendment, without objection in the House of Representatives, and added an identical amendment to the Elementary and Secondary Education Act. So we now have on record position statements by both bodies that this Congress will reallocate the resources necessary to make our commitment to education.

Mr. President, I have supported Senator DODD and Senator SIMON in these efforts and will continue to work with them to improve our Nation's schools.

This amendment, as I pointed out, will add $6 billion to Function 500 in fiscal year 1995 to be used to fund special education, bringing it up at least halfway to where our commitment was in 1975.

The increase, when combined with the increases in Head Start the President included in the budget request, provides sufficient money to produce some visible results in our schools. This is the first step in a multiyear process of providing resources that will get school improvement really moving, to start showing progress that our students can see and benefit from.

When the special education program was enacted in 1975, the Federal Government agreed to pay 40 percent of the cost. Today, the Federal Government pays less than 8 percent. In my State it amounts to only 3 percent.

The increases in the program over the last 15 years, combined with the failure of the Federal Government to live up to its commitment, have created an enormous financial burden for the State and local governments. This proposal would bring the Federal contribution up to in excess of 25 percent, a significant increase but still well below the level promised when the bill was authorized.

No one wants to solve our deficit problem more than I do. But we cannot put our fiscal house in order by ignoring the needs of our own people. Only by addressing those problems can we ever hope to control the spending programs and bring them in line with the ability to support them with revenues.

Let me give a very simple example of how this works with education. The national average graduation rate for our schools is 72.9 percent, while the rate for urban schools is 66.5 percent. In human terms, this is 86,000 young Americans who try to enter the work force each year without high school diplomas. We know from statistics that these individuals will earn 65 percent less money than their colleagues who have graduated from high school.

Let me repeat that. By earning a high school diploma, a young person can expect to increase his income by 65 percent. If we could just get the graduation rate for urban schools up to the national average, the additional tax revenues would be about $200 billion per year.

That gives an indication of what can be done. One could only imagine the enormous economic effect if we could raise the graduation rate for all schools up to the goals we have set in the Goals 2000 bill.

Mr. President, bringing our poorest performing schools up to the current national average is not an unachievable goal. It is an investment that makes sense and it is for the sake of our children. If we expect to maintain the current standard of living for our children it must be a requirement that we provide all of them with an education that will prepare them to cope and indeed prosper in the years ahead.

BACKGROUND

It has been nearly 11 years since "A Nation at Risk" was released. The authors of that report described the status of our education system as follows:

> If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.

In my view, they were portraying a very serious problem, and making a plea to the Nation to take action. This commission was not the first to make these recommendations, nor the last. In fact, I have a list of dozens and dozens of studies that have been done on the problems of U.S. education.

Unfortunately, the policymakers and leadership of our country have not treated education as a crisis, and with

isolated exceptions, have made only marginal changes.

STATUS OF AMERICA'S SCHOOLS

Let's examine just a few of the measures that one normally uses when talking about the health of education.

The first is funding. How much are we spending on our schools? It is well known that school funding is not a very good predictor of student achievement, but it is useful to examine how much is being spent.

According to the Congressional Research Service, a total of $247 billion was spent to operate approximately 87,000 elementary and secondary schools around the Nation in 1992. The Federal Government provided 5.6 percent of this total. This compares to $127 billion spent in 1982, one decade earlier, when the "Risk Panel" was conducting its work. At that time the Federal Government contributed 7.7 percent of the total.

This may look like a big increase, but when expressed on a per-student basis, in constant dollars, it amounts to about 2 percent real growth per year. Mr. President, I'm not an economist, but I can tell you that the price deflator CRS used to compute constant dollars measures only price changes of local government purchases, not the cost of educating a young person. Government mandates, initiatives such as special education, security problems, health care for students, and many other concerns have driven the average cost of educating a young person far beyond that indicated by the deflator used in this report.

My point is simply that the raw data may seem to indicate school funding has increased substantially, but the reality is that the increase is small. When compared to the demands placed on the schools, and the needs of the students, funding has not kept pace.

Finally, I would like to point out that while the Federal Government is beginning to increase its share of elementary and secondary school funding—which I support wholeheartedly—it is at the State and local government level that the vast majority of the increases in funding have occurred over the last decade.

HIGH SCHOOL GRADUATION RATES

The percentage of students who graduate is another commonly used measure of how our schools are performing. According to "The Condition of Education," put out by the U.S. Department of Education, the percentage of 19- to 20-year-olds who have not completed high school declined slightly, about 2 percentage points, over the last decade. The percentage of this age group still enrolled in school increased slightly, and the percentage who had completed high school remained about the same.

In a word, Mr. President, these trends are in the right direction, but the rate of improvement is wholly inadequate—not nearly enough to produce the results that are needed.

STUDENT ACHIEVEMENT

Finally, there is the issue of student achievement. What are our students learning?

According to the "Statistical Abstract of the United States, 1992" published by the Department of Commerce, Scholastic Aptitude Test [SAT] scores for college-bound seniors, although not a perfect indicator of scholastic ability, have remained virtually unchanged over the last decade. The same is true of American College Testing [ACT] Program Scores.

Looking at younger students, the results are equally unimpressive. The U.S. Department of Education, in "The Condition of Education, 1993," reports trends in proficiency in science, math, reading, and writing of 9-, 13-, and 17-year-old students. All measures for all groups were unchanged or worse over the last two decades, except for a small improvement in math for 9- and 13-year-olds, and in reading for 17-year-olds.

To me, the data indicates that, when measured in traditional ways, our students are about as good as they were 20 years ago. The alarming aspect of this becomes evident when our students are compared with those of our international competitors. A recent test of students from 11 industrialized nations reported in the "National Assessment of Educational Progress," put our 13-year-old students last in mathematics and next-to-last in science. The test results indicated our 13-year-old students were approximately 2 years behind students in Taiwan.

In summary, we have maintained the status quo in our schools while our competitors have made major strides forward. If we expect to be able to compete successfully against them into the next century, then we must find a way to bring about similar or greater improvements in the educational attainment of American students.

THE NEED FOR IMPROVING EDUCATIONAL ACHIEVEMENT

The Workforce 2000 Study saw the need for educational improvement. It predicted that more than half the new jobs created by the year 2000 would require education beyond the high school level. Unfortunately, what is evident among many of our leading corporations such as Motorola, Xerox, MCI, and others, is that they are compelled to set up their own remedial education programs to correct the deficiencies they identify in the skills of young people graduating from American high schools.

These are the companies that are on the cutting edge of international competition in the high technology industries of the future. If they cannot succeed in international markets with products manufactured by American labor—the product of American schools—then we have a bleak future, indeed.

THE INCREASING CHALLENGES TO EDUCATIONAL ACHIEVEMENT

We must remember that our schools are being challenged from every direction. On the one hand, we are asking them to take a significant step forward in preparing students for the workplace of the 21st century. On the other hand, we are sending them children whose educational success is threatened by an increasing number of risk factors.

Poverty is the biggest risk factor to a child's educational success. In the last two decades, the percentage of children living in poverty has increased by 48 percent. The Department of Commerce announced yesterday that this figure has gone up for the third consecutive year. It now stands at 22 percent. Saddest of all is the fact that poverty rates are highest among the youngest children. Of children under the age of six, almost 25 percent live in poverty.

There are other risk factors as well: language, family status, drugs, and many others. Most of them are increasing, as well. I might interject here to say that many people claim these are not education problems. I will not argue the semantics. Whatever they are called, they still affect a child's ability to learn. When a child fails at school, all of us pay the price in the long run—whether it is lost productivity, forgone tax revenue, welfare costs, unemployment costs, or crime.

Our country cannot wait until we solve the problems of the American family, or the problem of poverty before turning our attention to education. Indeed, I would argue the most effective solution to these problems may lie with our schools. I believe the creation of a fully literate society is the foundation on which we can make real progress toward breaking the cycle of poverty that grips too many American families. No training component of any welfare reform effort can succeed without a strong educational foundation. We must improve education, and we must do it as soon as possible.

The bottom line is that our schools must produce graduates that are better educated than in the past. They must do it by starting with students that are less prepared to learn than in the past. Over the last decade, we have asked them to do this with only meager increases in funding. If we expect them to make the kind of progress that is really necessary, we must be willing to provide them the necessary resources.

Now is the time to start putting this proposal into action. We can no longer sit on the sidelines and hope that someone else figures out a way to prepare our children for the 21st century using methods and funding levels from the 1970's. We have to be willing to meet today's promises and tomorrow's

challenges. To do that, we have to be willing to provide the resources.

As the chart indicates, we have many excellent programs that are producing good results but simply are not being funded adequately to address the national needs. There are also several new initiatives that are widely recognized as beneficial to our students that should be implemented as soon as possible, such as extending the school year.

As we have in the past, this Nation has responded to pressing national needs with aggressive and innovative programs to provide opportunities to our citizens who needed them. The GI bill after World War II is a good example of America meeting a unique challenge. In 1947, the peak year of spending for this program, the Federal Government spent $3.6 billion sending veterans to college. In today's dollars, this would equate to $31 billion. Once again it is time to take this action to address the educational needs of our population. This time, it is for all American children. We must guarantee the educational opportunities that fulfill the promise for a better future.

Only by taking drastic action to improve our education system can we expect to provide our children with the bright future that all of us have taken for granted during our lifetimes. We have been warned, but we have not taken bold action. The time to act is now.

I want to say a few more words about special education and why it so important we continue to move forward with this amendment.

In 1975 when the Education of the Handicapped Act [EHA], now Individuals with Disabilities Education Act [IDEA], was passed, the authorization level for funding the program was 40 percent of the "average per pupil expenditure" setting a goal and an expectation for future funding. Funds appropriated for the program have not begun to reach this level of commitment. In fact, the Federal contribution is projected to be about 8 percent in 1994. Clearly, the anticipated funding level has not been realized. This amendment would raise the Federal share to about 30 percent.

Much has changed in special education since the act was passed. Disabilities have emerged that were previously rare or nonexistent. These include technology dependence due to the survival of low-birth-weight infants, traumatic brain injuries, problems resulting from addiction and lead poisoning, health impairments due to AIDS and herpes. Currently, the category of "severely emotionally disturbed" is under review and may be amended to include a broader array of problems. The inclusion of "attention deficit disorder" as a new category of disability is being studied.

This expansion of the population of students with disabilities has increased the demand for staff for special education and related services. Additionally, the educational challenges presented by the expanded population have created the need for new and different approaches to the teaching and learning process. Existing staff have required training or retraining. New models for the provision of services have been developed and tested.

New requirements have been added to the act through the reauthorization and regulatory processes. The planning for and the provision of services designed to transition students from school to work have been added. Students with disabilities must now be provided assistive technology as a related service. Some of the assistive technology must be designed and developed on an individual basis in order to meet the unique requirements of individual students. States are required to meet the "highest professional standard" for staff, thus increasing costs for both training and salaries. Public agencies are now required to reimburse parents under certain circumstances for attorney's fees.

In addition to requirements that have been added through the legislative and regulatory processes, requirements have been imposed as the results of court actions. Examples of these requirements include: a prescribed process for the suspension and expulsion of students with disabilities which limits the time a student may be suspended or expelled under specified circumstances; the provision of services by the schools of services that were previously considered medical services; the availability of damages or compensatory services; the expansion of "Free Appropriate Public School" to include year round services for some children; and, the expansion of services offered to students with disabilities placed by their parents in private schools, to name a few.

Services and costs have expanded due to policy interpretations made by the U.S. Department of Education. The Department has further defined States responsibility to provide services year round to students with disabilities determined to need such services. Recently, it was ruled that hearing aids which were heretofore considered personal devices, since they were required in settings other than school, were ruled to be assistive technology and must now be supplied by schools.

The Department has further defined the courts' standards for the provision of services to students who are suspended or expelled by requiring school systems to continue to provide services to students with disabilities under certain circumstances during the time they are suspended or expelled. Policy interpretations by the Department have had the effect of expanding the circumstances under which a school system must pay for an evaluation to be provided by persons who are not employed by the school system. It should be noted that the imposition or requirements on States and local school systems through policy interpretation without the benefit of the legislative or regulatory process has been ruled by the courts as being within the authority of the Department of Education.

While new populations and requirements have evolved, States and schools have also worked to improve the quality of services provided. Among areas that most agree need improvement are: program evaluation; personnel preparation; support to families; services to students with disabilities in correctional facilities; and services to students whose native language is other than English.

Other factors also contribute to the costs of special education. The paperwork burden has increased as a result of the litigious nature of the act. Transportation costs are impacted by the cost of gasoline and have increased tremendously over the past several years. Due process hearing overall have dramatically increased since 1990. This may be due to the increasingly litigious nature of our society or it might be viewed as the result of inadequate services. Whatever the reasons, the increased hearings contribute to the costs associated with special education are increased.

The public demand for educational restructuring and reform has significant implications for the education of students with disabilities. There is a call for high expectations and commensurate achievement for all students, including students with disabilities. The provisions of the Goals 2000: Educate America Act apply to all students. If we are to improve teaching and learning for all students, ways must be discovered to make curriculum content, not just buildings, accessible to students with disabilities. The programmatic and fiscal implication of these challenges are yet to be determined.

Those who were part of the passage of the act in 1975 could not have foreseen the current circumstances. Yet, authorized funding was established at 40 percent of the average per pupil expenditure. Congress has an obligation to evaluate the appropriate level for funding IDEA in light of the current situation and the intent for future funding previously expressed by Congress when the authorization level was established.

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

The PRESIDING OFFICER. The proponents have 33 minutes and 44 seconds.

Mr. JEFFORDS. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield 10 minutes to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, obviously, I am going to rise against the amendment by the Senator from Connecticut and the Senator from Vermont, not because there is anything wrong with the programs they want to spend more money on—they are very good, worthwhile programs—but because their approach would add to the deficit that is in the budget resolution. I think it is wrong to add to that deficit.

I would like to read a paragraph from a letter I got from the National Taxpayers Union in support of the Exon-Grassley amendment. The third paragraph says: "The National Taxpayers Union strongly opposes any effort"—I assume that would include the effort being made by the Senator from Connecticut—"to restore the $26.1 billion in Federal spending that you have successfully cut." This would only be a part of this total amount of money, but they would oppose an effort to restore any. "We urge your colleagues to oppose any such effort and we would score any vote to oppose restoration of funding as a major protaxpayer vote in our annual rating of Congress." That is just one organization. There are a lot of other organizations that would have similar feelings.

There are a lot of other organizations on the other side that would say we ought to spend more money. But what you have to look at is, what is the mood of the country? It is for Congress to get its act together when we are talking about spending money and budget issues. The biggest part of our act here in Washington, DC, and in the Congress, is getting our fiscal house in order. For some reason, some of my colleagues just do not get it. There is a good reason why last Thursday, 13 out of 21 members of the Budget Committee voted to make additional cuts. These were the Exon-Grassley cuts. That good reason is because these 13 Senators have received the message. The American people want us to have guts and to make cuts.

Every budget chart in this town, Republican or Democrat, public sector or private sector, shows deficits rising again after 1999. The purpose of the Exon-Grassley amendment, which the Dodd amendment would detract from by spending some of the savings, was to change the slope of the rising deficit path that shows up on every chart in this town. The committee was very cognizant of this looming predicament. The euphoria of having a couple of good years here of reducing those budget deficits will soon go up in blue smoke as we get down there to 1999, and those deficits go back up.

The Budget Committee's decision was to make a downpayment, a simple, small downpayment on lowering tomorrow's deficits, particularly post-1998 deficits. We did not want to wait until mañana to deal with a problem the people of this country want and expect us to deal with today, not in 1998 or 1999.

There has been some talk about how discretionary spending has been cut to the bone. That is something the Senator from Connecticut is now dealing with. They would say there is no more room to cut, discretionary spending is only one-third of the budget and therefore is not really the problem.

Let me suggest, however good-intentioned those arguments are, that is an argument that does not sell at the grassroots of America.

Spending is spending is spending. All spending, Mr. President, is the problem. Whether it is entitlement spending, discretionary spending, defense spending, interest payments, it is all part of our problem. And we have to start somewhere.

So in undoing what we did in the committee, which the Senator from Connecticut would partially do—and we did it to save just $26 billion over 5 years—any effort to rescind that would be a step backward. It would signal retreat in the face of the superior forces in this body who want to spend more.

Mr. President, not since 1985 have I seen so many in this body react so irrationally over such a modest amount of cuts. 1985 was when we cut a mere $17 billion over 3 years from the defense budget, which amounted, at that point, to a freeze. Back then, we were told that a $1 reduction would cause the decline of the West into the dustbin of history. Yet, we froze the defense budget, and it was the Soviet Union, not the United States of America, that was swept into the dustbin.

With the Exon-Grassley cuts—which, incidentally are not cuts but merely a prudent limit in the increases—we are told the very same thing in 1994 that we were told in 1985. I have been getting letters, calls and faxes saying that the effect of the Exon-Grassley amendment will be to undermine health care reform, it will decimate education, it will destroy the environment, and it will end all assistance that we provide to our youth.

Let me just say that Exon-Grassley cuts only—cuts only—$1.6 billion in outlays in the first year of this budget. Just $1.6 billion next year.

This must be, considering all of the screams of despair that are going up over the Exon-Grassley cuts, the most magical $1.6 billion in the budget that we ever had. If cutting it will destroy all these worthy programs, that must mean that spending this measly $1.6 billion will do enormous things. Think of what this means in terms of the multiplier effect. It reminds me of the story of Jesus and his Sermon on the Mount where he had only two loaves of bread and five fish, and yet he fed the multitudes. Every time a fish was taken from the basket, another one would miraculously appear. Yes, this must truly be a miraculous $1.6 billion.

The deficit savings in the Exon-Grassley amendment are not large. In fact, notwithstanding what I said before, they are not even modest. In fact, they are embarrassingly low and small. Yet, it was the most that we could hope to do in that Budget Committee last week. I commend each of my colleagues on the Budget Committee for the courage and the guts to make these cuts. Especially I wish to commend my good friend from Nebraska, Senator EXON, who had not just courage but provided the leadership to buck his party leaders and to give the taxpayers this small but very significant victory.

As one who has been on the point many times, bucking my own party during the Reagan-Bush years, I know what he is going through. Sometimes it can get awfully lonely when you follow your convictions and when you do what you think is right.

The savings in the Exon-Grassley amendment are so small that they have been characterized as a gnat. In my view, Mr. President, it is even smaller than that. It is a pimple on the back side of a gnat. Yet, we are reacting as if it were the end of time. Imagine if we did something real serious to lower the deficit. Why should we want to give up this small victory for the taxpayers?

I urge my colleagues to reject the Dodd amendment, which is just one of many, many attacks we are going to have in the next few hours and few days as we discuss this budget resolution, to undo what the taxpayers of this country are asking us to do: to make a small downpayment on the debt that is looming on the horizon post 1998.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, let me point out a number of things, if I can, in response to my colleague from Iowa.

First of all, this is an amendment that could result in lower property taxes. In fact, in the State of Iowa, it could mean a reduction of at least $710,000 in property taxes because that State, like all States, is being asked every day to pay an increasing share for the special education cost of children.

I offered an amendment in the Budget Committee that did this by making across-the-board cuts in a number of agencies' discretionary spending budgets; cutting Milstar, and so forth. My colleague from Iowa voted against that amendment, which amounted to real property tax relief in every single school district in this country—every single school district in this country.

But that amendment was rejected on a tie vote, 10 to 10, in the committee. That would have saved us having to come to this conclusion.

But I happen to believe, based on the comments of my constituents, and many others across the country, that the property tax burden is crippling to people. Talk about the deficit. We load up our local communities with increased costs, and special education contributes to them. Today the burden is pretty significant.

What this amendment does is offer some relief to every single State in that area. In my State, it is a savings of $35.5 million potentially. In the State of Oregon, I mentioned it is $31.1 million. In the State of Iowa it is $710,000 because local communities are paying a tremendous amount in property taxes to support the special education needs of children. We said years ago the Federal Government ought to be involved in the cost of special education in this country, and then, typically, we backed away. We said you ought to do it, you have to do it, now you pay for it. You pay for it. Nebraska, Iowa, Connecticut, New Mexico, you pay for it.

So all I am saying here is how about living up to our words? How about participating? How about offering those school districts a bit of a break? That is all, to lower that property tax a bit, which is one of the most regressive taxes in the country. Lower that property tax a bit. Participate and contribute.

I do not like taking money from the proposal of my colleagues from Nebraska and Iowa, but all the money got sucked up in that. Here is a way of asking for some of that money back to offer some relief to the very people you talk about in deficit reduction. Get rid of the Milstar program, make a modest reduction in intelligence over 5 years, and increase from 7 percent to 30 percent the Federal Government's commitment to educate the kids who have disabilities in this country. Is that too much to ask?

I know deficit reduction is important. I do not know anybody here who does not care about it. We all do. But to say somehow we are pure, we will reduce our deficit and then shove the costs on to our local communities across the country and ask them to bear the burden—once again, is pure gimmickry. Those are heavy costs to the local community and they are going up every day. Ask your Governors, ask your mayors where the single largest cost is rising in their education budgets—it is special ed.

We promised to contribute 40 percent of the costs, and now we do not want to pay for it because we are seeking the Holy Grail of deficit reduction. Every school district in this country can benefit if this were adopted. If you want to provide relief for people, buy this amendment.

So the amendment is different than what I asked my colleagues in the Budget Committee to vote on. But in light of the Exon-Grassley amendment being adopted in the committee, we ask to restore 50 percent of those cuts for education. You still have 50 percent of your reductions.

So I urge my colleagues to look at this amendment. Deficit reduction is important. Property taxes are also important. The burden on local people is important. I think we ought to keep them in mind as we talk about these issues. This amendment does.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I am going to yield very shortly to the Senator. He needs 15 minutes?

Mr. EXON. Yes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Let me take 1 minute.

Mr. President, about an hour ago, maybe an hour and 15 minutes ago, I was speaking to the Byrne grants, formula grants that the President has recommended take a very large cut—$358 million in this year's budget. I commented that the Attorney General appearing before the appropriations subcommittee of jurisdiction had indicated that perhaps they have seen the light and would fund the program.

I was slightly in error in that the Attorney General indicated the cut was too severe and that they would propose another $125 million in cuts elsewhere and put that $125 million back into the Byrne formula grants. So the administration did not take care of this problem today and correct the very serious mistake they have made in their budget, and I was a little anticipatory in saying that they did.

Senator GORTON, who had proposed the amendment to fully reinstate it by cuts elsewhere in Government, I told him that he should be very joyous, that he had succeeded. But it looks as if there is only a partial victory, although it would seem to this Senator that the administration is beginning to understand that you cannot be for crime prevention in this country and cut $358 million out of the most effective Federal Government program in helping our States and localities fight drugs.

So with that, I hope Senator GORTON will understand that I made a mistake of being too optimistic, that the administration is not suggesting a way to pay for it all but only a part of it.

With that, I yield 15 minutes to my friend, Senator EXON from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. I thank the Chair, and I thank my friend and colleague from New Mexico.

Mr. President, I will talk about the budget resolution in a few moments. But despite the plea by the Senator from Connecticut on his amendment, which has certain attractive features, I would admit, this is basically the first raid on the Exon-Grassley amendment, and others are likely to follow before we have our final vote. Therefore, I oppose the amendment offered by the Senator from Connecticut and hope that it will not prevail.

Now, having said that, I wish to amplify for just a moment, if I might, that this is a rather unique experience that I have seen. Certainly, I agree with the Senator from Connecticut that property taxes are oppressive. They are certainly oppressive in Nebraska. The only fault I have with his argument is that I do think special education is tremendously important, and under another set of circumstances I might be supportive of the thrust of what this Senator is trying to do, but I would simply say I am opposed to this amendment not on the grounds I do not recognize the need for financing special education, not on the grounds that I am not concerned about local property taxes. Not very often have I heard, in my experience in the Senate, a Senator talking about doing something here that is going to provide some relief from local property taxes.

I would simply advise my friend and colleague from Connecticut that those of us who have served as Governors of our States, those of us who have served in the legislatures of our States, would exercise a caution flag here at least. Even if the amendment by the Senator from Connecticut were adopted, Mr. President, that would not ensure, nor do I think it likely to occur, that the property taxes, therefore, in Connecticut and elsewhere would be reduced. I believe that you can find history replete with the fact that good intentions for providing more money for education do not necessarily, and not very often, reduce property taxes. It gets continued to be swallowed up in the ever-increasing cost of education.

So for a variety of reasons, I hope that we would defeat the amendment offered by the Senator from Connecticut.

Mr. President, I principally rise today to express my support for the fiscal year 1995 budget resolution as reported by the Senate committee. And as reported by the Senate committee, this includes the Exon-Grassley amendment. This is a tough budget which continues the tremendous progress that we have made just this last year with the passage of the $500 billion deficit reduction bill.

As a result of that bill, we have unquestionably made enormous strides toward restoring some fiscal sanity to our Federal budget. Like my colleagues who voted in favor of last year's budget reduction, I am proud

that we have clearly and finally begun the difficult task of reducing our Federal deficits.

I emphasize, Mr. President, that we have only begun, and we have not licked the monster.

Although it is perhaps still early to make any final conclusions, the early returns are in regarding President Clinton's economic plan and they are revealing the wisdom of the action we took. Our projected deficits are significantly lower than last year's. The economy is doing quite well.

In that respect, critics of last year's efforts were clearly wrong. At that time, you heard prediction after prediction that our economy would go sour, that jobs would be lost, that small businesses would be devastated, and that our deficit would continue to increase. None of these predictions have come to pass.

In a different respect, however, the critics of that effort were partially correct. We have not yet done enough to control Federal Government spending, and we are not yet on a path toward a balanced budget any time in the future, as far as we can see, as I addressed, Mr. President, in this Chamber on March 1 last. In this regard, I disagree with some of my colleagues who assert that we have now done enough and we should rest on our laurels. I believe we need to do more and we can do that as part of this budget resolution.

The chairman of the Budget Committee has said that we should stay the course, and I agree. But I thought the course that we set last year was toward reducing our deficits. We have started on that course and we need to continue on it.

In this regard, I was pleased to be able to work with my colleague, Senator GRASSLEY, in successfully presenting an amendment in our committee markup to lower discretionary spending by $42 billion in budget authority, and $26 billion in outlays over the next 5 years.

Because we reduced our spending caps as part of that amendment, this is a direct cut against future deficit spending, and we are making more progress. It can and it will save $26 billion, and probably more, over 5 years. Those who want to restore those funds should be warned that they are directly increasing our deficits. Those who want to keep reducing our Federal deficit spending and to continue making spending cuts, should know that the Exon-Grassley amendment is the only action taken by the Senate Budget Committee that calls for further deficit reduction this year beyond that which was in place last year.

I recognize that the spending caps which were set in place by last year's reconciliation bill are tough and that those caps are already having a major impact. The caps are having their desired effect. Our President and the Congress have been confronted with the difficult task of setting priorities as we can no longer simply add to our deficit when we cannot agree over which programs need to be cut.

President Clinton's fiscal year 1995 budget submission surely reveals that difficult decisions are indeed being made. Hundreds of programs have been placed on the chopping block and will be reduced or terminated. This budget resolution, by closely following our President's proposals, continues that process. Few will doubt that the discretionary spending caps are either directly or indirectly the cause of most of those cuts.

The question remains whether last year's caps were tough enough and I conclude that they are not. In my view, discretionary spending should be squeezed a bit more. Although many programs are being reduced in this budget plan, many others are allowed significant increases. In fact, over the coming 5-year period, in spending priorities, according to the President, there will be an increase of well over $100 billion.

The Exon-Grassley amendment thus reduces those increases by approximately 25 percent in outlays over 5 years. It is a very modest reduction in spending and one that recognizes that we cannot and should not devastate overall discretionary spending as many of the critics of the President's budget would do.

The President must have the ability to reorder our Nation's priorities and this amendment does not stand in our President's way in that regard. In the coming fiscal year, for example, the Exon-Grassley amendment calls for a reduction of $1.6 billion from a discretionary total of about $541 billion.

Let me emphasize that, Mr. President. Next year, Exon-Grassley only calls for reduction of $1.6 billion out of a total spending in the discretionary area of $541 billion. That is hardly devastating.

I also remind my colleagues that this $26 billion cut over 5 years translates to about a 1 percent cut in our overall discretionary spending, which over 5 years will total nearly $2.7 trillion. I repeat, only a 1-percent cut out of the total spending will total $2.7 trillion over 5 years. And compared to total Government spending, it is less than one-third of 1 percent.

Mr. President, the Exon-Grassley amendment was surely a modest effort that hardly means that it was not an important effort. There seems to be a common and accepted opinion in Congress that progress toward solving our budget deficits can only be made in giant leaps, such as last year's reconciliation bill or as in the promise of controlling health care costs through health care reform. According to that view, modest efforts to solve our deficit problem, which continues to fester, are not worth the effort.

I do not agree with that view and was pleased when a majority of the Budget Committee indicated that it did not agree with that view. According to the Budget Committee, we can and should continue to make progress in solving our budget deficit problems even if that progress cannot be described as the largest deficit reduction bill ever contemplated by mankind. More modest efforts may not balance our budget in 5 years but they might help to keep our deficits on a downward glide path, which I think is essential.

I am also convinced that the American people want to see more budget cuts and that they want Congress to continue its budget cutting efforts this year. In that respect, it is vitally important that we prove to the American public that we understand that our Federal budget problems have not been fully resolved and that we have both the courage and determination to continue to make the difficult and, sometimes unpopular, decisions that must be made.

As such, I am very hopeful that the full Senate will agree with the recommendation of the Senate Budget Committee regarding our discretionary spending levels as reduced by the Exon-Grassley amendment. Having made a major step toward rejecting the borrow and spend policies of the 1980's and early 1990's, Congress should not have a relapse and must not revert to its old ways.

Yesterday morning, the chairman of the Budget Committee attacked the Exon-Grassley amendment on the basis that it did not call for specific cuts. In response, I would remind my colleagues that our budget resolutions include absolutely no specific spending cuts. They never have and they most likely never will. The Senator from New Mexico pointed this out in his opening remarks. The chairman of the Budget Committee, during the debate on the Harkin amendment yesterday, said essentially the same thing when he indicated that the amendment was merely changing nonbinding functional totals. The chairman unfortunately appears to be employing contradictory arguments to support his position at will.

So, Mr. President, the budget resolution clearly does not make specific budget cuts and, in my view, claiming that it does is misleading and amounts to nothing more than posturing. That is budgeting by headline, not my amendment.

Those of us who truly want to cut spending often find that we are in a catch-22. The only time we can make specific cuts is during the appropriations process. But, then, it is correctly argued that those cuts do no good unless the caps are reduced. The only time we can effectively change the caps is during the budget process, but then it is argued that we have to be specific. The specific cuts fail due to

the general cap while reducing the general cap fails because of the specific cuts. Either way, those who want to cut spending lose and those who want to continue spending win.

I recognize that we no longer have separate caps for both domestic and defense spending. We have but one allocation to the Senate Appropriations Committee. In my view, the cuts in the Exon-Grassley amendment should be taken from nondefense spending. In contrast to many of our domestic spending initiatives, defense spending has already been cut significantly over the past few years and more cuts are planned. Defense spending peaked at over $300 billion a few years ago will decline to near $260 billion in 1998. That is a steep decline in actual terms, a decline that is much steeper if you account for inflation.

In sum, defense spending is already being cut. I have no quarrel with those cuts. President Clinton is moving in the right direction in calling for defense cuts and I add that it was only 2 years ago that I led an effort in the Senate that called for further defense cuts. But, I agree with President Clinton that the defense cuts we have made and that we are contemplating are about right, but they are not sacrosanct.

I point out to my colleagues with or without the Exon-Grassley amendment, the division of defense and domestic spending is within the purview of the Appropriations Committee. If defense spending is put on the table, as I expect it will be despite my objections, then I submit that those cuts in defense should be, at a maximum, no greater than the defense percentage of discretionary spending. If defense is so slightly reduced it is something they could live with just as our domestic spending could live with the modest reductions required by the Exon-Grassley amendment.

So, in conclusion, I want to remind my colleagues that the Exon-Grassley cut will indeed reduce our deficits by $26 billion over the coming 5 years. It is the only deficit reduction effort now alive in either the House or the Senate. If we fail to accept the Exon-Grassley effort, we are completely ignoring the need for further spending cuts in the budget process this year. It will not devastate President Clinton's initiatives. It is a modest cut but an important cut for our country as it shows that Congress understands that it cannot let up in our efforts to restore fiscal responsibility to our Federal budget. I urge my colleagues to support this budget resolution and to oppose any effort to reverse the $26 billion in spending cuts that the Exon-Grassley amendment will achieve.

I thank the Chair. I yield the floor.

Mr. SASSER. Mr. President, on behalf of the manager of this amendment, Senator DODD, I yield the Senator from Minnesota 4 minutes from the time under the control of the proponents of the amendment.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I thank the Senator from Tennessee. I have a tremendous amount of respect for both of my colleagues from Nebraska, but I am in profound disagreement with the Senator from Nebraska on this question.

The Senator from Nebraska has talked about the need for deficit reduction. I stepped up to the plate and voted for the reconciliation bill, and I voted for a $500 billion-plus deficit reduction over the next 5 years, and I was proud to do so. I think that has to be one goal of domestic public policy. I disagreed with the Senator from Iowa when I heard him talking about spending. We can talk about this as investment. I said to Senator HARKIN, as we started this discussion, that I really believe that if we have not learned this lesson, I do not know when we will: Either we invest in our children when they are young, or we pay the price later on.

Mr. President, I rise to support this Dodd-Jeffords amendment, which would transfer $6 billion to special ed—in fiscal year 1995, $30 billion—over 5 years. It takes some of the money from the obsolete Milstar program and some of the money for spending on intelligence, as we move into a post-cold war period of time. Mr. President, I come from a State—the State of Minnesota—where we believe that each and every child, every boy and girl, ought to have the opportunity to be all that she or he can be. And this amendment is in that spirit.

The reason that I think there will be bipartisan support for this amendment is because it calls for some investment in special education, handicap grants, preschool grants, grants for infants and families, deaf and blindness, serious emotional disturbance, severe disabilities, early childhood education, and secondary and transitional services.

My colleague from Iowa, Senator HARKIN, perhaps has been the greatest and strongest voice when it comes to fighting for people and alongside people with disabilities. Mr. President, this amendment calls for an investment in special education—an investment that we should make. We have not made near the commitment that we have promised as a Federal Government in this area.

This is but a small amount of money. I say to my colleagues that given the reasonableness of this proposal, part of the transfer and part of restoring some of the cuts and investing it in a decisive and important area—that is to say support for special education—I do not think my colleagues can have it both ways.

I have heard Senators get up here on the floor in this debate and say that they are for special education. I have heard that said by those opposed to the Dodd-Jeffords amendment. You cannot have it both ways and say you are for special education and then vote against it. It is not your words that count, it is your vote. All of us know that well. That is how people in our States hold us accountable.

So, Mr. President, it strikes me that this amendment is eminently reasonable. I have a feeling it is going to generate bipartisan support. I think there is broad-based support for more of a commitment to special education. We know from what we hear from people in our States the strain this has had on the local school districts and the property tax budget. This is but a small step in the right direction. Therefore, I hope we see this amendment pass with strong bipartisan support.

UNANIMOUS-CONSENT AGREEMENT

Mr. SASSER. Mr. President, I ask unanimous consent that a vote on or in relation to the Dodd amendment occur at 2:15 today.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object. I do not think we are going to use all of the time in opposition, because I am concerned about whether we are going to be able to get this resolution completed on time. If every amendment uses 1 hour on each side, I do not think we are going to get there on time. Many Senators will be let down, because they will not have a chance. We may yield back some time. If we agree with the unanimous consent request and do not use all of the time, can we begin another amendment in the intervening time, so as to accommodate the 2:15 vote?

Mr. SASSER. Mr. President, I have no objection to that. How much time is remaining on the Dodd amendment?

Mr. DODD. Why do we not move along and see if it comes to that. A couple colleagues came by and asked how long this would be, because they had to be off the Hill. You might want to check with some people. Some of our colleagues are working on an assumption.

Mr. DOMENICI. I really want him to get the 2:15 time. I will add a sentence and see if it meets everybody's approval. If, however, we finish debate on the pending amendment prior thereto, that the next amendment in order be called up and debate commence on it, and nonetheless that debate will cease at 2:15 so we can vote on the pending amendment.

Mr. SASSER. We have no objection.

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

Mr. SASSER. Mr. President, I also ask unanimous consent that on disposition of the Dodd-Jeffords amendment, Senator BOXER be recognized to offer an amendment regarding children's programs, and that upon disposition of

the Boxer amendment, Senator LOTT be recognized to offer an amendment regarding defense, nondefense walls, and mandatory spending.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Were we going to agree on a time on that Boxer amendment?

Mr. SASSER. I am advised that Senator BOXER is willing to do 20 minutes equally divided.

I will amend my unanimous-consent request to provide that the time on the Boxer amendment not exceed 20 minutes, to be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SASSER. I ask unanimous consent, Mr. President, that no second-degree amendments be in order on the Boxer amendment.

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

Mr. DOMENICI. Mr. President, could we get two things in addition, that there would be no second-degree amendments to the Lott amendment?

Mr. HARKIN. Reserving the right to object, I have not seen it yet.

Mr. DOMENICI. We will withdraw that.

Mr. HARKIN. Yesterday, when this Senator tried to offer an amendment, we had this little thing. I do not want to preclude the fact that I may want to second degree that.

Mr. DOMENICI. Can we add that when the amendments have been disposed of—however they are disposed of—the Senator from New Mexico be recognized to offer an amendment?

Mr. SASSER. Let us discuss that. I am advised by staff that there may be an amendment that we want to bring up on our side before proceeding to the Domenici amendment.

Mr. DOMENICI. I have no objection.

Mr. HARKIN. Can I ask the manager for some time?

Mr. SASSER. The manager of the amendment, Senator DODD, is controlling the floor.

Mr. DODD. Mr. President, I yield my colleague from Iowa 5 minutes.

Mr. HARKIN. Mr. President, I thank the Senator. I rise in support of the amendment by Senators DODD and JEFFORDS.

The amendment transfers $6 billion in fiscal year 1995 to the IDEA, the Individuals With Disabilities Education Act, first established in 1975.

As chairman of the subcommittee that funds education programs, IDEA has always been among my highest priorities, and I am proud of the increases we have achieved. However, our ability to appropriate funds for IDEA programs is limited by the allotment that is provided to my subcommittee.

This amendment will make it more likely that thousands of children with disabilities will receive the education they are entitled to under the equal protection clause of the 14th amendment and the comparable provision included in every State constitution in this Nation.

I want to do two things with my time. I want to explain why the program is a good investment. Second, I also want to make it clear, in the strongest possible terms, that IDEA, the Individuals With Disabilities Education Act, is not an unfunded mandate. The idea that Congress imposed a mandate to educate children with disabilities on States and local districts and then refused to pay for it is just plain wrong.

Instead, the right of children with disabilities to a free appropriate public education is a constitutional right established in the early 1970's by two landmark Court cases: Pennsylvania Association for Retarded Children versus Commonwealth in 1971 and Mills versus Board of Education of the District of Columbia in 1972. In both of those decisions, the Supreme Court made it clear that the responsibility for educating individuals with disabilities rests with States and local school districts.

The House and Senate reports that accompanied the 1975 statute show that its drafters were largely guided by the principles laid down in these Court cases. The enforceable right to a free, appropriate public education is a constitutional right, not a mandate from Congress.

What we have said in those intervening years is that we sympathize with the States and local school districts and we will help them in meeting their constitutional duties.

The Supreme Court recognized this in a 1983 decision in which it quoted from the Senate report, which said:

> It is the intent of the Committee to establish and protect the right to education for all handicapped children and to provide assistance to the States in carrying out their responsibilities under State law and the Constitution of the United States to provide equal protection under the laws.

So let us be clear about this. I know special education is expensive. No one works harder than I do to increase Federal funding to help the States meet their responsibilities. But a free, appropriate public education is not an unfunded mandate. It is a basic right guaranteed by the Federal and State constitutions of this country.

So I wanted to make that clear.

I also want to make it clear that I believe we in the Congress have a responsibility to help the States in meeting their constitutional requirements, which is what this amendment does and why I am supporting this amendment. The purpose of the amendment is to make sure that every child receives that education.

I want to join with my colleague from Minnesota who pointed out a little bit ago to my friend and my colleague from Iowa for whom I have the greatest respect and friendship, and he knows that. When he said that spending is spending, I am sorry spending is not spending in every case. I mean we can either spend smart or we can spend stupid. If we do not put money into early childhood education for individuals with disabilities, then later on we are going to spend a heck of a lot more money taking care of them. Let me just give a couple examples.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. Could I have 3 more minutes?

Mr. DODD. Could I inquire how much time remains?

The PRESIDING OFFICER. The Senator controls 20 minutes.

Mr. DODD. I yield 3 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 3 additional minutes.

Mr. HARKIN. Madam President, I have talked a lot about Danny Piper, a young man with Down's syndrome from Ankeny, IA. Some 20 years ago when Danny was born, doctors told his parents that Danny should be institutionalized because of severe mental retardation. They said his condition was hopeless. Fortunately, Danny's parents rejected this recommendation. Instead, they helped Danny take advantage of early intervention and preschool services, which allowed him to ultimately move to the regular classroom, where he not only did very well but also became involved in community service activities. I should also mention that on July 26, 1990, Danny joined me on the White House lawn for the signing of the Americans With Disabilities Act.

Today, Danny is 23 years old and works 20 hours a week at the Ingram Corp., the largest national distributor of videotapes and compact discs. Danny duplicates tapes and discs and packages them for distribution. He makes $6 an hour, loves his job, and has not missed a day of work in years. Danny also works out regularly at the local YMCA, and has even hired a personal trainer with his own money.

Danny is grown up now, and like most 23-year-olds, doesn't want to live with his parents anymore. So he is now working to find his own apartment. Last week Danny's parents met with an individual who might be willing to be Danny's roommate. To try out this new relationship, Danny is planning to take a trip to Disney World with his potential roommate.

Remember, this is an individual whom doctors pronounced "hopeless" 23 years ago. And they recommended institutionalizing him before he ever got a chance to show what he could do. Danny's achievements go far beyond any financial calculation—just ask his parents. But since we are here today to

talk about money, consider this: Danny's special education services have cost about $63,000, and he is now a working, contributing, taxpaying member of society—in other words, he will more than repay this investment in him and his personal development. On the other hand, if Danny's parents had listened to the doctors, the costs of institutionalizing Danny would have been almost $5 million over his lifetime. That's more than 70 times the cost of his special education.

This is how our investment in special education pays off. Special education works, and it's one investment we truly can't afford not to make.

As chair of the Subcommittee on Disability Policy, I recently held an oversight hearing in Iowa regarding the status of special education. I will never forget the testimony of Danette Crawford at the hearing. Danette, who is now in the 10th grade, has severe cerebral palsy. She received early intervention services beginning at the age of 8 months, and now attends her neighborhood school and receives all her education in a regular classroom with the assistance of an associate.

I asked her what she was looking forward to in the future, and she told us of her desire to attend an Ivy League school. She also told us:

> I'd like to educate people, people with disabilities and other people that are minorities that might be considered "different" from regular people. And if I can make a difference, then that's my goal in life.

What Danette's testimony tells us is that people with disabilities really aren't different from everyone else. Most kids who work hard in school dream of attending Harvard or Yale or Princeton. And most kids want a career that will help them make a difference in the world. Special education helps make sure that children with disabilities, who have the same dreams as you and I, have the same opportunities to reach those dreams.

Danny and Danette have done well through their own efforts and with the help of special education services. Though there are thousands of success stories like theirs, we also know that too many students with disabilities don't fare as well.

The National Longitudinal Transition Study of Special Education Students documents that we still have a long way to go in meeting the needs of children with disabilities. This study showed that:

Students with disabilities are more likely than not to experience difficulties in school, such as failing grades, absenteeism, and being held back a grade;

Students with disabilities are much more likely to drop out of school than their nondisabled peers. Of youth aged 15 to 20 years, 43 percent of youth with disabilities were dropouts, compared to 24 percent of youth in the general population; and

Young people with disabilities also are much less likely to pursue postsecondary education or to achieve competitive employment than their nondisabled peers.

These data show that when we fail to provide children with disabilities with the special education and related services to which they are entitled, we not only deprive them of their right to maximize their potential like their nondisabled peers, we also increase the likelihood that we, as a nation, will ultimately pay billions of dollars in increased dependency costs in the form of welfare payments.

So when my colleague from Iowa says spending is spending, I beg to differ. We can invest this money in the Danny Pipers of this country and give them the support and the early education they need so they can be self-sufficient, so they can work, so they can live by themselves, whatever it might be, or we can institutionalize them.

If we take the course offered by my colleague from Iowa and say, no, we are not going to invest in early childhood education for kids with disabilities, then it is going to cost them a lot more money unless we are going to say forget it, and we just throw them out in the street and let them die. We are not going to do that. We are a caring Nation. So let us do it smarter.

What Senator DODD and Senator JEFFORDS are saying is let us invest our money a little bit smarter. Let us put it into these kids early on in their lives so we can have the Danny Pipers of the world who will be out earning their own way. Their lives will be better. Their families' lives will be better and, quite frankly, we are going to save the taxpayers a ton of money.

So I compliment Senator DODD and Senator JEFFORDS for their amendment, and it ought to be passed by those who want to see us actually save money.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I ask unanimous consent to add Senator WELLSTONE of Minnesota, Senator CAROL MOSELEY-BRAUN of Illinois, and Senator HARKIN of Iowa as cosponsors of this amendment.

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

Who yields time?

Mr. DOMENICI. Madam President, how much time do we have?

The PRESIDING OFFICER. The Senator from New Mexico controls 30 minutes.

Mr. DOMENICI. Senator NUNN is on the floor. I yield 5 minutes to Senator NUNN.

Mr. NUNN. Madam President, I thank the Senator from New Mexico.

Madam President, as we all know the budget resolution does not cut specific programs and it is going to be up to the Department of Defense to take a look at the lower line of the budget if it comes out lower and make recommendations about any exchanges that have to be made in the Armed Services Committee and the Armed Services Committee and the Appropriations Committees will determine which programs are cut.

So make no mistake about it, and whether you are for or against Milstar you are not cutting Milstar on the floor here today. You may be indicating that is what you think will be done, but the decision on that will be made by the two committees and then by the Senate as a whole when we bring up the Authorization Committee and the Appropriations Committee bill.

So what we are doing today is simply another cut in defense and shifting it to domestic programs. This can go on and on, and this is why we should have firewalls. But, of course, we have every right on the budget resolution to make these distinctions, and this is the place it ought to be settled. Once it is settled here, then it ought to be settled for the year. And I would hope that this debate would indicate that and I would hope that later on in this debate we will be able to address a firewalls amendment so that cuts in defense would come off the deficit and not simply be shifted to other programs.

Madam President, I am absolutely sure that the Senator from Connecticut has a worthy program in mind when he shifts these funds. I hope we vote against this amendment. I do think that arguments against Milstar, even though we really are not cutting Milstar here, it is just a notional kind of way of taking money from defense and putting it in domestic programs. But the Milstar arguments I have heard have in many areas been totally erroneous and basically attack Milstar as it was 3 years ago and not as it is now.

The Armed Services Committee had many of the same objections that I have heard on the floor to the Milstar program. We felt it was geared too much to the cold war. We felt that the Milstar program was geared far too much to surviving a nuclear conflict, an all-out nuclear war, on a worldwide basis.

That is the reason our Armed Services Committee zeroed the program out in our bill. We zeroed it out and then we got the Department of Defense in the conference to agree to very substantial changes in the Milstar program.

So the attack we have heard today has been against the Milstar program as it existed about 3 years ago and has almost nothing to do with the Milstar program as it is now.

What was changed? One thing that was changed according to all the records and this is indisputable—this is not a question of fact—our committee

insisted that the special survivability capabilities of all-out nuclear war be substantially and virtually completely eliminated because we did not think that was necessary. We felt we could save money. We also insisted that there be significant reduced communications capacity to communicate with strategic nuclear forces.

We greatly insisted there be a great expansion of Milstar's capability to provide rapid and secure communications to our tactical commanders in the theater.

In short, Madam President, we asked that this program be made and geared much more to a conventional tactical program and much less to a nuclear program, and we felt that that was necessary. In total, the restructuring trimmed Milstar's total program cost by $13 billion. So this program is a substantially different program than it was 3 years ago.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. One minute, 20 seconds.

Mr. NUNN. I thank the Chair.

I would just like to read very quickly here General Shalikashvili's answer to a question about what Milstar is all about. This is a very recent dialog in the committee.

General Shalikashvili says, quoting him:

The Milstar system will support theater command and control, tactical combat forces, unscheduled service for submarines and special operation forces, and strategic warning and SIOP execution.

Milstar will satisfy many key requirements critical to successful military operations by a power-projection force:

Antijam—Milstar communications are virtually immune to jamming; the message goes through, always.

Covert—Milstar provides low probability of intercept/detection, use will not compromise submarine, special operations forces, and other user locations to enemy listening stations.

Deployability and Mobility—Milstar terminals—

These are the receiving units that will be in the forward areas.

Milstar terminals will deploy using tactical airlift and move with front-line forces.

Coverage and Connectivity—a complete constellation of four satellites will assure worldwide access anywhere (except the polar regions), anytime warfighters need it.

Interoperability:

This has been one of our big problems in tactical communications:

Army, Navy, Air Force and Marines—Milstar will enable immediate communications between the Services.

Reachback—Milstar will enable communications out of theater without reliance on foreign-based ground relays vulnerable to destruction, sabotage, or host nation politics. * * *

It will also enable the Army's Mobile Subscriber Equipment system to provide global communications to commanders on the move.

Madam President, I ask unanimous consent that the text of this question and answer be printed in the RECORD.

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

Question. The first Milstar was recently launched. The plan is to launch a second Milstar with low data rate, to be followed by four more satellites with medium data rate capabilities. General Shalikashvili, can you comment on what an important asset this will be to our forces?

Answer. Yes, the Milstar system will support theater command and control, tactical combat forces, unscheduled service for submarines and special operations forces, and strategic warning and SIOP execution.

Milstar will satisfy many key requirements critical to successful military operations by a power-projection force:

Antijam—Milstar communications are virtually immune to jamming; the message goes through, always.

Covert—Milstar provides low probability of intercept/detection, use will not compromise submarine, special operations forces, and other user locations to enemy listening stations.

Deployability and Mobility—Milstar terminals will deploy using tactical airlift and move with front-line forces.

Coveage and Connectivity—a complete constellation of four satellites will assure worldwide access anywhere (except the polar regions), anytime warfighters need it.

Interoperability: Army, Navy, Air Force, and Marines—Milstar will enable immediate communications between the Services.

Reachback—Milstar will enable communications out of theater without reliance on foreign-based ground relays vulnerable to destruction, sabotage, or host nation politics.

As the terminal population increases and the medium data rate capability is added, Milstar will provide the above capabilities and more data to combat commanders faster. It will also enable the Army's Mobile Subscriber Equipment (MSE) system to provide global communications to commanders on the move.

In short, Milstar will enable efficient synchronization of combat power and will not be vulnerable to enemy efforts to deny us this capability. No other satellite system in existence can provide the flexibility and assurance of uninterruptable, communications of Milstar.

Mr. NUNN. Madam President, in short, the Milstar Program is the heart of our ability to communicate in the field with tactical units and to be able to have those units linked not only with each other but back to the field commanders. It is the heart of one of our great advantages in terms of America's position in the world now, and that is the ability to communicate with modern technology.

So I would argue against this amendment on two grounds. One is that the Milstar Program itself is an important part of our military capability; and, second, this is just another way of taking money out of defense and putting it in a domestic program. As important as that program is—and I am sure, knowing the Senator from Connecticut, that it is important—I do not believe we should continue to deplete our military forces.

We are bringing them down very rapidly. We have reduced the military forces by one-third in the last 10 years. We have reduced its overall purchasing power. We still have danger spots in the world. All we have to do is read the daily papers to understand that.

I thank the Chair and I thank my colleagues. I urge the defeat of the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I yield whatever time my colleague from Tennessee desires.

Mr. SASSER. I thank the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Madam President, this amendment, I think, is a splendid bipartisan effort on the part of the Senator from Connecticut [Mr. DODD] and the Senator from Vermont [Mr. JEFFORDS] to do something about the urgent problem of education in this country today.

The Dodd-Jeffords amendment will add $30.5 billion to function 500 for education and it cuts $9.5 billion from function 050, the defense function of the budget. The amendment also spends some of the money from the Exon-Grassley amendment, but what finer way to do it.

This amendment shifts Federal dollars from the military side to the education side. As we have heard earlier, what it does, it cancels what is essentially, in my view, a cold war relic—Milstar. It takes a bite out of the enormous Intelligence Committee budget.

It is an amazing thing to me that, even with the cold war over, the intelligence budget is still funded at essentially the same level it was before the collapse of the Soviet Union; and this in the face of statements made by the leaders of the intelligence community in this country that at least 60 percent of their budget went to either gather intelligence against the old Soviet Union or to counteract intelligence efforts of the old Soviet Union. And even though the old Soviet Union is no longer there, according to public accounts, we are still spending in the neighborhood of $30 billion for intelligence.

But the Senator from Connecticut and the Senator from Vermont understand where the real problems are and where the real threats are to this country. And the real threat is that we are not allocating enough of our investments, we are not investing enough resources in the most precious resource we have, and that is the children of this country.

If we invest in education of our children, we are going to reap a return on that investment that is very, very significant, indeed. If we continue to spend this money on a relic of the cold war, if we continue to spend it on intel-

ligence or spies or counterspies or whatever they do over there at the CIA and the Defense Intelligence Agency, what are we going to get out of that? They can make some economies over there in that intelligence budget, and we can do without Milstar, but we cannot do without educating our children.

Let me just remind my friend from Vermont and my friend from Connecticut, when this country came out of World War II, we passed something called the GI Bill of Rights. That was the largest investment to date that this country had ever made in allowing our young people and veterans coming out of that war to go to a college or university; the greatest commitment of resources we had ever made. And some criticized it.

But what was the result? In many, many families, the overwhelming number of them, the first person to get a college education in that family, ever, got it through the GI Bill of Rights.

And what about that investment? When those young men and women started coming out of those colleges in the late forties and the early fifties, they precipitated the greatest economic expansion this country had ever seen, with their expertise in engineering, in physics, in all of the sciences and in the social sciences. Our country was infinitely better off culturally, socially, economically, and stronger in every way because of that investment in education.

Well, this very splendid bipartisan amendment that we have before us today, offered by our friend from Connecticut and our friend from Vermont, does essentially the same thing and tracks down the same course. And what these Senators are saying is: We need to invest more in education. We can afford to invest less in exotic military hardware and less in the gumshoe business in this time in which we live now.

I commend them and congratulate them for working together in a bipartisan way to bring this very fine amendment to the floor. I suspect if the parents and the teachers of this country could come to this Senate today and vote, by an overwhelming margin the parents and teachers of this country would vote for the Dodd-Jeffords amendment. I thank the Chair and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Madam President, how much time remains on each side of this issue?

The PRESIDING OFFICER. The Senator from Connecticut controls 8 minutes and 18 seconds; the Senator from New Mexico controls 24 minutes.

Mr. DODD. Madam President, I inquire of the Senator from New Mexico, if he is within earshot, as to whether or not they intend to yield back the remainder of their time? We can wrap-up here very quickly and then move to the next amendment. I do not want to yield back all the time and then have 24 minutes be used in opposition to the amendment.

Madam President, I yield 2 minutes to my colleague from Vermont.

Mr. JEFFORDS. Madam President, first of all I commend the chairman of the Budget Committee for a very excellent statement which puts things in perspective.

I would like to make my colleagues aware that investment in 1947 to meet the education crisis of that time, was about $30 billion in constant dollars today. Back in those days, that was a lot of money and a big percentage of the budget. It raised the percentage of Federal spending in education from about the percentage we are at now to 10 percent.

I think it is important to recognize that, because that was the kind of commitment which paid off so much for this Nation in its ability to reconstruct, not only this country, but also to assist with the educational capacity of the rest of the world. It was a big factor in bringing down the Berlin Wall and ending the cold war.

Second, we are in a crisis, and I will speak more about that later if we have time. But let me quote from the 1983 At-Risk Report by the Reagan administration.

> If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.

I cannot overemphasize in my opinion, and the opinion of businessmen and educators across the country, that is an accurate description of where our educational system is today.

When I first came to the Senate and was on the Education Committee, a group of CEO's, the Business Roundtable, came to me and asked me to meet with them. I expected they would talk to me about the problems of taxation and the problems of resources and all those sort of things in the industrial world. What they asked me, was to do what I could to fully fund the Head Start Program. They recognized, as we must recognize, that unless we start at that early age—whether it is for those with disadvantages or not—we will not end the problems of education that threaten this Nation economically and socially.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

Mr. DODD. Madam President, if my colleague would like an additional 2 minutes I will be glad to yield it to him.

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

Mr. JEFFORDS. Yes, I would like to emphasize another aspect.

My colleague from Connecticut outlined the impact we have had on special education and the impact we have had on property taxes that relate to it. My town meetings just finished in March of this year. In my own school district, only 2 of 10 towns were able to pass the school budget. The whole crisis revolved around the increased costs of special education.

Whether it will mean a reduction in property taxes or not, I assure my colleagues what we do today will reduce the burden on property taxes and at least not make them any more burdensome than they are.

We used to have balanced programs in our school. Senator Javits, who many Members here remember well, established years ago a program for the gifted and talented. That was a good program and it balanced things out. It said we have gifted and talented young people in this country who need to be brought to their fullest performance levels. We dedicated resources to that.

But since the burden has been placed on special education in these older communities, and in the States, that money being spent for our gifted and talented has shrunk so far that out of the $247 billion we spend on the K through 12 programs now, only $9 million of Federal funds are provided to the gifted and talented. That has created a crisis for us as we look to the future, recognizing that only if we bring our talented students forward can we maintain the kind of educational capacity that we need to provide the brains to the Nation's corporations that will make the country what we want it to be in the next century.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. The Senator from New Mexico is here on the floor. I would say to my colleague from New Mexico, if he cares to wrap-up and then we can move onto the next amendment?

Mr. DOMENICI. Senator, could we have a minute quorum call? I wanted to engage in a conversation.

Mr. DODD. I do not mind, counting it against the Senator's time, because we are almost out of time.

Mr. DOMENICI. Oh, yes. Counting it as my time.

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

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

Mr. DOMENICI. Madam President, so Senators will know, we are going to be through in about 6 minutes. Then Senator BOXER is going to lay down her amendment pursuant to the previous request.

There are not very many Senators in this body that I have more respect for and work more closely with on a num-

ber of issues than Senator DODD. But, frankly, I think the arguments have been made as to why we should not adopt this amendment— let me just repeat them in my own language, as I understand things. I say to my good friend from Connecticut, if in fact his amendment was adopted, I regret to tell him that there is very little probability that education program that he so much is working for, he and Senator JEFFORDS from Vermont—that part of education that has that mandate on it that requires the States and localities to put so much resource in it—there is little probability that discretionary money, having been put back, will go to those accounts.

I know that is my view. The Senator is very welcome when he stands up to say what his view is. But, frankly, I think it is time to play square with everybody about moving this discretionary money around as if it was meaningful. It may come as a shock for Senators to know, but in my quest for information I found since the Budget Act was adopted, two times in the history of 20 years have the appropriators adopted the functional totals that appear in budget resolutions.

That is big language. What does it mean? It means the priorities set in the budget resolution or amended on the floor and put in the budget resolution, are an expression of desire, nothing more. Because only twice have the appropriators, when they took the dollars and doled them out to the subcommittees, which is their prerogative under current law, have they looked at the function "education," which my good friend is amending—and if he were to win, there would be a dollar number in that function which, if the Senator from Connecticut and the Senator from Vermont have their way in appropriations—they would say put all this new money in this program. The truth of the matter is only twice in 20 years has that function been transferred right over and funded exactly at the levels suggested by the budget resolution.

So I do not think—as much as the two Senators on the floor espousing this speak of the desperate and dire need—I do not think everybody need construe it as an amendment that indeed dramatically increases the Federal share of aid for special education.

It will add to the discretionary accounts and be made available for the appropriators to spend in discretionary or defense accounts so long as they meet the cap.

The Senators can say nonetheless it is a very important vote; it does put back half of the deficit savings of the Exon amendment. That is undisputed. So we will save that much less in terms of the next 5 years as we apply this budget resolution. Now that will happen because that is part of the caps which must be enforced in their totality. So it will happen.

Second, I just want to say, it is fairly easy to take an amendment and say I want something that is very important, that everybody is going to think is very important, and I want to take some money out of defense to do it. I fault nobody for that, other than to say, again, it does not always happen that way, even if you vote for it in this manner. But I am going to assume that the sponsors are serious about that and, therefore, I just say the President of the United States happens to be right; he does not think we ought to cut defense anymore. He made an eloquent plea for it in his State of the Union Address. In fact, I think he said it three different ways, that we had cut defense enough, do not cut it anymore.

My suggestion is that the Senators who want more funding in this special education ought to start fighting very quickly for more funds in the appropriations process. And they might be surprised. They might get more funds even if this amendment is not adopted, because it is strictly up to the appropriators as to whether they do it or not.

I yield the floor and yield back any time I might have.

Mr. DODD. Madam President, how much time remains?

The PRESIDING OFFICER. Two minutes 22 seconds.

Mr. DODD. Madam President, let me wrap up here. I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DODD. Madam President, let me respond to my colleague from New Mexico. With the adoption of the Exon-Grassley amendment, defense is going to be adversely affected regardless of whether or not this amendment is approved.

Let me say to my colleague from New Mexico, the Senator from Iowa, who chairs the Labor-HHS Appropriations subcommittee and who doles out the money for special education, is a cosponsor of this amendment. I agree that unless Members decide to back what we are doing in the appropriations process, he is right, we are in trouble. I know of no other way to further that cause than to establish our priorities collectively in the budget process. By doing so we, as a body, may speak and say this is important. The fact that the chairman of the committee who will make the decision on the final funding issues is a cosponsor of the amendment, I think enhances our chances.

But more important is the substance of what we are talking about: Property taxes, the American dream of owning a home. Here we have a tax at the local level which is growing in leaps and bounds. The pressure on the local communities is staggering. This amendment says that additional Federal resources should go to try to reduce the local and State commitment that is presently taxing them so much, and have the Federal Government live up to its commitments. We are not even close to meeting our commitment.

If we speak with one voice here, if the Senator from New Mexico, my good friend, would support me on this amendment—he sits on the Appropriations Committee—with his backing and the backing of the Senator from Iowa, we might do something for local property taxpayers.

He is right; we cannot guarantee it. But if my colleagues say this is important today, I am willing to bet we will get it done in the appropriations process. But if we walk away from it, he is right, we will go off and spend the money someplace else and the local property taxpayer, once again, will be hit between the teeth. Here is an opportunity to provide relief.

I urge the adoption of this amendment.

INCREASED FUNDING FOR SPECIAL EDUCATION IN BUDGET RESOLUTION

Mr. DOLE. Madam President, we had a vote today to increase special education funding, and I voted against it. I was not happy about that. Since coming to the Senate 25 years ago, I have been a vigorous advocate on behalf of people with disabilities.

Indeed, in 1975 I voted for the original Education For All Handicapped Children Act, which sought for the first time to ensure that students with a disability had equal opportunity for an education. In that legislation, Congress made a promise to help our Nation's schools with the high cost of educating children with disabilities. We said we would pick up 40 percent of the extra costs. But our followthrough has been dismal. This year we came through with a whopping 8 percent. That's right, 8 percent. The net result is that today we are shortchanging our Nation's schools by almost $8 billion a year.

Madam President, I would have voted for this measure if the offsets were acceptable. I regret that no one approached me or my staff as this amendment was being developed, because together we might have arrived at some agreement. Next time I hope we can work together.

Madam President, I also want to make another point. We could have fully funded our special education promise a long time ago if we would focus on our proper responsibilities. But instead of paying for what is due before starting something new, the Senate has gone on an education spending spree. Over just the last 9 months, we passed National Service, Goals 2000, Safe Schools Act, and School to Work. In total, the Senate has voted to authorize over $4 billion in new spending.

In fact, if we paid for special education as promised, schools would have

far more money themselves to pay for reforms and new programs they need.

Madam President, it is past time we got our education house in order. Next time when we are tempted to vote in favor of some new and maybe even worthwhile program, let us remember what our priorities should be. And in my view, special education funding should be one of our top education priorities.

Mrs. FEINSTEIN. Madam President, I rise today to oppose the Dodd amendment and in support of the Milstar Program.

I do not oppose increasing Federal funding for special education programs. In fact, in the past I have voted in favor of resolutions calling on Congress to increase the Federal contribution to educating children with disabilities. However, I do not think that this increase in funding should come at the expense of the Milstar Program and U.S. national security.

And, Defense Secretary Perry and the Joint Chiefs of Staff also agree that Milstar is important to U.S. national security and strongly support the program.

Let me read a quote from Secretary Perry.

> Some people consider Milstar a cold war relic. We have totally, beginning already with the Bush Administration and continuing under this Administration, completely reconfigured that system so that many of the factors which made it so expensive—which is the ability to withstand nuclear blasts and so on—those features no longer exist in Milstar. What does exist in Milstar is the ability to connect our tactical units worldwide with high quality, high resolution, digital data, so they can pass demands back and forth, they can pass targeting data, they can pass intelligence information, and it does it in such a way which is highly resistant to interference, such as jamming.

So, Milstar is no longer a cold war relic that was designed to meet strategic threats, such as a nuclear war. In fact, Milstar will be used in many tactical environments. The whole point of producing the 1,200 remote Milstar terminals is so our troops in the field can communicate directly with other forces and commanders anywhere in the world.

Under a conventional war scenario that the Department of Defense ran in the Middle East—a scenario similar to the Persian Gulf war—more than 70 percent of all military communications would use Milstar satellites. So, this is not a relic of the cold war.

As the Joint Chiefs of Staff have said, there is a definite military requirement for the Milstar Program. In fact, the bottom-up review states that "the military requirement for a jam-resistant advanced EHF communications system providing capability equivalent to Milstar II was reaffirmed early in the process."

But, costs were also considered in the bottom-up review. The report goes on to state that "another important objective was to identify options that offered substantial cost savings relative to the current Milstar Program."

In fact, since the original Milstar Program was established, $20 billion has been trimmed off the cost of the program—that is almost half the costs. This includes reductions as a result of the bottom-up review that analyzed four different options for savings.

Would canceling the Milstar Program save some money? Yes, but at what cost to national security. According to Secretary Perry and the Joint Chiefs of Staff—who have already reviewed the program and made substantial cost reductions—the threat to national security by terminating the Milstar Program would be extremely high.

In addition, cancellation of this program would result in the loss of 8,000 direct jobs nationwide. More than half of these job losses would come from California—a State that has already been adversely affected by defense downsizing with the loss of 250,000 defense-related jobs in just the last few years.

I support cutting Government spending and favor efforts to reduce the deficit. In fact, the budget resolution, as reported out of committee, already cuts an additional $43.2 billion in discretionary spending over 5 years.

I also plan to continue supporting funding for special education programs. But, I can not support this particular amendment.

Mr. KOHL. Mr. President, I rise in reluctant opposition to this amendment. The Dodd amendment seeks to do something very good. I simply cannot support the way it does that good.

The Dodd amendment would transfer $6 billion to special education in fiscal year 1995 and $30.5 billion over the next 5 years. I support that transfer. It is imperative that children with special needs get an appropriate and full education. However, meeting the unique needs of all special education students is a costly goal. State and local governments—who provide the lion's share of education expenses—are stretched thin just providing basic education services. They desperately need Federal help to also meet our obligations to special needs children.

I also support transferring money from defense spending to special education funding—which the Dodd amendment proposes. We can spend all the money in the world on defense, but our Nation will not be strong unless our children are strong. And our children will not be strong unless they receive education that is appropriate to their special needs.

What I do not support in the Dodd amendment—and what will cause me to vote against it—is that it cuts in half the so-called Exon-Grassley discretionary spending decrease. As you all know, in the Budget Committee, an amendment was agreed to that cut an extra $26 billion over 5 years. These new spending cuts are substantially more than recommended by the President and substantially more than a freeze would require. Last year, we appropriated $550 billion in nonentitlement funds. If this resolution passes, we will appropriate $540 billion—and stick at that level for the next 5 years.

I support these new cuts. They are enforceable. They are reasonable. And they respond to the desire of the American people to see congressional spending go down. I cannot support an amendment that goes back on these cuts.

And I must say, I do not believe that going back on these cuts is necessary. We could, as Senator DODD suggests, cut Milstar. We could cut intelligence funding. We could cut other military programs and put the money into special education. We do not need to go back on our commitment to scale back total appropriated spending in order to fund the very important priorities supported by this amendment.

The PRESIDING OFFICER. Under the previous order, the pending amendment, No. 1561, is set aside until 2:15 p.m. and the Senator from California [Mrs. BOXER] is recognized to offer an amendment. There will be 20 minutes equally divided for debate on the Boxer amendment. The Senator from California.

AMENDMENT NO. 1562

(Purpose: To increase funding for children's programs)

Mrs. BOXER. Madam President, I am indeed honored to offer this amendment. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

> The Senator from California [Mrs. BOXER], for herself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. DORGAN, and Ms. MOSELEY-BRAUN, proposes an amendment numbered 1562.

Mrs. BOXER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 17, line 22, increase the amount by $180,000,000.

On page 17, line 23, increase the amount by $180,000,000.

On page 24, line 17, increase the amount by $320,000,000.

On page 24, line 18, increase the amount by $48,000,000.

On page 25, line 1, increase the amount by $171,000,000.

On page 25, line 9, increase the amount by $99,000,000.

On page 25, line 17, increase the amount by $2,000,000.

On page 26, line 8, increase the amount by $400,000,000.

On page 26, line 9, increase the amount by $180,000,000.

On page 26, line 16, increase the amount by $178,000,000.

On page 26, line 23, increase the amount by $42,000,000.

On page 30, line 20, increase the amount by $100,000,000.

On page 30, line 21, increase the amount by $91,000,000.

On page 31, line 3, increase the amount by $9,000,000.

On page 41, line 11, decrease the amount by $1,000,000,000.

On page 41, line 12, decrease the amount by $499,000,000.

On page 41, line 19, decrease the amount by $358,000,000.

On page 42, line 1, decrease the amount by $141,000,000.

On page 42, line 8, decrease the amount by $2,000,000.

The PRESIDING OFFICER. Who yields time?

Mrs. BOXER. I understand under the unanimous-consent agreement that I have 10 minutes; is that correct?

The PRESIDING OFFICER. That is correct.

Mrs. BOXER. May I proceed?

The PRESIDING OFFICER. The Senator from California may proceed.

Mrs. BOXER. At this time, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mrs. BOXER. Madam President, the amendment that I have sent to the desk is a pay-as-you-go amendment. Under my amendment, we cut $1 billion from nonessential travel across the Federal Government. We then take those savings and use them for five crucial programs for children.

These children's programs work. I know that you know that from your experience in Illinois, Madam President, and I certainly know that from my experience in California.

I ask unanimous consent to add the following cosponsors to my amendment: Senator LEAHY, Senator FEINSTEIN, Senator DORGAN, and Senator MOSELEY-BRAUN.

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

Mrs. BOXER. Madam President, it is an honor for me to serve on the Budget Committee. In the House of Representatives I served on the Budget Committee for 6 years. I like the assignment because on the Budget Committee, you have a chance to step back and really look at the spending priorities for our country. It is the larger picture, and it is a time when we can decide what our priorities should be in the long run. In other words, it is not the line items we consider, but who we are as a Nation, and where we are making our investments, and what is important to us.

People often ask me when I am home in California, and I am sure they ask you, Madam President: "Senator, what is your long-range plan to get this country on the right track?" For example, they will say, "What is your long-range plan for fighting crime? We know that you are tough on crime, we have seen that, we appreciate that, but that doesn't really speak to the future."

And then they will say: "What is your long-range plan for fighting the drug problem?"

I will answer it in this way: I will say in the short term, we have a serious problem, we have to get tough, crack down and send no mixed messages. But if we are really talking about the future, and we are talking about finding solutions for the problems that we have, and building a new society, one that is less violent, one that really has as its hallmark the inclusion of everyone, we need to honor our children. We need to invest in our children. We need to understand how important they are to society. We need our children to be healthy mentally and physically if they are to have a stake in this country and not be alienated from it.

The amendment that I offer, which is a pay-as-you-go amendment, is a step in that direction. We are talking about investing in the following five programs: $120 million for Head Start, which will provide Head Start slots for approximately 24,000 children, Madam President. You and I know Head Start works. We know it works. We know that the children who go through Head Start have a much better chance of success than those who do not.

This amendment will add $200 million for childhood immunization. I have to say this: It makes no sense to let our infants and children go without immunizations because for a small cost up front they will not get the measles, they will not get sick, they will not have brain damage, and we save a lot more in the long run. This amendment, Madam President, that you have so graciously offered to cosponsor is clearly an important investment. We will immunize approximately 2,150,000 more children than before with the Boxer amendment. We will also add $200 million to the maternal and child health block grant which provides funding to States for health care for children and pregnant women.

It is crucial in our fight against infant mortality and low birthweight babies. We add $200 million to the child care development block grant; 44,000 children will get the child care they need so they will not be latchkey children; and we add $100 million for the WIC program, which provides nutrition to low-income, pregnant women, infants, and children. We know it works. We have to have healthy babies. If we do not have healthy babies, we are making a terrible mistake for the future. My amendment will increase the level of participation and provide services to 200,000 pregnant women, infants and children.

Finally, Madam President, we give a $180 million increase to TEFAP, The Emergency Food Assistance Program which feeds the hungry and the homeless in our communities. Unfortunately, many of the hungry and homeless are increasingly children and families.

Madam President, around here you throw around a billion dollars like it does not mean much, but when it comes to programs for children, it means a lot.

We must do this. Yes, it is true that we are cutting back on the travel accounts across the Federal Government. But I do not think it is so bad if some of our Federal agencies stay put for a while so our children can move forward. I think that this amendment will have broad bipartisan support. I am certainly hopeful of that. I am proud to offer it.

I ask unanimous consent that Senator WOFFORD be added as a cosponsor of the Boxer amendment at this time.

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

Mrs. BOXER. Madam President, do I have any time remaining in the 10 minutes?

The PRESIDING OFFICER. There are 3½ minutes remaining.

Mrs. BOXER. I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mrs. BOXER. Or I would offer it to my chairman if he would like to enter into the debate.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. I thank the Senator from California. I simply wish to commend her for offering this splendid amendment. I think her suggestion that perhaps some of our Federal officials could stay put so our children could move ahead is a suggestion well made, indeed.

These programs which the Boxer amendment would boost have been heralded many times on the Senate floor—the Head Start program, the Women, Infants and Children Feeding Program, and childhood immunizations. The common denominator of these programs is the high rate of return they offer for a relatively small investment.

I congratulate the Senator from California for offering this amendment. It just makes sense to vaccinate a child rather than having to care for a polio victim. It just makes economic sense. And of course, there is much, much more to it than that.

I share my colleague's enthusiasm for the WIC Program. It is a program that is exceedingly cost efficient. It has been proven over the years that we can save literally millions of dollars by treating babies that might be the result of undernourished mothers or children that are undernourished through the WIC Program. I think it is a fine amendment that the Senator from California offers, and I commend her for it.

One in five children in this country now lives in poverty. We have made

enormous progress over the past 30 or 40 years in dealing with the problems of our older citizens; 50 years ago it was our older citizens who were living in poverty. Now we have reversed that to some extent with Social Security, Medicare, and a whole host of programs for our older citizens. But it is our children now who live in poverty. It is shocking that 25 percent of the children in this country live in a family below the poverty level.

What the Senator from California seeks to do in her usual compassionate and perceptive way is to throw out a longer lifeline to these children who are in very dire need. I thank her for offering this amendment.

The PRESIDING OFFICER. The Senator from California has 30 seconds remaining.

Mrs. BOXER. I ask unanimous consent to add the Senator from New Jersey [Mr. LAUTENBERG] as a cosponsor.

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

Mrs. BOXER. I thank my chairman. He leads the Budget Committee in a way which all America can be proud, and I believe his priorities certainly reflect the priorities of the Nation. Invest in our children. It is the right thing to do. In the long run it will help to solve our problems and save money.

I understand my time has expired, and I look forward to a bipartisan vote on my amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Tennessee.

Mr. SASSER. Madam President, is there no time remaining on the Boxer amendment?

The PRESIDING OFFICER. There are 10 minutes for the opposition.

Mr. SASSER. But no time for the proponents?

The PRESIDING OFFICER. No time remaining for the proponents.

Mr. SASSER. Madam President, I see no opponents of the amendment present.

Mr. President, the distinguished Senator from Pennsylvania has arrived. He wishes to speak in support of the Boxer amendment. I ask unanimous consent that I be allowed to yield 5 minutes to the distinguished Senator from Pennsylvania to speak in support of the Boxer amendment and the Dodd-Jeffords amendment, as I understand it.

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

Mr. SPECTER. I thank the Senator for the allocation of time and the unanimous consent request.

I do support the Dodd-Jeffords amendment which would add $6 billion for education grants. This is an amendment which I had discussed with both the Senator from Connecticut and the Senator from Vermont in terms of increasing education funding.

In my capacity as ranking Republican on the Subcommittee on Labor, Health, Human Services, and Education, where I work with Senator HARKIN, the funding for education is grossly insufficient and the allocation for that subcommittee, where we have to make the division among items like industrial safety, mine safety, the National Institutes of Health, and education programs, is extraordinarily difficult. When the budget allocations are finally made and they come into the appropriations process, this money will give us some substantial additional discretion. I have long believed that the allocation for that subcommittee ought to be substantially larger.

On the amendment offered by the Senator from California, which would increase funding in Head Start, child immunization, maternal and child health care block grants, WIC, and child care, those again are items which are funded out of the subcommittee where I serve as ranking Republican, and there is a great shortage of funding in that subcommittee.

One of the items which has been cut very materially by the administration is the program for so-called LIHEAP, financial assistance for energy for low-income families. And while some of those funds have been reinstated by the Budget Committee, I intend to offer an amendment later today which would add additional funding for LIHEAP.

Pennsylvania is a very cold State, and every year there are many of my constituents who write, travel, or call about that allocation. There are some States which are even colder than Pennsylvania where LIHEAP funds are necessary.

So that an amendment in the budget allocation, or item such as that proposed by Senator DODD, Senator JEFFORDS, and Senator BOXER, will be enormously helpful in meeting urgent needs in the Subcommittee on Labor, Health, and Human Services, and Education. And on their face, these are excellent amendments. When the Senator from California takes a deduction of 20 percent in travel expenses, that kind of an item is an attractive line for a budget cut. But I think there can be savings on items like travel cuts.

The matter of allocation is always difficult. But in the face of the important programs which are identified here, I think these are worthwhile amendments.

I thank the Chair.

I yield the floor.

ORDER OF PROCEDURE

Mr. SASSER. Madam President, I ask unanimous consent that the vote on the Boxer amendment occur immediately upon the disposition of the Dodd amendment. I am advised this has been cleared with the Republican leadership. There is no objection to that.

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

CORRECTION IN COMMITTEE REPORT

Mr. SASSER. Madam President, I wish to announce that there was an error in the committee report regarding the votes on the Lautenberg amendment to terminate the space station in order to fund law enforcement. In the committee report on page 227, the distinguished Senator from Mississippi [Mr. LOTT] is incorrectly recorded in the affirmative. In reality, the Senator from Mississippi voted against the Lautenberg amendment. I ask unanimous consent that the RECORD show that.

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

Mr. SASSER. For the information of Senators, let me note that under the previous order, the Senator from Mississippi [Mr. LOTT] is next or was next to be recognized to offer an amendment. Under the previous order, we will have two back-to-back votes beginning at 2:15. The first will be on the amendment of the Senators from Connecticut and Vermont. The second will be on the amendment of the distinguished Senator from California.

Madam President, I suggest the absence of a quorum. I ask unanimous consent that the time be charged equally against both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SASSER. Madam President, I ask unanimous consent that the Senator from South Dakota be allowed to speak for 3 minutes as in morning business and that the time be charged against the resolution equally on both sides.

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

AID TO PAKISTAN

Mr. PRESSLER. Madam President, the Clinton administration has announced that it wishes to lift the restriction on aid to Pakistan on a one-time basis and deliver F-16 aircraft to that country. As my colleagues may know, such aid is now prohibited under the so-called Pressler amendment, a law which says that Pakistan cannot receive military or certain other forms of aid so long as the President fails to certify that the country does not have a nuclear explosive device.

I am very much opposed to the Clinton administration's proposal because I think it will both increase nuclear proliferation and escalate the arms race in that part of the world. India will respond by seeking additional fighter aircraft.

I find it very strange that an administration committed to nuclear nonproliferation would seek to achieve that goal by delivering aircraft that can deliver a nuclear bomb to another country.

I am strongly opposed to the Clinton administration's plan. I hope the administration reverses itself. I think we need to reflect very carefully on the history of this amendment. It was passed in the mid-1980's with the support of Pakistan. At that time Pakistan said they did not have a nuclear bomb nor were they developing such a weapon. In the early 1990's, President Bush was unable to certify that Pakistan did not have a nuclear weapon, and aid—including the sale of military weapons—was cut off. Any renewal of assistance, including a one-time exemption, would require congressional approval.

I could perhaps see some logic if the administration were going to substitute renewal of some other kind of aid in exchange for Pakistan putting a cap on its nuclear weapons. However, make no mistake. I would seriously question even that type of approach. Unfortunately, all the administration seems to be seeking from Pakistan is an agreement not to build any more nuclear weapons. In exchange, Pakistan gets the F-16's with which they can deliver a nuclear bomb against India.

This would be disastrous for a region that has already endured numerous wars and conflicts. It would mean increased proliferation of both weapons of mass destruction and conventional weapons in that region of the world. In addition it would set an extremely bad precedent.

Our CIA has said—and this has been published in the newspapers—that the existence of the Pressler amendment has played a role in causing Egypt, South Africa, and Brazil to abandon their nuclear weapons programs due to the consequences in Washington. This is the only law that exists on nuclear nonproliferation that has any teeth. If Congress were to repeal the Pressler amendment—even by granting a so-called one-time waiver—it would send a very encouraging signal to every other nation contemplating a nuclear weapons program.

It appears President Clinton and Vice President GORE have not focused on this issue. I say this because the administration's new proposal runs contrary to everything they said in their campaign. It astounds me that this administration, at least the Departments of State, Defense, and the Arms Control and Disarmament Agency, is proposing to make this change.

I believe this process is to a great extent being driven by a desire on the part of the manufacturer to keep the production line hot and build more F-16's. I understand there are strong arguments for creating employment opportunities for people in various parts of the country. However, there are other much cheaper ways to achieve this goal without destabilizing entire regions of the world and encouraging the proliferation of nuclear weapons and other weapons of mass destruction.

Madam President, I ask unanimous consent to place additional material in the RECORD.

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

U.S. SENATE,
Washington, DC, March 8, 1994.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I would like to request five minutes at your earliest convenience to discuss nuclear non-proliferation policy.

Despite repeated assurances from members of your Administration, including Deputy Secretary of State Strobe Talbott and Secretary of State Warren Christopher, I have heard from several sources within the Administration about an attempt to grant an exception to the Pressler amendment. As you may recall, the Pressler amendment prohibits aid to Pakistan unless the President certifies annually that Pakistan does not possess a nuclear explosive device.

Mr. President, I seek a meeting with you to underscore the importance of retaining the only nuclear non-proliferation law in force currently. I would appreciate having a meeting of no more than five minutes, which can occur in your office, or during a morning run. Should such a meeting prove impossible to schedule, I will raise this issue the next time I am at the White House, or if you should visit the Senate. While I would rather not raise this issue in such a public setting, I think it is critical for the Administration to send a consistent signal about the importance of nuclear non-proliferation.

Sincerely,

LARRY PRESSLER,
U.S. Senator.

[From The New York Times, Mar. 23, 1994]

SOUTH ASIAN LANDS PRESSED ON ARMS

(By Michael R. Gordon)

WASHINGTON, March 22.—Worried about an arms race between Pakistan and India, the Clinton Administration is proposing a series of agreements to stop the production of nuclear weapons in South Asia and the deployment of ballistic missiles, Administration officials said today.

Deputy Secretary of State Strobe Talbott plans to press the arms control efforts when he visits India and Pakistan next month, the officials said.

While American officials have long been concerned about the nuclear programs of Pakistan and India, Washington's arms control efforts have acquired a new urgency because of advances in the two sides' nuclear and missile programs.

According to American intelligence reports, India will soon field new surface-to-surface missiles and Pakistan is also developing a new missile with help from China.

OPPOSITION ON CAPITOL HILL

But a key element of the Administration's plan could face stiff opposition on Capitol Hill. As an opening move, the Administration is offering to deliver to Pakistan F-16 jet fighters that have been blocked by Congressional legislation, if Pakistan agrees in return to accept a verifiable ban on production of nuclear material for nuclear weapons. When the White House raised that idea on Capitol Hill recently it met with a mixed reception.

And all experts agree that negotiating the accord would require overcoming difficult political issues in both Pakistan and India, particularly in light of Washington's currently strained relations with New Delhi.

The Administration's effort also comes as Pakistan and India have continued to differ over Kashmir and are proceeding with weapons programs, including the development of missiles.

"India and Pakistan have the ability to move rather quickly to deploy nuclear weapons and are moving fast to deploy longer-range missiles," said Lynn E. Davis, Under Secretary of State for International Security Affairs.

PROPOSALS BY THE UNITED STATES

Washington is proposing several steps to restrain the arms race. One is an agreement by India and Pakistan banning the deployment of surface-to-surface missiles, which would give each side the ability to launch nuclear strikes rapidly.

Another is a set of separate proposals to Pakistan and India that they agree to stop producing nuclear material for nuclear weapons and agree to international inspections to determine that they are keeping their pledge.

That would still leave the two countries with small nuclear arsenals, but officials say that "capping" each side's nuclear potential is a far more realistic step than trying to immediately negotiate the elimination of each side's nuclear weapons stocks, which would, however, remain the ultimate goal.

The Administration also wants to establish a multinational forum to consider ways to build confidence between the two sides and reduce tensions.

INCENTIVES FOR ARMS CURBS

To persuade India and Pakistan to agree to ban the production of bombgrade materials for nuclear weapons, the Clinton Administration is offering various incentives.

In the case of Pakistan the administration is offering to deliver weapons Islamabad purchased but never received because of the Congressional restrictions on aid to Pakistan, including F-16 fighters and P-3 anti-submarine warfare planes.

Legislation sponsored by Senator Larry Pressler, the South Dakota Republican, and adopted in 1985, bans military aid to Pakistan unless the President can certify that Pakistan does not possess nuclear weapons. Because of advances in the Pakistani nuclear program, the White House has been unable to make that certification for the last four years.

Administration officials say the Pakistani military wants the F-16's because its Air Force's planes are getting older. But experts say that letting international inspectors visit will be a difficult political hurdle for the Pakistani Government.

The Clinton Administration is calculating that Congress will support a "one-time" exception to the Pressler amendment if an agreement can be reached with Islamabad that would ban the production of nuclear material.

Whether lawmakers would agree is unclear. Senator Pressler has expressed alarm at the proposal. But Representative Lee H. Hamilton, the Indiana Democrat who heads

the House Foreign Affairs Committee, has argued that the Pressler amendment has failed to slow the Pakistani program and should be replaced with a broader strategy.

[From the Washington Post, Mar. 23, 1994]

THE UNITED STATES PROPOSES SALE OF F-16'S TO PAKISTAN

(By R. Jeffrey Smith)

The Clinton administration wants to give Pakistan new F-16 fighter planes in exchange for proof that the country has capped its nuclear weapons program, Undersecretary of State Lynn E. Davis said yesterday.

The proposal would require U.S. lawmakers to take the politically difficult step of exempting the F-16 warplanes from a congressional ban on U.S. weapons sales to Pakistan that took effect in 1990 after the country built its own nuclear bomb.

Some arms control experts and congressional aides have raised questions about the plan, saying it could effectively reward Pakistan for flouting U.S. warnings not to develop nuclear weaponry and also may wind up provoking India to purchase more advanced weapons of its own to offset the Pakistani warplane purchase.

But the Clinton administration is portraying the proposed $658 million sale of 38 F-16s to Pakistan as a first step in a new diplomatic strategy aimed to getting around the long-standing nuclear stalemate between India and Pakistan. U.S. officials worry that the two arch-enemies might soon deploy new ballistic missiles capable of hurling nuclear warheads at each other.

Deputy Secretary of State Strobe Talbott plans to present the new U.S. plan to Islamabad and New Delhi during a two-day visit to each city next month, Davis told reporters at a breakfast meeting.

"The basic premise is that you have to have something worthwhile for the Pakistanis to pursue this," a State Department official said on condition he not be named. "You have to start out with something" that eases Pakistan's military anxieties and improves its ability to compete with superior Indian forces.

Davis and other U.S. officials said that under the new strategy, Pakistan would get the new warplanes only if it accepts international inspections of key nuclear facilities, proving to India and other nations it is no longer making highly enriched uranium for nuclear arms.

India would then be asked to accept similar inspections at nuclear reactors capable of making plutonium for nuclear arms.

These moves, officials said, are meant to defuse tensions growing out of mutual suspicion about nuclear weapons development programs. Proving that both nations have halted production would be "a first step toward the reduction and elimination" of these weapons at a later date, Davis said.

Additionally, both India and Pakistan will be asked to take part in new regional security discussions involving all five declared nuclear powers as well as Japan and Germany.

They also will be asked to sign a ban on nuclear tests and an agreement barring any ballistic missile deployments. But the proposed warplane sale to Pakistan—which has been aggressively promoted in Washington by the F-16's manufacturer, General Dynamics Corp.—would not be conditioned on these promises, just the nuclear inspections.

Officials said the strategy reflects an administration decision that its policy of low-visibility, patient diplomacy in the Asian subcontinent has not made enough headway. They said Washington has chosen to pursue a higher-profile effort to try to fend off potential deployments of the new Indian and Pakistani missiles later this year.

Washington is not considering offering India any reward such as F-16s to gain its participation, and some officials predicted that Talbott will encounter significant resistance there. "Maybe they think they can get it for free, because we are not aware of any programs [such as the F-16] for India," said an Indian diplomat.

Said Sen. Larry Pressler (R-S.D.), the sponsor of the legislation that blocked military sales to Pakistan: "I feel very strongly it would be a mistake to * * * have a one-time lifting of the amendment."

Several arms control experts who criticized the proposal noted that last March when lawmakers asked Gordon Oehler, the CIA's top expert on proliferation matters, which weapons systems Pakistan might use to deliver its nuclear weapons, Oehler replied, "Our best judgment right now would be the F-16s."

But a senior U.S. official said that in response to congressional criticism, "we will find ways to verify" that the F-16s are not modified for that purpose. The official added that as of now, "we're not sure how" this might be accomplished.

[From the Washington Times, Mar. 23, 1994]

PAKISTAN NUKE CAP MIGHT WIN ARMS

The Clinton administration wants Pakistan to cap its nuclear weapons program in exchange for a one-time exemption from the congressional ban on U.S. military aid, Undersecretary of State Lynn Davis said yesterday.

If Pakistan accepts the deal, the administration will ask Congress to lift the Pressler Amendment and allow the delivery of F-16 fighters that Pakistan purchased from the United States, she said.

Delivery was held up by the 1985 congressional dictum that blocks all but humanitarian aid unless the U.S. government can certify Pakistan is not producing a nuclear bomb, something U.S. officials have been unable to do since 1990.

Miss Davis told a breakfast meeting of reporters that getting Pakistan to cap its nuclear program is part of an effort to stem nuclear proliferation in South Asia.

The proposal is for a one-time exception to the military aid ban with the goal of getting Pakistan to cap production of atomic materiel in a manner that could be verified, said Miss Davis, who heads the administration's nonproliferation efforts as undersecretary for international security affairs.

Pakistan and India are longtime rivals that have advanced nuclear programs. U.S. officials are concerned about long-standing friction between the two neighbors, and they hope to get Pakistan to take a first step to calm the situation.

Deputy Secretary of State Strobe Talbott is traveling to Pakistan and India next month and will discuss the issue with both countries, officials said.

Administration officials say the ban on military aid has failed to keep Pakistan from attaining nuclear capability and that a new approach is needed to halt the growth of regional nuclear programs and roll them back.

The plan would not require Pakistan to abandon its nuclear program, but simply not to move beyond current production.

U.S. officials see the F-16s, for which Pakistan has paid, as a carrot that could advance the policy.

Miss Davis said State Department officials are sounding out Congress to see whether there would be support if Pakistan agreed to the plan. They received some positive response.

But Sen. Larry Pressler, South Dakota Republican and author of the 1985 legislation, opposes the administration's proposal.

President Clinton has told the United Nations that stemming the proliferation of nuclear weapons is a top priority.

THE REUTER TRANSCRIPT REPORT—SENATE FOREIGN RELATIONS COMMITTEE HEARING, MARCH 23, 1994

Senator LARRY PRESSLER (R-SD). Thank you very much, Mr. Chairman, and this question is related to nuclear non-proliferation. It ties into Russia in the end, but it—I have been concerned, and I saw in this morning's paper that you, Mr. Talbott, will be leading the delegation to India and Pakistan regarding a one-time lifting of the prohibition on aid there to deliver the F-16s to Pakistan. And I can appreciate very much your desire to try to open more talks up there, but I think that is a—that is a very bad first step. The secretary of state and you both pledged here that you would not attempt to repeal that amendment, but—the secretary of state did in particular—but I view a one-time exemption to it to deliver the F-16s would be—would gut the amendment and would leave us in a situation that we'd be much worse off. And I might ask for your response to that.

But let me say that it seems contrary to the positions President Clinton and Al Gore have taken on non-proliferation because the—according to what's been published in this morning's paper, that our intelligence people have said that the F-16 would be the delivery vehicle for a bomb if Pakistan were to use its bomb. And it seems passing strange to me that if the administration is going to offer something, some exemption, it wouldn't be some area of aid or something of this sort rather than the F-16s.

Somebody has been very determined to get the F-16s delivered, whether it's the state of Texas or General Dynamics or Lockheed or whoever. I certainly don't see any conspiracy here, but for some time now there have been—maneuvering around to get the rest of them built and delivered and paid for. But I think that this would increase the arms race in that region, it would not really do anything—

This amendment is the only piece of non-proliferation legislation that has ever made it into law, and it seems passing strange that the Clinton-Gore administration would seek to essentially gut this with this effort.

If there were going to be something to be negotiated, perhaps it could be aid. I'm not suggesting that that would be acceptable. But the whole thing seems out of context with the things that you stand for in non-proliferation with Russia and so forth. What is going on here?

Mr. TALBOTT. Well, Senator Pressler, let me try to put it as much into context as I can. And I do this acutely aware that this is a subject that you and I have talked about for the past month or so in connection with my own courtesy call on you and, I believe, in open session as well.

I assure you that gutting either the Pressler amendment or our non-proliferation agenda is exactly the opposite of what the administration has in mind here—in fact, quite the contrary. We see the Pressler amendment, which I stress will remain in force, which will remain very much a part of

American law, as an important and positive instrument to use in accomplishing our nonproliferation goals for the Indian subcontinent.

When I came—I hope it's all right for me to try to summarize one exchange between the two of us when I came and spoke to you in your office. And I've—I appreciated your being able to see me that day. You made clear that you do not see the Pressler amendment as an anti-Pakistan measure or directed against Pakistan per se, you see it as a means of advancing the goal of non-proliferation, and that's the way we see it, too. Our intention here would be to use the leverage that we have because of your amendment in order to try to achieve a verifiable cap on Pakistan's nuclear weapons material production, in return for which we would seek approval by Congress for some relief for Pakistan from some legislative sanctions. And that would include the F-16s that Pakistan has already paid for.

I am just beginning now, Senator Pressler, to prepare for my trip to the subcontinent, and if you would permit and if your schedule allows it, I would like very much to come by at some point in the next week or so and talk to you about this in detail. Obviously, there are several features of this which will be feasible only if we have the necessary support from the United States Congress. This is a classic example of where we need to work in partnership with each other.

Senator PRESSLER. Well, let me say that I think that—it—it's—well, it's been the opinion of our intelligence people, it's been printed in the papers that Egypt, Brazil, and South Africa all backed off their nuclear programs in part because of fears of trouble from Washington as—as a result of this amendment, that it's had a broader impact than just there. Also, it was not an anti-Pakistan thing at the beginning; indeed, Pakistan supported it strongly in this room when Alan Cranston had another amendment that would have cut aid off immediately, and they said "We're not building a bomb anyways," And this was the mid-1980s, and in the early 1990s the Bush administration certified that they did have a bomb in violation of it. So it didn't start off to be an anti-Pakistan thing, but I think it has slowed the arms race down in that region.

But it seems the logic of saying that since Pakistan still has its bomb and the amendment has not been effective, the logic of delivering F-16s, a delivery vehicle for the bomb, in some sort of a settlement, it seems very ironic. If the administration were proposing a one-time lifting of aid or something of that sort, it would be more consistent with this administration's stated non-proliferation of both conventional weapons and—and nuclear weapons. The whole thing seems to be delivered by a great desire to build the remaining F-16s, get them paid for and delivered than it does anything else. And that concerns me a great deal, because I can't follow the logic of how delivering a nuclear weapons delivery vehicle to a country that has a bomb is going to somehow slow the arms race down there. That is my logic.

Mr. TALBOTT. I'm reluctant to get too deeply into this both because of the sensitivity of the issue and also because I am beginning now preparations for this trip. But I'm sure that the last point that you make is very much on—I know that the last point that you make is very much on the minds of my colleagues: that is, looking for some way to ensure that we don't inadvertently create new problems in terms of delivery systems in the way that we address the problem of nuclear weapons per se.

But I do assure you that the motive is one of high policy, and the policy is one that you clearly support, and that is trying to bring about a verifiable and comprehensive nonproliferation regime on the subcontinent. But if you would permit me to come and talk to you about this, I would be grateful.

Senator PRESSLER. Okay, fine. Let me ask about the—about Russia's sale of conventional arms or arms of any sort. How much hard currency are they making from it, and are they increasing or decreasing their sales?

Mr. TALBOTT. The short answer is that they are—they have decreased their sales significantly from the Soviet period. Nonetheless, Russian arms sales remain a subject of intense and sometimes difficult discussion with them and will for a long time to come. The dilemma is the following:

During the Soviet period in the Cold War, Russia—the Soviet Union—used conventional arms sales as an instrument of its foreign policy, which is to say, an instrument of its political and ideological struggle with the United States. It was—they were pieces that they played on the board of the zero-sum game in the rivalry with the United States. That is, they went out of their way to arm our enemies, as it were.

That is no longer the driving motivation. The motivation now is that Russia is trying desperately to make hard currency in any way it can. It doesn't have a great deal that it can sell in international markets, but it does—has inherited from the Soviet Union a considerable arms industry.

Our effort—and it's going to take time to accomplish it—is to do two things: first of all, defense conversion so that plants which are now making weapons will make items for the civilian sector—and I know that that was a subject that Secretary Perry raised when he was in Moscow—and the other is to get Russia in as many ways as possible to adopt responsible export control policies.

CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

The Senate continued with the consideration of the concurrent resolution.

Mr. SASSER. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally against both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SASSER. Madam President, I ask unanimous consent that the Senator from Ohio be allowed to speak as in morning business in the time remaining until the vote.

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

The Senator from Ohio [Mr. GLENN] is recognized.

CHANGING POLICY ON NONPROLIFERATION

Mr. GLENN. I thank the Senator for his courtesy. I appreciate the opportunity to add a couple of remarks to those made by Senator PRESSLER a few moments ago. I had not been aware that he was going to make remarks about the changing administration policy in this area. I want to back up his views on this. We worked together a long, long time on nonproliferation matters, and we have over 148 nations now signed up around the world on the nonproliferation regime. It has not been perfect, but it has been very good through the years. It has had a positive impact.

The Pressler amendment is applied to one nation, Pakistan—who through the years was developing nuclear weapons, and we knew that. But every year because of the situation in Afghanistan, the President needed a special, country-specific waiver of the Glenn-Symington amendment so we could ship material through Pakistan over to Afghanistan. Despite waiver after waiver in the 1980s, Pakistan continued and even accelerated its pursuit of the bomb. Facing these facts, the Pressler amendment became law in 1985 without any loopholes or waivers.

It is just hard to see how we can change this now. In effect, what the administration apparently wants to do is say: OK, they lied to us all this time and went ahead and developed nuclear weapons anyway. They did not deal fairly with us, but we will forget that. That is behind us now, and we will now say they have the bomb now, so we now want to ship airplanes and some other combat equipment to them. So we will just say we forget all of that, and as long as they do not add to the bombs they already have, we will forget all that.

What kind of a message, I ask you, does that send to the other nations that we are trying to tell "do not develop weapons and we will cooperate with you," when if they do develop weapons, they have the precedent of Pakistan, to say it will not make any difference anyway. I think that is absolutely the wrong signal to send.

So I thank my distinguished colleague, Senator PRESSLER—I personally would prefer to see his amendment expanded to some other nations that have egregiously violated what we think is the norm in nonproliferation. All these years, what we have said is if nations sign up under NPT, we will cooperate, and at the same time we will be able to get control of our nuclear weapons stockpiles vis-a-vis the Soviet Union, we will negotiate them down, and maybe we will have a less dangerous world so we will have at the same time prevented the spread of nuclear weapons to other nations.

Here is a nation that has literally lied to us. What they have done flies in the face of their own commitments. I was there years ago and had the head of the State tell me they did not have any interest in nuclear weapons. The

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foreign minister and defense minister told me the same thing, when we knew exactly what they were doing.

I admire Senator PRESSLER for what he is doing in this area. If there is a change contemplated, we should do everything we can to prevent it and support the nonproliferation regime around the world. I think it has done a lot of good. That does not mean taking all of the restrictions off of Pakistan, as far as I am concerned. I appreciate the distinguished floor manager letting me add words in support of Senator PRESSLER on this. He has done yeoman's work in this area. I hope we stick to his policy.

CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

The Senate continued with the consideration of the concurrent resolution.

Mr. DOMENICI. Madam President, I yield the remainder of our time on the Boxer amendment.

The PRESIDING OFFICER. The Senator from New Mexico has yielded back the remainder of his time on the Boxer amendment.

Mr. SASSER. Madam President. Is there any time remaining?

The PRESIDING OFFICER. There is 1 minute remaining prior to the vote.

Mr. SASSER. Madam President, I suggest the absence of a quorum to run off that 1 minute.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 1561

The PRESIDING OFFICER. Under the previous order, the question is on amendment No. 1561.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio [Mr. METZENBAUM] and the Senator from Michigan [Mr. RIEGLE] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 65, as follows:

[Rollcall Vote No. 67 Leg.]

YEAS—33

Akaka	Hatfield	Moynihan
Boxer	Hollings	Murray
Bumpers	Jeffords	Pell
Byrd	Kennedy	Pryor
Chafee	Leahy	Reid
Daschle	Levin	Rockefeller
Dodd	Lott	Sarbanes
Ford	Mathews	Sasser
Gorton	Mikulski	Specter
Gregg	Mitchell	Wellstone
Harkin	Moseley-Braun	Wofford

NAYS—65

Baucus	Domenici	Lautenberg
Bennett	Dorgan	Lieberman
Biden	Durenberger	Lugar
Bingaman	Exon	Mack
Bond	Faircloth	McCain
Boren	Feingold	McConnell
Bradley	Feinstein	Murkowski
Breaux	Glenn	Nickles
Brown	Graham	Nunn
Bryan	Gramm	Packwood
Burns	Grassley	Pressler
Campbell	Hatch	Robb
Coats	Heflin	Roth
Cochran	Helms	Shelby
Cohen	Hutchison	Simon
Conrad	Inouye	Simpson
Coverdell	Johnston	Smith
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thurmond
Danforth	Kerrey	Wallop
DeConcini	Kerry	Warner
Dole	Kohl	

NOT VOTING—2

Metzenbaum Riegle

So the amendment (No. 1561) was rejected.

Mr. SASSER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. EXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 1562

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 1562. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio [Mr. METZENBAUM] and the Senator from Michigan [Mr. RIEGLE] are absent on official business.

The result was announced—yeas 93, nays 5, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—93

Akaka	Exon	Mathews
Baucus	Feingold	McCain
Bennett	Feinstein	McConnell
Biden	Ford	Mikulski
Bingaman	Glenn	Mitchell
Bond	Gorton	Moseley-Braun
Boren	Graham	Moynihan
Boxer	Gramm	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Harkin	Nunn
Bryan	Hatch	Packwood
Burns	Hatfield	Pell
Byrd	Heflin	Pressler
Campbell	Hollings	Pryor
Chafee	Hutchison	Reid
Coats	Inouye	Robb
Cochran	Jeffords	Rockefeller
Cohen	Johnston	Roth
Conrad	Kempthorne	Sarbanes
Coverdell	Kennedy	Sasser
Craig	Kerrey	Shelby
D'Amato	Kerry	Simon
Danforth	Kohl	Simpson
Daschle	Lautenberg	Smith
DeConcini	Leahy	Specter
Dodd	Levin	Stevens
Dole	Lieberman	Thurmond
Domenici	Lott	Warner
Dorgan	Lugar	Wellstone
Durenberger	Mack	Wofford

NAYS—5

Bumpers	Helms	Wallop
Faircloth	Kassebaum	

NOT VOTING—2

Metzenbaum Riegle

So the amendment (No. 1562) was agreed to.

Mrs. BOXER. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SASSER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Mississippi, Senator LOTT, is recognized.

AMENDMENT NO. 1563

(Purpose: To improve the resolution)

Mr. LOTT. Madam President, I have an amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1563.

Mr. LOTT. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is located in today's RECORD under "Amendments Submitted.")

Mr. LOTT. Madam President, a summary of this amendment is this: It maintains the $26 billion in discretionary outlay cuts contained in the Exon-Grassley amendment that was added to the budget resolution in the Senate Budget Committee last week. But it specifies that all of these discretionary spending cuts would come from nondefense accounts.

In addition, it adds $20 billion in mandatory spending cuts for deficit reduction. The amendment assumes that a number of the mandatory spending cuts contained in the 1993 Omnibus Budget Reconciliation Act, OBRA, which are currently scheduled to expire in the next 5 years, will be extended.

Let me emphasize, it accepts the Exon-Grassley amendment but with the language specifying that it would come out of nondefense accounts, and then it takes the language that has been developed by the Senator from New Mexico, Senator DOMENICI, that would call for an additional $20 billion in entitlement cuts. The assumption is it would be the extension of the 1993 OBRA agreed-to spending cuts.

Here is my purpose. First of all, I have no doubt that the Senator from Nebraska, Senator EXON, and the Senator from Iowa, Senator GRASSLEY, were certainly well-intentioned and were trying to be helpful in trying to find a way to reduce the deficit further in this year's bill. I think there were some surprises and, obviously, some consternation in the Budget Committee that the amendment was adopted. It was adopted on a bipartisan vote. I

think it received nine Republican votes and four Democratic votes. It was adopted and there was no effort to reconsider it.

Why was it adopted? I think because the members of the Budget Committee just felt as if there was insufficient deficit reduction effort in the President's budget request. Yes, he made some cuts in some programs. But he came around and added back some of those cuts in other areas of higher priority to him.

In addition to that, the majority members of the Budget Committee added back money for some of the cuts which he had proposed. The money that the President had recommended be cut in urban mass transit operating assistance was put back in by the majority members of the Budget Committee. In LIHEAP, the Low-Income Home Energy Assistance Program, the President recommended just controlling the rate of growth. The committee, members of his own party, said, "No, we don't want that. We are going to put that back in."

So the net result is there is very little spending reduction and deficit reduction in this year's budget resolution. As a matter of fact, over a 5-year period, there is about $127 billion in new spending initiatives in this budget resolution.

So Senator EXON and Senator GRASSLEY just felt as though we could do more. They came up with this amendment.

Obviously, they are willing to take whatever cuts might come out of this. They understand the budget resolution is not binding on the appropriators who are going to make the decision of where the cuts would come from. But I do think that there have been a lot of questions raised concerning how much this will impact on defense.

They would prefer that most of the cuts not come out of the defense area. They would prefer half of these cuts not come out of the defense area, but they recognize some of the cuts would come out of the defense area.

There are a lot of Senators on both sides of the aisle who feel we have already cut too much in the defense area and it is having an impact. Talk to members of the Armed Services Committee on both sides of the aisle, and they will tell you from what we are hearing now from our uniformed personnel as well as our new service chiefs, that we are getting into real problems in a number of areas.

For instance, General Sullivan, Chief of the Army, testified just a couple of weeks ago that the 1995 budget is our 10th consecutive budget representing negative real growth. We cannot continue in that direction forever or we will not be ready for tomorrow at any level.

It is affecting defense across the board. It is affecting the National Guard and Reserve units. Most of us just experienced reductions of numbers in National Guard and Reserve forces in our States, and some of the armories are going to be lost or some of the new armories that are needed are not going to be funded. We find that we probably do not have the airlift and sealift capabilities to do again today what we did in Desert Storm just 3 years ago. The C-141's that we used in the first place to take off, headed for the Persian Gulf with equipment that had problems—with cracks in their wings; all of them were grounded. Then we got that fixed and now a number of them are being grounded by engine flameouts. We have not made a decision about what to do with the C-5's.

We do not know what the future is going to be with airlift. We have not made the decision of what to do and what is going to be our major airlift aircraft.

We face the same thing with long-range bombers. For years we have been arguing over B-1 and B-2. It seems as long as I have been in Washington that argument has occurred. But now we have a problem because this year the budget will cut one-half of the B-52 force that we have and retire it. We have not made the decision to upgrade the B-1 in the way it would take to make it an effective B-1 bomber, and we have limited the B-2. So, again, we do not know what we will need there. But we have not made the decision on what we are going to have in the future regardless of how many would be required. And the list goes on.

Now, ships: We are only going to be building four surface ships this year, I believe, and one more submarine. We talked about maintaining a Navy of 346 ships. When we got the budget, we found out it was 330. And at the rate we are funding ships, we are going to be down to 150.

Now, if the world is utopia, great. We do not need bombers or airlift capability or sealift capability or ships or National Guard. But the world is not utopia. As I have talked to my constituents in Mississippi just the last few days, the first question out of their mouths has not been health care reform. It has not even been crime. It has not been welfare reform. The question has been, the last couple days: What is going on in North Korea? How dangerous is that situation? What is going to happen? Are we on the brink of war again? All of a sudden, people are beginning to say: Now, what was it you were saying about the defense budget just a few years ago or over the last 3 years? People are worried that maybe we have gone too far already with the defense cuts.

Let me just give you this quote. The President stated in his State of the Union Address:

> As long as I am President, our military forces will remain the best equipped, the best trained, and the best prepared fighting force on the face of the Earth. We must not cut defense further.

And yet the President's budget that was submitted calls for a 5.2 percent additional cut in outlays for defense, down to $271 billion in outlays in this budget.

Then if that is taken even further, if the Exon-Grassley amendment remains in the budget resolution and that is used as an excuse to cut defense even more, instead of being a 5.2 percent defense cut, it may actually get up to as much as 10 percent.

The President said do not do that. And I believe the majority of Congress, and I know the majority of the American people, say do not do that. We are about to lose control of this. We are losing our readiness, our strength for the future of the military. In fact, just in the last couple of months, for the first time in many years at least, one branch of the services did not meet its recruitment goals. This is having an impact on morale, on the lifestyle of our families that have to tolerate a tough life in the military.

So to use the Exon-Grassley amendment as a smokescreen or as an excuse or in fact an obligation to cut defense further, I believe, is very dangerous. I feel very strongly that should not happen. And that is why I included in this amendment the language which specifies that all of the discretionary spending cuts would come from nondefense accounts.

Now, is that going to absolutely guarantee the appropriators do not do that? I guess they could say, well, we are not going to take any more than the $26 billion out of defense, but we are going to take more out of other areas of the mix. The net result would be that there would be an effort to cut defense even more. Such is not the intent of the Senate, in my opinion, and I know it is not the intent of Senator EXON or Senator GRASSLEY.

If the Senate votes for this amendment it will express itself very strongly that it supports further efforts for deficit reduction, but that it does not want defense to be get reduced further after a 37-percent cut over the past 3 years.

Now, I will address the next part of this amendment. Senator DOMENICI, a long-time member of the Budget Committee, is a very capable man when it comes to understanding the intricacies of the budget. This is not an easy thing to do and very few of us really do understand it. Senator DOMENICI realized there was this feeling that perhaps the Exon-Grassley amendment would go further than Members wanted it to in a number of areas but particularly defense. He started working on an idea to have additional savings in the entitlement area.

In fact, he has always said one of the mistakes we made in the past, and we are making this year as a matter of

fact with this budget resolution, is we are trying to do all the cuts on the domestic discretionary side and keep ignoring the problem of the exploding increases on the entitlements. And there have been efforts by Senator DOMENICI and Senator NUNN and others to try to deal with that in a fairer way.

In the Republican budget alternative that was voted on earlier today and received 42 votes, 60 percent of the cuts I believe came out of discretionary and 40 percent out of entitlements—or the reverse, 60 percent out of entitlements, 40 percent out of discretionary, but it was an effort to get some of the savings out of both sides and not just let the entitlements continue to explode and increase year after year—to try to get some balance there.

So what Senator DOMENICI did in this case is he said we can get this additional $20 billion in spending cuts to be used for deficit reduction out of the entitlement category by simply continuing the existing restraints in the mandatory area of the 1993 Omnibus Reconciliation Act. And we have a list of the programs that that would actually involve. They are very small amounts of money in several categories. Again, it is not mandated nor can we require that this is the way the Finance Committee in this case would get the savings. But that is the intent. And it is a logical and an easy way to get additional spending savings.

So what I thought we should do, instead of arguing over whether we should have just the discretionary spending savings or have some of it come out of the entitlement category, is to take them both because neither one of them are deep additional cuts.

When I go home to my State, I have a lot of people who come up to me and say: When are you going to get serious about dealing with the deficits? Do you ever discuss the problems of a $4.7 trillion national debt and the tremendous amount of money that is going into the interest on the national debt each year? When are you going to do something about that?

Well, as a matter of fact, over a 5-year period, this budget resolution would allow the national debt to go up another $2 trillion. So obviously we did not do enough. So instead of saying one or the other, what I am suggesting in this amendment is let us take them both. Take the $26 billion in the Exon-Grassley amendment and add to that the $20 billion in mandatory spending cuts out of the entitlement area, and then you would have a total savings of $46 billion, and it has the intended protection against the defense cuts.

So I want to say again I think that really good work has been done by Senator EXON and Senator GRASSLEY, and I am sure they are going to defend their language as it goes forward. I presume there will be an effort to knock their amendment out later on. But I think we should not question their motives, and I think we should listen to what their intent was.

The same is true with Senator DOMENICI in his effort to find an alternative. He has done good work. He has come up with a good idea.

So my suggestion here is that we take both ideas. It will not be devastating in either category, and it will provide ways to get additional savings.

I urge my colleagues to look seriously at what I am proposing and pass this, and I think we would have a much more credible budget resolution when we complete our work.

At this point I will reserve the remainder of my time and yield the floor so that others may speak.

The PRESIDING OFFICER (Mr. LIEBERMAN). Who yields time?

If neither side yields time, time will be charged equally against both sides under the pending amendment.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. SASSER. Mr. President, I ask unanimous consent that on disposition of the Lott amendment, Senator DORGAN be recognized to offer an amendment stating the sense of the Congress regarding foreign producer taxes; that there be no second-degree amendment in order to the Dorgan amendment; and that upon disposition of the Dorgan amendment, Senator DOMENICI be recognized to offer an amendment regarding discretionary and mandatory spending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SASSER. Mr. President, I request the yeas and nays on the Lott amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SASSER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that it be charged equally against both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. SASSER. Mr. President, I ask unanimous consent that there be no second-degree amendments on the Lott amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SASSER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally against both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SASSER. 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. SASSER. Mr. President, we are awaiting Senators coming to the floor. While we are waiting, I ask unanimous consent that the Senator from Minnesota be allowed to speak for 20 minutes as if in morning business and that this time be charged against the resolution, equally divided.

The PRESIDING OFFICER. Is there objection? Hearing none, that will be the order.

The Senator from Minnesota is recognized.

Mr. WELLSTONE. I thank you, Mr. President, and I thank the Senator from Tennessee.

THE FAILING HEALTH OF OUR DEMOCRACY AND THE HEALTH CARE DEBATE

Mr. WELLSTONE. Mr. President, in anticipation of the appointment of House-Senate conferees on campaign finance reform legislation, I wanted to speak for a few minutes about the need for real campaign reform, and I want to use health care-related political contributions as a case study.

Senators toss around the word "historic" all the time when we discuss different issues and different votes. But the truth of the matter, Mr. President, is that it is very rare that we are dealing with legislation that is truly historic. It could be Social Security—that was truly historic—it could have been the National Labor Relations Act, or civil rights legislation, or the Medicare Act.

Mr. President, I think we can talk about health care in exactly the same framework.

This year, the Congress is debating a piece of legislation which will profoundly affect the lives of Americans, for good or ill, by the way we finance and deliver health care within our country. This is an opportunity of a generation for all of us who are here to pass significant health care reform that will make a positive difference in the lives of people.

I did not rise on the floor today to debate the substance of different proposals. That is not my purpose. I am and will continue to be a very strong advocate of the single-payer system.

Instead, I want to talk about a different issue: the failing health of our democracy and its relationship to the health care debate.

What I am talking about are the huge amounts of money in campaign contributions, or being used to support media advertising campaigns, polling, political and marketing consultants, and all of the rest, which are financed by what we would call the medical-industrial complex: the insurance industry, drugmakers, HMO's, medical trade associations and other organizations as well.

These forces, over the last five decades—over half a century—have been able to thwart reform. Tens of millions of dollars are being spent on these campaigns right now, and it is estimated that almost $100 million will be spent on them by the time this bill becomes a law. When combined with the unprecedented campaign contributions going to Members of the Congress, the policy and the political impact is staggering.

Soon the House and the Senate will appoint conferees on the campaign reform bill in order to work out the major differences between the two Houses on that bill. I hope that as we move forward on that process—and this is why I rise to speak about this question today—we will use health care and the unholy mix of money and politics as it affects health care policy in the Congress, as an illustration of why it is so compelling and important that we move forward with campaign finance reform.

I hope that reform will include a prohibition on soft money. I hope it will include tough new limits on what individuals can contribute to their own campaigns. I hope it will include the elimination of political action committees. I hope it will include much more stringent limitations on individual campaign contribution limits. I hope we will have tight new rules to close down the practice of lobbyists making political contributions to those whom they lobby. Finally, I hope we will open up this system so challengers will really have a level playing field by having some public financing, which was stricken from the Senate bill under the threat of a filibuster.

But until we pass this campaign finance reform bill, we will continue to see the corrosive effect of this mix of money and politics, where large amounts of money are being poured into the Congress. Powerful economic interests are, I fear, dominating this debate. This is a once-in-a-generation opportunity. Health care is an idea whose time has come, and come, and come again in this country, and always has been thwarted. This time we have to make sure it really is an idea whose time has come to stay.

It is unclear who will benefit and who will bear the burdens of health care changes to be adopted in our country. But, while this is unclear, one thing is very clear. Members of Congress are already benefiting enormously from huge political contributions from health care sources that are truly unprecedented, I think, in the history of our country. If you want a historical perspective, I recommend my colleagues read Paul Starr's fine work, "The Social Transformation of American Medicine." It was a Pulitzer Prize-winning work. He gives a detailed historical account of uniform efforts and of the special-interest shoals on which they have often foundered.

We could go back before World War I, where the American Association for Labor Legislation was pressing for universal health care coverage. That was defeated, though it was the beginning of that effort in Western Europe.

Then, during the 1930's, Franklin Delano Roosevelt wanted to attach it to the Social Security Act, but that was defeated.

Then Senator Wagner and Chairman JOHN DINGELL'S father, Representative John Dingell, Sr., were once again interested in universal health care coverage, national health insurance reform. They worked on it. Harry Truman campaigned on it in 1948—it was an important part of his platform—but again it was fiercely contested by powerful interest groups. It was really quite amazing the effort, especially the $1.5 million American Medical Association effort to defeat the bill.

We had red baiting and people were talking about socialized medicine and people were talking about a plot that was hatched in Moscow to bring down the Republic over health care reform. Once again this effort was defeated.

Meanwhile, post-World War II, the rest of the industrialized world moved toward some form of social insurance health care policy. We did not. We went with market-based private insurance schemes. And now health care costs have driven through the roof, and what we have seen since is escalating costs and more and more insecurity.

In 1964, Lyndon Baines Johnson won by a landslide and his reform effort could not be stopped. He, with the support of the House of Representatives and the Senate, pushed through Medicaid and Medicare. Policymakers said they would fix all this in the next few years, content they had done their best in the short run. But the short run has now lasted over 30 years. That was an inadequate down payment on universal health care coverage. It is now time to redeem that promise of universal coverage.

Now it is 30 years-plus later, and during the 1970's we saw a dramatic increase in prices, the escalation of costs, and once again we have seen millions and millions of people falling between the cracks: Not old enough for Medicare, not poor enough for Medicaid, and not financially secure enough to afford a decent health insurance plan.

During the 1980's the idea of universal health care coverage was an anathema to the Reagan administration and the Bush administration. Thus we did not see much progress.

Now it is 1994. Now we have a historic opportunity to pass historically significant reform. But once again, powerful interests are essentially trying to stop this reform, to thwart it. So now I speak about this with a sense of history. And although there are somewhat different players, basically we are again seeing efforts to use money to buy access. As a result, I think we have a huge problem, by any standard, for our representative democracy.

Let me be a little more specific. In the 1992 Presidential and congressional elections, political contributions from the medical industry stood at $41 million. This reportedly included $16.4 million from doctors, $7.3 million from the insurance industry, $4 million from drug manufacturers, and almost $3 million from other providers. The rest came from HMO's, lobbyists, mental health professionals, medical suppliers and others.

In 1993, for Congress alone, contributions increased by an estimated 27 percent from these sources. And, as you might expect, many of these industries increased their contributions dramatically during the first 10 months of last year—the latest period for which data have been analyzed. According to a recent Federal Election Commission analysis by Citizen Action, health-related large individual donor contributions increased by a remarkable 41 percent; 46 percent faster than the rate of increase from other interests. Doctors and other provider PAC's went up by 30 percent; hospital, nursing homes and HMO's increased their giving by 23 percent.

I expect when the full 1993 contributions from the industry are analyzed, they will far exceed the amounts given in 1992.

This is big bucks. It is big bucks with a purpose. And the purpose is to have a disproportionate amount of influence on this process and the final product. Most lobbyists and most analysts of these issues will all agree, if you talk to them, that the glut of spending on health care is unprecedented on a single issue in the Congress in such a brief timeframe.

And if you think these figures for 1992 and 1993 spending levels are larger and really astounding, just wait and see what happens in 1994. The 1994 spending will eclipse all of what I have talked about. You will see huge amounts of money going into direct mail, going into television and radio, print media, and political contributions in the 1994 elections.

What are all these big contributions about? What are these contributors getting for their money? So far, what they are getting is the thing that they have been able to get from Congresses past: gridlock. For half a century, powerful interests have blocked reform, and I fear that could happen again.

Let me just take a look at political action committee spending, as an example. Medical industry political action committee contributions increased by almost 2½ times during the 1980's, as people began to see the reform train move. The tentacles of the industry are long and powerful. In the Senate, 84 percent of health care PAC contributions went to incumbents during the 1992 elections. And the PAC money is just the tip of the iceberg.

This chart is an overall summary of the 1992 health care industry contributions. Here we see the sources. What we see from 1990 to 1992 is a 31-percent increase overall, $41.4 million; doctors, 1990 to 1992, $16.4 million, a 45-percent increase; insurance, 1990 to 1992, $7.3 million, a 10-percent increase; pharmaceutical manufacturers, 1990 to 1992, $4.0 million, a 20-percent increase; and other providers, 1990 to 1992, $2.9 million, a 40-percent increase.

Mr. President, this is just part of what is going on in terms of the dramatic increase in contributions. There are other ways that big-ticket interests can influence this process. At the same time that I have been talking a little bit about political contributions, we ought to remember the amount of money that is going into the TV and radio ad campaigns right now. When the President and the First Lady did their spoof on the Harry and Louise ads the other night at the Gridiron dinner, they said their ad was brought to you by the "Coalition to Scare the Pants Off You."

They were right on the mark. This year alone, the Health Insurance Association of America is reportedly going to be spending at least $10 million just to discredit reform plans, be it the single-payer reform plan or the President's plan.

It is not just the question of grassroots politics. This is not grassroots lobbying. This is astroturf lobbying. This is using big money to have leverage. It is interesting, in their lobbying package, according to a recent public relations industry newsletter, the HIAA advised their members that the first step in their lobbying campaign should be to identify big contributors to Senators and Representatives and then meet with those big contributors to make clear their interests in the debate.

What we see here is the most telling and graphic example of this unholy alliance of money and politics and the way in which it affects the health care debate.

Mr. President, I could go on for hours about this political advertising, but I will not. I will just simply say one thing: As a former political scientist, I have to tell you that I cannot see much that has been contributed to public dialog, to an honest debate of perspectives, issues, and choices facing our Nation on health care, by all this political advertising. I think the basic purpose of the political advertising is to make it all so complex for people, to plant doubts in people's minds and to scare people. And so we see very capital-intensive TV ads going on and on and on. It is an effort aimed at molding mass opinion, and preventing people from distinguishing clearly between their own interest and the special interests of doctors, HMO's, insurers, and drugmakers.

Mr. President, this is a very serious issue for our democracy. I think this mix of money and politics in the health care debate puts the whole political system on trial. All the questions about who has power and who does not; who gets to the bargaining table and who does not; whose voice is heard and whose voice is ignored come into sharp focus.

What is happening in the United States today is that a lot of people feel shut out. They do not feel their voice counts the same as the "heavy hitters." They feel there are certain people who have too much wealth, too many resources, and too much influence, and they have too little. They are convinced that the common good is giving way to special interests.

I think it would be a huge mistake, if that is the way people in this country feel about this health care debate—that they somehow have been locked out, they somehow are out of the loop, that their voice really does not count; because in a representative democracy, their voice should count. One person, one vote: that should be our watchword here.

And I point out that this level of health care spending is truly unique. In 1980, expenditures on Senate campaigns were $73 million. In 1990, $173 million. The last election, $195 million. Or consider the average cost of a Senate campaign, another good barometer: $1.2 million in 1980; $3.3 million in 1990; and almost $3.7 million in 1992, and sure to rise substantially again this year if people continue to raise money at the pace they have during the past year.

Let me point to another graph which illustrates the dramatic increase in spending over the last decade. This is just a line that you can look at from where we started to where we are right now; from about $200 million in 1978 total to almost $700 million in 1992. That just illustrates the dramatic increase in spending for congressional races: $200 million to almost $700 million over this short period of time for congressional races.

So I think—and I conclude my remarks today in the Senate this way—that the time has come for us to try something new to break this special-interest gridlock that has captured the levers of powers, that I really worry about. For me, it is simple. I do not think that Members of the House of Representatives or Senators should be taking health care contributions from the health care industry broadly defined, from political action committees or in large contributions from individuals, for the duration of this health care reform debate.

My concern is that if people do not believe in the process and they do not trust the process, they will never believe in the product of that process. And if they do not believe in the product, then they are not going to make the sacrifices that are required and we will not have the support we truly need.

I know some of my colleagues and all House Members are involved in campaigns this year, and I say to my colleagues that surely I am not talking about people unilaterally disarming. But if any Representative or any Senator said to their competitors, "Look, until this debate is over and until we pass the bill, I am going to voluntarily not accept any more contributions, and I would also challenge you not to do so," I think what you would see, given the mood in our country, is that challengers would agree to that. If they do not, then I would say that Senators and Representatives, of course, could go on and raise that money.

But I honestly and truthfully believe that it would be so helpful and it would be so important to building good will, to having people trust in this process and really believe in what we do, if Members would voluntarily agree to forgo these contributions while this legislation is pending before the Congress and until we have a final vote.

Once again, I really think that challengers would be willing to abide by the same agreement.

Mr. President, we are all lucky to be in the Senate at a time when we really could do something historically significant. I really think that this is not just about health care, but about the political process, about accountability, about building trust in people and in the legislative process.

I really believe if Senators and Representatives are willing to voluntarily forgo contributions, large individual contributions and PAC contributions from the health care industry broadly defined, and those who are running, their challengers, are willing to do the same, it would incur enormous good will on the part of people in this country and, quite frankly, I think it would lead to a better process and I think it would lead to a process we can be proud of. And, most important of all, I think it would lead to real, significant health care reform.

Mr. President, I yield back the remainder of my time, and I thank the Senator from Tennessee.

CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. Who yields time? The Senator from Tennessee.

Mr. SASSER. Mr. President, I suggest the absence of a quorum and ask that it be charged against both sides equally.

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

The legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. 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. MOYNIHAN. Mr. President, I wonder if I could ask the distinguished chairman of the committee if I might speak for 5 to 10 minutes on this matter.

Mr. SASSER. I will be pleased to yield 10 minutes to the distinguished chairman of the Finance Committee.

Mr. MOYNIHAN. Mr. President, I rise to state that the Senate is about to take the first vote of this Congress on the issue of health care reform, because if the amendment of my friend from Mississippi should be adopted, we will be instructed to take some $20 billion in entitlement cuts and put them into effect in this coming budget round.

Those are precisely the sums and the areas in the budget—primarily Medicare—which, under the President's proposal and under any number of similar proposals, we mean to use to finance health care reform, bringing about universal coverage for the population and a measure of cost containment which is totally indispensable. The costs of Medicare and Medicaid are growing in the same manner, somewhat faster but in the same manner, as that of health care generally.

The Congressional Budget Office projects that private health care spending will grow on average at 7.8 percent a year. That doubles in about 7 years. That is the rate at which it compounds, I think. In the budget outlook sent us earlier this year by the Congressional Budget Office, we see Medicare doubling by the year 2004—more than doubling, somewhat more than doubling. We see Medicaid going up by 150 percent—going up 1½ times.

The general projection is that the cost of health in our country, which now takes up 14 percent of the gross domestic product, of our wealth, what we generate as wealth, will go to 20 percent in 10 years' time at the rate we are heading. The President hopes to see us hold that down to 19 percent—a heroic effort involved, vast legislation still to keep us at 19 percent. But part of this is to be done by holding down the cost of Medicare and Medicaid, and transferring the savings from those programs to the new forms of subsidy and that will enable us to provide insurance, health care for the 37 million persons who at any given time are uninsured.

We do make a mistake about this, Mr. President, in that we compound the subject of Medicare and Medicaid as being equally something called entitlements. It would be useful to keep in mind that Medicare hospital insurance is purchased through a payroll tax, paid equally by employer and employee and is today in surplus. That surplus is dwindling in the face of these cost growths, to be sure. But the combined Social Security trust funds—including old age, survivors, disability, and hospital insurance—are in healthy surplus. The hospital insurance of Medicare will be in surplus into the year 1997, and the combined trust funds will be in surplus well into the next century. I believe there will be a $71 billion surplus in the year 1997, and indeed there is a sense at which the deficits we talk about today are lower than the reality would be if we were, in fact, treating trust funds separate from the operating budget. But that debate is for another time.

I have to state, Mr. President, as I look about me, I only see two other Senators in the Chamber, the Senator from Mississippi, and his most distinguished colleague, the sometime chairman of the Budget Committee, the Senator from New Mexico. Why is this floor not crowded with Senators as we are about to vote, have our first vote on the most important legislative initiative in a generation? And if we adopt this, if we take away from the Committee on Finance, which this amendment would do, the ability to use Medicare reforms and Medicaid to help us achieve health care reform, we will preclude our ability to carry out such a measure.

If that is what the Senate wants, well, here is the moment to say so. But I do not think the Senate wants that. I know the Committee on Finance does not want that. We spent 2 days this last weekend discussing the specifics of health care reform. We want to address this issue. We want to see universal health care coverage. If you do not want universal health care coverage, then this is an amendment we will wish to vote for.

But when you vote for it, you are voting against just that goal which, as President Clinton said in Florida on Monday, President Truman proposed. President Johnson came close to it. President Nixon proposed it. President Carter proposed it. We have been at this the better part of a half a century. We think it is time we got it done.

I have to say to you that Medicare spending, which has been growing at a rate higher than general inflation—but, remember, is a rate of spending of persons over 65 and have higher health care costs—we can cut that back. We hope to cut it back to 10.5 percent a year, probably a sustainable rate given the population involved. But if that reduction is to take place, we must have the flexibility to include savings from reforms of Medicare and Medicaid or, Mr. President, there will be no health care reform for the remainder of this century. And we shall have spent half a century looking for something of an industrialized democracy which the world has in place, and we will enter the next millennium without it. I do not think we want to do this, sir. And I do not think we should. I think the vote will so establish that fact.

I see the distinguished Senator from Georgia is here. I believe he wants to speak to other aspects of the measure. I look forward to hearing him.

I yield the floor.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia [Mr. NUNN] is recognized. Who yields time?

Mr. NUNN. Mr. President, I would like to get some time to ask some questions of the chairman of the Budget Committee, and the ranking member.

Mr. DOMENICI. Mr. President, how much time do we have? I do not have any time. Senator SASSER has time.

The PRESIDING OFFICER. The Senator from Mississippi has 27 minutes.

Mr. LOTT. Can I inquire about the remaining time total?

The PRESIDING OFFICER. There are 27 minutes controlled by the Senator from Mississippi.

Mr. DOMENICI. Senator SASSER has how much?

The PRESIDING OFFICER. The Senator from Tennessee has 29½ minutes.

Mr. NUNN. Mr. President, I probably do not need more than about 5 minutes. I am really not sure how I am going to vote on this amendment. I do not know whose time I am going to be asking for.

Mr. SASSER. Mr. President, I am always happy to accommodate the distinguished chairman of the Armed Services Committee. I will be pleased to yield to him.

Mr. NUNN. Willing to take a chance?

Mr. SASSER. I am always happy to accommodate him, and willing to yield him 10 minutes.

Mr. NUNN. I thank my friend. I would be delighted to hear from the Senator from Mississippi on these questions also.

I would like to pose a few questions relating to the Lott amendment, and also, of course, I am concerned about the effect on defense of the Exon-Grassley amendment which would be in the Budget Committee, and I believe that this amendment has some relationship to that.

I suppose my first question to the chairman of the Budget Committee and to the Senator from New Mexico, the ranking member, would be whether this amendment, the Lott amendment, continues the cuts that were made in the Budget Committee in the discretionary account which I believe were $43 billion in budget authority and $26

billion in outlays. Do those remain in the budget resolution if the Lott amendment passes?

Mr. SASSER. It is my understanding that that is the case.

Mr. NUNN. Then I would ask my friend from New Mexico, if also incorporated in the Lott amendment—if the Lott amendment has in it the cuts in the entitlement programs that were really continuations of existing reductions or restraints in entitlement programs that were going to be used by the Domenici amendment, which I was coauthor of, are these cuts also part of the Lott amendment?

Mr. DOMENICI. Mr. President, in answer to Senator NUNN's first question, the answer is "yes." In answer to the second, that is that the Exon cuts, reductions, in discretionary are still in in their entirety, with reference to your question, yes.

The distinguished Senator from Mississippi has already stated that he acknowledged that the entitlement cuts that are found in his amendment are on top of the discretionary, and they are exactly the same ones that would have been, and the same procedure that would have been, and will be there when the Domenici amendment is offered, if it is later today.

Mr. NUNN. Would I be correct then, I say to my friend from New Mexico, that if the Lott amendment passes, those entitlement cuts, or those entitlement restraints, continuation of the existing program that would expire otherwise, if the Lott amendment passes, if those would have been utilized in the Lott amendment, and would they be available as an offset to the Exon-Grassley cut in a later Domenici amendment if the Lott amendment passes?

Mr. DOMENICI. No. They would not. They are used as part of this amendment in addition to the Exon cuts.

Mr. NUNN. So those of us who are concerned about the effect on defense of the Exon-Grassley amendment—which would have something like a 60-percent effect on defense, in that neighborhood depending on the allocations of the Appropriations Committee—if those of us who are concerned about defense would be in a position, if the Lott amendment passes, to have no offset on defense cuts in the Exon-Grassley amendment, because those would have been used up, or at least the one that we had in mind would have been used up. Is that correct?

Mr. DOMENICI. The Senator is correct. However, it is only fair that the Senator from Mississippi explain how he views it. I believe I know they are used up, and they will not be available. That is clear from what is here.

Mr. NUNN. I have another question, in fairness to the Senator from Mississippi. It is my understanding there is an effort here by the Senator from Mississippi, though, to protect the defense budget. There is language in here that basically creates, as I understand it, the indication at least of a firewall relating to the Grassley-Exon amendment.

But my question is relating to that now, because as I view it, based on the questions and answers I have gotten so far, if this amendment passes, and if there is no protection for defense in this amendment itself, then the hope of some of us at least is that we would be able to use the entitlement restraints for a substitution for the Exon-Grassley amendment, thereby reducing the effect on defense, that opportunity would be gone?

So the crux of my decision will depend on the answer to the questions about whether the Lott amendment actually protects defense. That is the next question I would pose.

If I could take it in two or three parts: No. 1, does the Lott amendment prevent the Grassley-Exon amendment that is incorporated in this from cutting defense in fiscal year 1995?

Mr. SASSER. First off, I say to my friend from Georgia, this amendment is silent on the question of 1995. It does not protect 1995 at all. It does not even attempt to protect 1995 at all. So defense would be subject, in 1995, to taking those chances with everything else.

Mr. NUNN. So whatever effect on defense the Exon-Grassley amendment was going to have in fiscal year 1995, would not be in any way reduced by the Lott amendment. Is that correct?

Mr. SASSER. That is correct. At least my reading of it, the Lott amendment is silent with regard to 1995.

Mr. NUNN. Would the Senator from New Mexico agree with that? How does the Senator see that?

Mr. DOMENICI. In direct answer to the question, I agree with that. As far as the amendment itself and what it says, there is no effect of change, no changing of the Exon-Grassley amendment.

Mr. LOTT. Mr. President, if the distinguished Senator will yield, I do not want to take up his time in responding.

Mr. NUNN. I would like to give the Senator time.

Mr. LOTT. I think all the answers that the distinguished Senator from Georgia received from the members of the Budget Committee, the Senator from Tennessee and the Senator from New Mexico, are accurate.

First of all, though, I do want to speak on the defense part of the question. Obviously, what we are trying to do here is to accomplish the purpose of trying to avoid defense being cut more without it being subject to a point of order, which would then require 60 votes to overcome. That is why it is silent on 1995.

But the intent of the amendment is clear. The intent is to say, look, we need to cut the deficit more. There are a lot of Members that would like to support Exon-Grassley, and I suspect probably the Senator from Georgia would, but he is concerned about the impact on defense. That is why it passed the Budget Committee with some 13 Senators voting for the Exon-Grassley amendment. They would like to reduce the deficit more. They would like more to come out of discretionary spending. But they would prefer it not to further cut defense, which, as the chairman of the Armed Services Committee knows, has already been cut 35 percent over the past years.

We are always hearing testimony that is scaring us to death in the Armed Services Committee, and we worry about what is happening around the world. So we want to do that. So what I have tried to do is to find a way to get the additional discretionary savings that Senators EXON and GRASSLEY intended without the additional hit on defense. It specifies in the amendment that all of these additional discretionary spending cuts would come from nondefense accounts.

It is binding? Does that mean that is the way it would happen?

The Senator from Georgia knows better than I do that it is pretty hard to direct the Appropriations Committee how they might do something like this. But the intent is clear. If we could get a good, solid vote on this, I think that intent would be clear, and the message would be clear that we do not want additional hammering of defense.

Then the final point I would make—you may have additional questions—is that there are some Senators that just felt we had not done enough with deficit reduction, and there are some that would like to be for Exon-Grassley. There are some that would like to be for Senator DOMENICI's well-thought-out amendment, which is one that extends—basically continues—the existing laws, things agreed to in 1993.

So the thought developed, well, maybe we can try to find a way to build in protection on defense, get the discretionary spending cuts, and accept the $20 billion in savings in entitlements.

I will not give a full, long speech because I know the Senator has other questions, but this is the reason; this is what is driving what Senators are thinking, and what I am trying to do.

The gross national debt is going to continue to just go right on up with almost another $2 trillion increase over the next 5 years, over the time this budget resolution addresses. That is the intent behind it. I understand your concerns, and I share them. This is my effort, feeble though it may be, to try to accomplish additional deficit reduction and try to find a way to protect defense. I think there is a lot of concern here, perhaps even some smokescreen. If the idea is to say: you are talking about cutting discretionary spending and talking about half of it or

more coming out of the defense, I do not think that is what the majority of Budget Committee members thought when they voted for it. I do not think the majority of the Senate thinks that. That is what I am trying to accomplish.

Mr. NUNN. I thank the Senator from Mississippi. My other question relates to the wording of the Lott amendment. I understand where the Senator from Mississippi is coming from. As I stated at the outset, I am concerned about the Domenici-Nunn amendment, which was going to keep the deficit down at the level that the Exon-Grassley amendment portrayed. The deficit would be at the level it came out of the Budget Committee, while protecting defense and discretionary cuts by shifting on to entitlements. Many people would want to agree with that.

What I am perplexed about is, if the Lott amendment passes, the offset for the Exon-Grassley amendment is going to be gone; it is gone. That is the end of that. Maybe somewhere else we can find the money, but if the Senator from Mississippi has not succeeded with his amendment, notwithstanding his keen desire to protect defense, then defense is worse off because the Lott amendment passes. It is worse off, because as I see it right now, the only hope that those of us who believe the defense budget is going down too much have is to find an offset. In the Domenici amendment, which has not yet been presented, was that offset. The Senator from Mississippi is using that offset and, therefore, if the Senator from Mississippi has not succeeded in protecting defense in 1995 and the outyears, then we have bigger problems in defense because of the Lott amendment. I know that is not the Senator's intent, but that is the result, as I see it.

My final question is: As I understand the Lott amendment—and I ask my friends from Tennessee and New Mexico this—in the outyears—I understand why you cannot deal with 1995, because I have been caught on that before; it is a tough one. You have a 60-vote problem. But what I am also concerned about is the next 4 years.

My question really is: As I understand it, the Lott amendment basically directs the so-called firewalls only to the protection of the Exon-Grassley money, but not to the overall defense budget. So the Lott amendment, even if it is effective for those 4 years, would basically take the narrow amount of money that was cut in the Exon-Grassley amendment and say that that money could not be shifted in the next 4 years to discretionary. Yet, it would leave the whole defense budget for the appropriators, and they could shift everything else. The money is fungible.

We could end up with a situation in which the appropriators say: OK, the Lott amendment passes, it cuts discretionary. We cannot offset that, and we cannot shift the defense on the Grassley-Exon portion, but we can shift everything else, the whole rest of the defense budget. That differs from the firewall that I think we ought to put up, which is on the whole defense budget—not that it cannot be cut or shifted. It can be cut, but cuts would go to the deficit. My question to the Senators is: Am I correct that the Appropriations Committee could basically take everything but the Exon-Grassley amendment money and shift it from defense to nondefense and discretionary accounts?

Mr. SASSER. The Senator is entirely correct. He has analyzed this thing precisely the way it is going to operate. The alleged protection that the Senator from Mississippi seeks to impose for defense spending here applies only to the incremental cut, the Grassley-Exon cut, and that is all.

I know this is somewhat confusing, but as I read this thing—and clearly, as the Senator from Georgia perceives it—there is no protection for the remaining portion of discretionary spending. In short, given the fungibility of money, this amendment does not protect military spending at all, as far as this Senator is concerned, and I think my views are well known on that. I would like to see military spending take its chances just with all of the other discretionary spending. But if it is the intent of the Senator from Mississippi to fence off and wall off military spending and protect it, this amendment simply does not do it. All it does is simply wall off that portion of the Grassley-Exon cut as you take this out of Defense. All the rest of this big pool of money is there, and the appropriators can do as they wish with it.

Mr. NUNN. Can I give a hypothetical so that we can be clear? Maybe the Senator from New Mexico can answer this, also.

Assuming—and I do not know the exact numbers—this 5-year so-called discretionary account, which includes defense and also domestic discretionary—assuming the cap is $550 billion on that, and assuming the Grassley-Exon amendment cuts $43 billion out of that; would it be fair to say that under the Lott amendment, all the $43 billion cut would have to come out of nondefense, except for the 1995 problem? Nondefense discretionary. But the remaining $507 billion over 5 years, under the Lott amendment, could still be shifted from defense, and all of it could go into the nondefense account?

Mr. DOMENICI. The Senator is correct.

Let me suggest—and I think Senator LOTT, the Senator from Mississippi, understands this—that I have tried every way possible to put a firewall in, without being subject to a point of order. I tried in committee, and I lost 11 to 10 or 10 to 9, or whatever it was. Whenever that comes up on a floor, a point of order is raised. Once, the Senator from Georgia and I got 54 votes or something. So it cannot be done. Senator LOTT did not find a way to do it either. So there is no wall—even if the language he uses, which is very well-crafted, says that you can only take these cuts against nondefense discretionary. The amount of money described there is not the discretionary budget of America but rather the piece attributable to the Exon cut.

So all the rest of it is clearly mobile, as I see it. The Senator used the word "fungible."

Mr. NUNN. And one-twelfth of it, if you look at the figures, 550, say one-twelfth of it, would be protected; the rest of it would be absolutely able to be shifted from one to the other.

I guess the Senator from Tennessee has the answer to that question. Does he agree with the answer I received?

Mr. SASSER. Yes, I agree.

The PRESIDING OFFICER. The Senator has spoken the additional 5 minutes.

Mr. SASSER. I yield an additional 5 minutes to the Senator from Georgia.

I agree completely with what the distinguished Senator from New Mexico has said. In fact, there is not even opportunity to put in a firewall for 1999 even for the amount of a Exon-Grassley cut in this amendment before us.

Mr. NUNN. The Senator from Tennessee understands when there is a Domenici-Nunn effort to put in an effective firewall it will require 60 votes, and I hope the Senator from Tennessee will look favorably on that effort. I know he would want to see the legislation drafted in an effective and clear way.

Mr. SASSER. I say to my friend from Georgia that hope springs eternal in the human breast. I understand that. But I may not be counted on the side of the Senator from Georgia when the roll is called.

Mr. DOMENICI. Mr. President, will the Senator yield 2 minutes?

Mr. NUNN. I will put the Senator from Tennessee in the doubtful column. We are going to continue that effort.

Mr. LOTT. Will the Senator from Georgia yield a second?

Mr. NUNN. I yield.

Mr. LOTT. Mr. President, there are several points the Senator made. I will try to respond on my own time.

I do want to just put out a word of caution that I know that what the Senator is trying to do is, in effect, to save the $20 billion proposed offset in the Domenici amendment, which has been spoken against now by the distinguished chairman of the Finance Committee, so it could be used later on.

But I do think you need to think carefully about what is being said here and the impact this vote may have on the subsequent vote, because there are some Senators who share the concerns

of the Senator from Georgia in the defense area, but they also feel the deficit has not been adequately addressed. They wanted an effort to find a way to get some more deficit reduction through using the entitlements. And the idea was, look, let us have it; let us try it. Let us see if we can find a way to protect defense. Let us see if we can find a way to get entitlements savings on top of the discretionary spending cuts. If that fails, then we have to look around for another alternative.

That is what I want the Senator to be aware of. There is a lot of thought going on as to how we achieve the goal he is after.

Mr. NUNN. I understand, Mr. President. The Senator from Mississippi and I, I think, share the same general goal.

My problem, though, is if this amendment passes, as I view it, given the vote count around here, there is really going to be no way to protect defense.

I think, as the President said in his State of the Union Address—and I hope the Clinton administration will be on the same side as Senator DOMENICI and I will be on the subsequent amendment we are going to be considering—the President said very clearly he did not think the defense budget should be cut any more.

The problem I have with the Lott amendment is it is basically taking the savings that could be made as an offset, and protect defense, while keeping the deficit at the level that it is now in the Budget Committee. It does not protect defense from that discretionary allocation matter.

I see where the Senator is coming from. It seems to me if the Lott amendment passes, it puts defense in a much more precarious position.

I also say that I hope there will be a chance to vote on a broad entitlement approach later in this debate that is unrelated to any offset on defense. I hope that we will have that opportunity. Senator DOMENICI and I again sponsored that amendment last year.

I also hope we can find some way to deal with the firewall. I get very frustrated in being up against the 60-vote rule because of the firewall. That was one of the reasons I had a little less sympathy than I might otherwise have had when people are adding a constitutional amendment, how bad it was, to have 60 votes; otherwise, it would be gridlock.

That is exactly where we are in this whole budget situation. We have to have 60 votes on everything that disagrees with the Budget Committee. We already have, in effect, a quasi 60-vote requirement.

Mr. President, I close my remarks by saying I thank the Senator from Tennessee, the Senator from New Mexico, and the Senator from Mississippi for answering my questions. I believe, because of the information that has come from this dialog, I will be voting against the Lott amendment, but in the hope that we can put together something else that will achieve some of the same purposes the Lott amendment is aimed toward. But I do believe that, based on the information we have now received from this dialog, the Lott amendment basically puts defense in more jeopardy, notwithstanding the Senator's intention.

So I urge our colleagues to vote against the Lott amendment.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. DOMENICI. Mr. President, I wonder if I might speak on this issue? Will the Senator yield me 2 minutes?

The PRESIDING OFFICER. Who yields time?

Mr. SASSER. I yield.

Mr. DOMENICI. Mr. President, I will take 2 minutes off the resolution.

I say to Senator LOTT, let me interpret what I have just heard here on the floor. I do not think any of the answers were different than the Senator expected with reference to the existence of firewalls and the enforceability of the defense language.

Am I correct in assuming that when the Senator offered this, he knew that? I mean, I am not trying to state something here inconsistent with what the Senator understood, because I thought we all understood when he put together his amendment, which took its entitlement cuts from an amendment I had proposed, which the Senator graciously has acknowledged, I think it was understood then that we were leaving the discretionary spending of the cuts of the Exon-Grassley amendment in place and that he would make the best effort he could to articulate that those cuts should not be applied to defense.

Am I stating it about right?

Mr. LOTT. I think that is accurate, Mr. President.

I would like to make some additional comments in this area when the Senator finishes with his comments.

Yes, this is basically what I knew. I think the Senator from Georgia indicated he knew what I was trying to accomplish.

The question of whether we can accomplish it in this way, we are going to try later on an actual vote on firewalls. We have to have 60 votes, and we were trying to avoid that problem.

Mr. DOMENICI. Mr. President, do I have a minute left, or how much, on that?

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. DOMENICI. Mr. President, I yield myself an additional minute, so it will be a minute and a half.

Let me say to the Senator from New York, Senator MOYNIHAN, I know he has come to the floor and discussed the portion of the Lott amendment that exclusively deals with an amendment that has been on the floor referred to as the Domenici amendment or the Domenici-Nunn amendment. That is the case. That is the case.

That second portion of the Lott amendment with reference to additional restraint on mandatory entitlements is an amendment I proposed. I do not choose on this amendment to respond in detail to the Senator, but let me just say to the Senate that when the time comes to debate it separately, I will make my case for it in terms very different from the Senator from New York. In fact, I will give him the facts and let him conclude whether it affects health care reform or not. I will not conclude, but I do not believe it in any way will affect health care reform.

The President himself wants savings in health care reform. We ought to have some. If the Senator is worried about how much this is going to impact on health care spending, that is the second part of the Lott amendment. We will be spending $1.585 trillion in 1999 on health care, the U.S. Government portion, Medicare and Medicaid.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I yield 1 additional minute.

I say to the Senator, cumulative over the 5 years, that is cut by 1.2 percent. That is the numbers as I have them. If that kills health care, then I cannot imagine how we will ever get the deficit under control.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Tennessee.

Mr. SASSER. How much time is remaining on this amendment?

The PRESIDING OFFICER. The Senator from Tennessee has 9 minutes 45 seconds; the Senator from Mississippi has 27 minutes.

Mr. SASSER. I yield 5 minutes to my friend from New York.

Mr. MOYNIHAN. Mr. President, may I say to my friend from New Mexico, when we do get to that part of the debate, I think the Nunn statement was just at the end of this particular amendment we have before us now.

I know what he says will be factual and will be straightforward, and not too arcane. But I would like to say to my friend that in 1999, we are scheduled to spend just over $400 billion on Medicare and Medicaid.

Mr. DOMENICI. The number I gave was the cumulative expenditure over 5 years.

Mr. MOYNIHAN. Over 5 years.

Mr. DOMENICI. And I took the little percentage each year and summed that up, and was reducing that over 5 years by 1.2 percent.

Mr. MOYNIHAN. That is about right. And as everyone knows, it takes a good deal of temerity to challenge the Senator from New Mexico on numbers.

Mr. DOMENICI. I thank the Senator very much.

Mr. MOYNIHAN. I do want to say we are talking about the significant $19.6 billion, which is absolutely necessary for the President's health care reform measure to be enacted. I think we can stand this vote on health care reform and Domenici-Nunn will be a vote on health care reform.

If you are against universal health care coverage, vote for these amendments. If not, give our committee, the Committee on Finance, and the other committees involved, an opportunity to bring health care to this floor after half a century of waiting.

I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 23 minutes remaining.

Mr. LOTT. We asked for and received the yeas and nays on this amendment, have we not?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. LOTT. Mr. President, gee, this sounds awfully familiar. I have heard it year after year after year. "Oh, we can't cut that. Oh, we can't cut that. We'll get it later. You can't take it from here. We are going to use it somewhere else."

We go through this exercise with these budget resolutions.

I will tell you I voted for the Budget Impoundment Act and, over the years, I have voted for some budgets and against others. But I am beginning to wonder what does the Budget Committee really do? What is it worth? Maybe we ought to abolish the Budget Committee, and say the Budget Impoundment Act was a good idea, but, gee whiz, it did not work.

What are we doing this exercise for? We are told, "It does not make any difference. The appropriators are going to do what they want to anyway. We cannot direct them." If that is what we are going to do, we ought to have real reform and deal with the macro number, the 17 accounts, I believe, a one-page deal and be done with it.

And the difference is, if we send the Exon-Grassley amendment or leave it like it is and it goes to the Appropriations Committee, my God, it is going to be Armageddon; they are just going to take it all out of defense. I do not believe the Senator from West Virginia would do that. I know the Senator from Hawaii would not do it. I know the Senator from Alaska [Mr. STEVENS] is not going to agree with that.

They are not going to go in there with a meat ax and chip away at defense. Yes, they may be forced by, I guess, the budget resolution numbers to some degree to do more in discretionary spending reduction and it would affect defense. I just do not believe, though, as was inferred by the Senator from Georgia and others here on the floor, that if we send it to Appropriations with these numbers they are just going to come in here and take every nickel out of defense, or 50 percent. I have some faith in those guys and ladies on the Appropriations Committee.

But, oh, gosh, yes, if there is some cut, some cut that might actually bite, you hear all kinds of screaming now about what we cannot do, why we cannot do that. We cannot have any kinds of further cuts in defense.

Where has everybody been for the past 3 years? We had a 35 percent cut in defense. So to try to avoid any real cuts in domestic discretionary spending, the fire alarm goes out: "Oh, well, it is all going to be done in defense." And then the next line comes in, "Oh, well, we can't do what Senator DOMENICI has drafted here because this is going to be the first vote on health care and we planned to save that money so we could spend it on health care reform."

There are some people in America that think we should not begin the health care reform debate by assuming we are going to spend billions of dollars, new dollars. We have to save this money and a lot more because we are going to have this reinventing Government on health care. The Government is going to take it over and it is going to cost billions of dollars. That is the same old arrangement.

So we are saying, "Oh, we can't have any entitlement cuts because we are saving that to spend it later on health care reform."

"Oh, we can't have any cuts in domestic discretionary spending accounts because it is going to only affect defense."

I have voted consistently, year in and year out, for defense programs, not to cut defense. I have raised objections and concerns and exasperations about the cuts we have made over the past 3 years in defense. I am the last guy that wants to do that. I will assure you that when 13 Senators of both parties voted for the Exon-Grassley amendment in the Budget Committee, their intent was not to have it all taken out of defense.

But it is the same story you hear year in and year out: "We can't do it here. We can't do it there."

And somehow or other we develop this buddy system that leads to the net result that we do not do much of anything.

We have talked about, oh, how we have done a great job. We were tough back in 1982. Yes, and the deficits went up.

We talk about how we were going to be tough in 1990 when President Bush was in the administration. Yes, we were tough. Very tough amendment. And the deficits went up. And, this is a stay-the-course but tough amendment. We are going to have some savings and the deficits go up. The debt goes up. So it is the same old song that we hear year in and year out—"Not here, not there, not anywhere," the truth be known.

We talk about how we worry about deficits and debt and spending and we are going to control it, but we never do.

When somebody comes up with an idea that we actually do it, then we bring on the chairman of the Finance Committee, we bring on the chairman of the Armed Services Committee, who say, "You can't do this part; you can't do that part." And then the partners will change on the next amendment or the next debate. We will have different people dancing, waltzing together, saying, "Well, OK, we weren't together on that last one, but now we are together on this one."

But the net result is we never get around to doing what we say we intend to do.

That is all I have intended with this amendment. I am trying to find a way to bring Members together. I am trying to find a way to get some deficit reduction without emasculating anybody, trying to find a way that it would not all have been taken out of the defense, since that is all that has been happening in the discretionary area. Everyone in Washington is using defense as a cookie jar: "On, we need a little more money for this program or that program."

Wonderful programs. We had a couple of those programs here. I voted for them. Great, wonderful programs. How could you be against them?

Most of the time, all the other spending has continued to inch up, except defense. That is the only one that has really been going down. That is one of the reasons I am very much for abolishing the whole system, and finally having truth in budgeting. We should get rid of this baseline doubletalk where we allow inflation to go up and then we talk about it. We think we are fooling somebody, but the American people have it figured out.

We talk about how good the economy is. But I see some troubling signs in the economy.

Again I am not putting the blame on anybody—the Congress or the President. All I know is it has been sort of a jobless recovery. I also know that the Fed raised interest rates another quarter. I am worried what that means for the future.

So I just wanted to take a little more time now and point out why I proposed this amendment and try to correct the RECORD a little and give some statistics.

In the budget resolution we have here before us from the committee, the proposed terminations and reductions in

the fiscal year 1995 by the President amounted to $5.5 billion, while the new spending amounted to $8.2 billion. So you had a net increase; a few cuts, but more increases and new spending.

Over the next 5 years, as I have already pointed out, new spending increases total $127 billion. The Federal budget outlays would increase 17.1 percent in fiscal years 1994 to 1998. The cuts we have proposed in the Exon-Grassley amendment, coupled with the Domenici language, would barely scratch the surface there. It might reduce it a percentage point or two. We would still have a 15 percent increase over the 5-year period, in all probability. I have not actually calculated the percentage, but I think we need to acknowledge that.

But another thing that bothers me about all of this, at a time when we say this is supposed to be a stay-the-course and honest and realistic budget, is that so many parts of what we are going to be doing this year are not included, including a lot of cuts in the area of allocations for crime.

Now, the point will be made which was made in the Budget Committee, "Well, yeah, the President had some increases for fighting crime." But, as a matter of fact, the President proposes cutting $600 million from existing law enforcement and anticrime programs in this budget, including funding for DEA and for fighting organized crime, the parole commission, INS, ATF, IRS, the Customs Agency, the Coast Guard. We are cutting back on our interdiction funds, cutting back on the national drug control policy office and cutting back on the FBI.

So, again, I am saying here not only is this a budget that allows for increases, it does not even acknowledge we are going to have some costs for health care or welfare reform. And it actually reduces the expenditures in all of these programs for fighting crime.

So I have real problems with this budget resolution. My whole intent here was to try to get some realistic deficit reductions and try to find a way to keep defense from being cut.

I hope my colleagues will look at it very closely.

I yield the floor at this time.

The PRESIDING OFFICER. Who yields time?

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, my friend from Mississippi said that he thought the Budget Committee had not intended to cut defense with the Exon-Grassley amendment.

The debate in the Budget Committee on the Exon-Grassley amendment made abundantly clear that these cuts could well come out of defense.

I ask unanimous consent that the transcript of the Budget Committee debate on the Exon-Grassley amendment be printed in the RECORD at this point.

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

DEBATE FROM BUDGET COMMITTEE MARKUP ON THE EXON-GRASSLEY REDUCTION AMENDMENT, MARCH 17, 1994

Chairman SASSER. Senator Exon is recognized.

Senator EXON. Mr. Chairman, thank you. I am going to be very brief, because I know Senator Conrad and Senator Grassley, who has worked with me on this—the Exon-Grassley amendment that I am offering at this time is a cut of $26 billion in the budget over 5 years. If there is any criticism of this that it is legitimate, it is minuscule, but it is probably the only chance we are going to have to make some reductions.

This amendment was figured and calculated to freeze the budget authority in our discretionary spending over the next 5 years. We then allowed a 50 percent increase above that freeze or a total of $26 billion. The Chairman's mark is actually $52 billion above the budget authority freeze.

When you add up all these discretionary funds, you see that we are talking about $111 billion over the coming 5 years. That $111 billion is not the complete figure, as the markup materials do not include all of the discretionary add-ons. Total discretionary spending over the next 5 years would total $2.7 trillion in the Chairman's mark. This is less than 1 percent of that total, but I think it is at least a small step in the right direction to get on the glide path to a balanced budget.

I yield to my colleague from Iowa.

Senator GRASSLEY. To my Republican colleagues, if you voted for the Gramm amendment this morning, this would be the Gramm amendment divided by two. It offers an opportunity to reduce the deficit by $26 billion.

Senator Exon, I have been meeting off and on since we adjourned just before the Thanksgiving holidays with the idea that we need to do more than what we figured would be planned by the White House in the course of developing this year's budget. We felt that the only way that we could make any progress would be to have a bipartisan approach to reducing. We hope that you will see this as a bipartisan approach to do more, considering the fact that in the outyears, beyond the year 1998, we have a tremendous increase in the budget deficit, and that we need to do more now and not wait until then to take care of a problem that we know is down the road.

Senator SIMON. A question: As I understand it, you simply reduce the number, you do not say where they are allocated or anything like that?

Senator EXON. We do not, and we reduce the caps accordingly.

Senator GRASSLEY. Yes.

Chairman SASSER. Does anyone else wish to speak in favor of the Exon amendment?

Senator GREGG. I have a question.

Chairman SASSER. Senator Gregg.

Senator GREGG. I do not understand how you arrived at these numbers.

Senator EXON. I said the way we worked this out, after looking at a lot of different formulas, was simply to go to the basis of freezing the whole discretionary budget over the next 5 years, and then we allowed a 50 percent increase above that freeze, cutting in half essentially the increase that is in the Chairman's mark.

Senator GREGG. I see.

Senator GRASSLEY. I hope I said it very clearly, you voted for the Gramm amendment. Divide it by two, and that is the figure that you end up with here in our amendment.

Chairman SASSER. Let me make just a few remarks about this so-called freeze. First, we are already below a hard outlay freeze relative to the actually enacted levels of the 1994 appropriations bills.

In 1994, the appropriations bills totalled $544 billion in outlays. In 1995, they are going to total $541.1 billion in outlays. So we are actually reducing discretionary spending by $3.9 billion.

Now, this amendment continues to punish the discretionary accounts which both sides of the aisle agree are not the deficit problem. Our problem is not in discretionary spending. We all know it is in mandatory entitlement spending. Senator Domenici has told us on this committee ad infinitum and on the floor, that is what is driving these deficits, and he is entirely right about that.

Now, let me make this fundamental point: This amendment does not tell us what is going to happen in discretionary accounts. It does not say what is going to be cut. All it says is that we are going to reduce the discretionary accounts budget authority by $43 billion and outlays by $23 billion.

Earlier today, the effort to reimpose the walls, which the Senator from Nebraska supported, was defeated. Now I have discussed this amendment with the distinguished Chairman of the Appropriations Committee, and I want to tell my friends on this committee who support a large defense number that defense is going to take the lion's share of the cuts, if this Exon-Grassley proposal passes.

Now, as far as I am concerned, that would not be a matter of great concern to me. But it is also going to turn around and make some cuts in some of the other discretionary accounts, such as education, as Senator Simon and Senator Dodd tried to increase today.

Earlier, Senators voted to save the space station from being cut. My guess is the space station will have to be thrown overboard, if this particular amendment passed. We have talked a lot about criminal justice and what we are going to do about that. There will probably be some cuts in that.

Now, I say to my colleagues we are spending in fiscal year 1995 at below the discretionary levels of fiscal year 1994. And when you add into that the effects of inflation, these discretionary accounts are being hit very, very hard indeed. And if I were to allocate across the discretionary accounts where I thought percentage basis these cuts would be made by the Appropriations Committee—and I serve on the Appropriations Committee, I am Chairman of the Military Constructions Appropriations Subcommittee, I serve on the Defense Appropriations Subcommittee—my view would be that defense would take 75 percent of these cuts, and the rest of them would be spread across the discretionary accounts.

Now, I just say to my colleagues we are straining at a gnat here to swallow a camel. The problem is not in discretionary accounts. All who study this budget know that. The problem is in the mandatories. We are simply going to punish some of these discretionary accounts that has taken about as much punishment as they can take.

So I would urge my colleagues, although I have the highest regard for my friend from Nebraska, and certainly my good friend from Iowa, and we have worked together on many things, I just do not think this amendment is well advised.

Senator EXON. Mr. Chairman?

Chairman SASSER. Senator Exon.

Senator EXON. I do not know if we have any time left or not. I would simply say that the statement that you have just made and the previous votes that we have had, almost everybody on this side of the table will therefore vote in favor of it, because it will cut defense.

I would simply say I have heard this before. The Chairman of the Appropriations Committee called me this morning. The Chairman of a subcommittee called me this morning. Others have talked to me. You forgot to mention what others have told me, that this is going to come out of agriculture.

I think it is time to take a stand on some of these things. I do not know how you can say that 75 percent of this money is going to come out of defense. That is up to the appropriations. I think it is not fair to try and influence votes by making statements like that.

If all of this comes out of defense, which it will not, it is minuscule. I hope we support the amendment.

Senator GRASSLEY. Could I have 30 seconds, please?

Chairman SASSER. Without objection, the Senator from Iowa will have 30 seconds.

Senator GRASSLEY. You can tell when there is a chance for an amendment to be adopted, they roll out the big guns in this city, and the big guns have been rolled out on this amendment. Because we have been working on this amendment for a long period of time, and the scare tactics are being used and they are being used to affect this side of the aisle.

I hope that people who voted for the Gramm amendment will not fall for that argument, because that argument is no more applicable to this amendment than it was to the Gramm amendment. It was not made on the Gramm amendment. It is made on this amendment, because this amendment is a true bipartisan effort to do what really needs to be done, and everybody admits it needs to be done, because every chart in this town shows that there is a major problem post-1997-98, and we need to take care of that problem now, not then.

We always wait mañana in this town to do something when it should have been done before.

Chairman SASSER. A point of inquiry. Am I included as one of the big guns, Senator Grassley? [Laughter.]

The time is expired on this amendment. Without objection, we will recognize Senator Conrad.

Senator CONRAD. Mr. Chairman, is it possible to make inquiry of the counsel with respect to this amendment?

Chairman SASSER. Certainly.

Senator CONRAD. I would just like to ask the counsel, with respect to this amendment, as it is constructed, is there anything that limits this amendment to non-defense discretionary?

Mr. DAUSTER. No, there is no limit on where in appropriated accounts the cuts are made.

Senator CONRAD. Is there anything that would preclude this from being taken disproportionately from any function?

Mr. DAUSTER. No, there is not.

Senator CONRAD. Those are the questions I had, Mr. Chairman. I have an amendment, as well.

* * * * *

Chairman SASSER. No.

The clerk will tabulate the vote and announce the result.

The CLERK. The result is 7 yeas and 13 nays.

Chairman SASSER. The amendment fails for lack of a majority.

The next amendment is an Exon-Grassley amendment, and this amendment would reduce the 602-A allocation reported in the Senate Appropriations Committee for fiscal year 1995 by $5.3 billion in budget authority and $1.6 billion in outlays. In essence, it would lower discretionary spending by $5.3 billion in budget authority, $1.6 million in outlays for fiscal year 1995. You know what it does overall?

It would lower budget authority by some $40 billion and outlays by some $21 billion, lowering the discretionary spending by $21 billion over the term of the amendment. It is all discretion, across the board amendment that would reduce all discretionary spending by, what, $26 billion? $26 billion in outlays, $43 billion in budget authority. There is no distinction between domestic discretionary or defense. That allocation would be made by the Appropriations Committee, by the chairman of the Appropriations Committee, really.

Senator GRASSLEY. For Republicans, that would be one-half of the Gramm amendment.

Senator DOMENICI. One-half of the freeze.

Chairman SASSER. The clerk will call the roll.

The CLERK. Mr. Hollings?
Senator HOLLINGS. No.
The CLERK. Mr. Johnston?
Senator JOHNSTON. No.
The CLERK. Mr. Riegle?
Senator RIEGLE. No.
The CLERK. Mr. Exon?
Senator EXON. Aye.
The CLERK. Mr. Lautenberg?
Senator LAUTENBERG. Aye.
The CLERK. Mr. Simon?
Senator SIMON. Aye.
The CLERK. Mr. Conrad?
Senator CONRAD. Aye.
The CLERK. Mr. Dodd?
Senator DODD. No.
The CLERK. Mr. Sarbanes?
Senator SARBANES. No.
The CLERK. Mrs. Boxer?
Senator BOXER. No.
The CLERK. Mr. Murray?
Senator MURRAY. No.
The CLERK. Mr. Domenici?
Senator DOMENICI. Aye.
The CLERK. Mr. Grassley?
Senator GRASSLEY. Aye.
The CLERK. Mr. Nickles?
Senator NICKLES. Aye.
The CLERK. Mr. Gramm?
Senator GRAMM. Aye.
The CLERK. Mr. Bond?
Senator BOND. Aye.
The CLERK. Mr. Lott?
Senator LOTT. Aye.
The CLERK. Mr. Brown?
Senator BROWN. Aye.
The CLERK. Mr. Gorton?
Senator GORTON. Aye.
The CLERK. Mr. Gregg?
Senator GREGG. Aye.
The CLERK. Mr. Chairman?
Senator SASSER. No.

The clerk will tabulate the vote and announce the result.

The CLERK. The result is 13 yeas and 7 nays.

Chairman SASSER. The Senate Budget Committee has voted to reduce discretionary spending by $43 billion in budget authority and $23 billion in outlays, unspecified.

Senator BOXER. And that is defense and non-defense; is that correct?

Mr. SASSER. But in the debate there, I said: "Now, I say to my colleagues, we are spending in fiscal year 1995 at below discretionary levels, fiscal year 1994." And what I was pointing out there in that debate in the Budget Committee is that we are spending less in discretionary spending in 1995 than we are in 1994 and spending less in nominal terms. I am not talking about spending less using a CBO baseline, I am saying in nominal dollars, uncorrected for inflation, there is less discretionary spending in this budget for fiscal year 1995 than there was for fiscal year 1994.

I went ahead to say:

> When you add into that the effects of inflation, these discretionary accounts are being hit very, very hard—very hard indeed. If I were to allocate across the discretionary accounts where I thought percentage basis these cuts would be made by the Appropriations Committee—and I serve on the Appropriations Committee, I am chairman of the military construction appropriations subcommittee, I serve on the defense appropriations subcommittee—my view would be that defense would take 75 percent of these cuts, and the rest of them would be spread across the discretionary accounts.

That is what I said, as chairman of the committee in the debate. So, clearly, no Senator who voted for the Grassley-Exon reduction could have any doubt that military spending would be placed in jeopardy here.

Frankly, that is not a matter that concerns me, because as has been pointed out earlier, the United States of America is already spending more on military spending than everybody else in the world put together. My friend from Mississippi cries crocodile tears about the reductions in defense spending. What reductions? In 1980 we experienced the largest military buildup in peacetime in the history of this country. Now we started some reductions since 1985. And guess what. We have reduced right back down to the level that was in place prior to the time we started building up, during 1980. There is only one difference, and that difference is our nemesis, the old Soviet Union, does not exist anymore.

I think it is time to face facts. We can come out here and talk about all these real or perceived threats. We can talk about what General This is saying, or Admiral That is saying. We all know none of our military people will ever admit that they are getting enough resources. I do not criticize them for that. It is their job to have an excess of capacity to deal with their problem.

But what we are into now—and my colleagues know it just as well as I know it—we are into military pork barrel projects. That is what it is all about. It is military pork. It is looking after my shipyard, it is looking after my base, it is looking after my factory that produces a certain type of military equipment. That is what it is about. Why do we just not confess it? We are now into an era of military

pork barreling in this country. We are not responding to external threats. We are responding to internal threats of job losses as a result of cutting the military budget. That is what it is about.

We have to make some choices here. We cannot talk about our concern with the deficit and pretend that military spending makes no difference, because those dollars that go into the military budget are just as real as the dollars that we spend on domestic programs. There is no difference between the dollar that goes to fuel a destroyer and the dollar that goes to buy a school lunch for a kid in a school somewhere with a school lunch program. It costs the same amount of money.

I believe, frankly, we need to spend what is necessary to maintain the security of the country from external threats. And I can envision a time when we ought to be spending more than we are spending now. But the truth is, at the present time there are virtually no external threats to the United States. How in the world can we be so concerned about this military spending at a time when we are spending more for our military than all of our enemies or potential enemies put together?

So let me say to my good friend from Mississippi, for whom I have the highest respect and a good deal of affection, I must say that we did discuss this matter in the Budget Committee. And we knew, I think, what we were doing at the time we did it. Now there is a lot of sort of squirming here. We are trying to work our way out of this. Some of my colleagues are concerned about reductions in military spending. And they may succeed; they may succeed.

Mr. DOMENICI. We will.

Mr. SASSER. But the truth is, they constructed this problem for themselves, and they constructed it by moving ahead in the face of assertions that if you do this, military spending is going to take 75 percent of the cuts. But they went ahead and did it anyway.

We will see how it works out. Maybe they will be able to save themselves to some extent. But I predict that when all the dust settles, the Exon-Grassley amendment is going to cause a reduction in military spending below the levels that the President proposed.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator has 13 minutes 38 seconds. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I wish to congratulate and compliment my friend and colleague from Mississippi for this amendment. I just watched and listened to some of the debate. A lot of people have attacked this amendment and criticized this amendment. Of course, they have that right to do so. But I think it is important to see what this amendment does.

This amendment expands on the amendment, the so-called Exon-Grassley amendment, which cut discretionary spending $26 billion. Some people said we cannot afford to do that. This amendment adds $20 billion in mandatory spending cuts in the entitlement section. A lot of that will be done in 1999. I think we can afford to do both.

I am amazed. I look at the combination, that is $46 billion in outlay reductions over the next 5 years. Not $46 billion, I might mention to my colleague from Mississippi, not $46 billion next year. Next year we are going to spend over $1.5 trillion. That is $1,500 billion. If you are going to cut $46 billion in 1995 out of $1,500 billion, that might be something. That would be about 3 percent. But we are not doing that in 1995. We are not doing it in 1996. As a matter of fact you have to add all 5 years, and if you add up all 5 years, we are going to spend over $8 trillion—$8 trillion. There are 12 zeros behind a trillion.

If we agree to the amendment of the Senator from Mississippi, we are talking about $46 billion. It is not even a percent, not even a half percent. It will not really even show up in the total amount of money we spend. Again, if you are talking about $46 billion next year, then you are talking about 3 percent. Frankly, I would probably support that. I know some people would say we could not afford it, but I think we need to get the deficit down and I would support that. But the Senator from Mississippi says, let us cut $46 billion over 5 years over the budget we have reported out of the Budget Committee—or an additional $20 billion over the budget that was reported out of the Budget Committee.

I am amazed. Everybody is saying, "The sky is falling. If we do this, we will not have a defense. If we do this, we will not have discretionary spending." I just disagree.

I compliment my friend from Mississippi. This is an amendment saying, do you want to cut spending a little more? Not a lot more, a little more? I happen to think that we should. I compliment him for his amendment. I urge my colleagues to support its adoption.

The PRESIDING OFFICER (Mr. WELLSTONE). Who yields time?

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. The Senator has no time left on the amendment.

Mr. SASSER. Mr. President, I yield myself such time as I may consume off the bill.

The PRESIDING OFFICER. The Senator is recognized.

Mr. SASSER. Mr. President, so as to accommodate a number of Senators who are temporarily away from the Chamber on official business, I ask unanimous consent that the pending Lott amendment be temporarily set aside to allow consideration of the next amendment in order.

Mr. LOTT. Reserving the right to object, and I do not intend to object, I just wonder, does the Senator have any idea when that may be?

Mr. SASSER. Yes, I do. They will return about a quarter of six, is our information.

Mr. LOTT. I have no objection.

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

Mr. SASSER. Mr. President, has all time been yielded back on the Lott amendment?

The PRESIDING OFFICER. The Senator from Mississippi has 10 minutes 47 seconds remaining.

Mr. LOTT. I do have some time left remaining, and I understand we may have one final speaker. We can do that when we come back to the amendment at a quarter to six, or whatever amount of time the distinguished leader speaks on behalf of the amendment.

Mr. SASSER. So he will use the remainder of the Senator's time?

Mr. LOTT. I will be glad to yield him the remainder of it.

Mr. DOLE. When we come back to it, I will use a couple minutes.

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota is recognized.

AMENDMENT NO. 1564

(Purpose: Expressing the sense of the Senate that domestic producers should not be asked to continue to bear an unfair share of the Federal income tax burden compared to foreign-controlled competitors and that Congress should move to close tax loopholes that subsidize companies that move their plants outside the United States and that allow foreign corporations to do business in the United States and avoid paying their fair share of taxes)

Mr. DORGAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. DASCHLE, and Mr. FEINGOLD, proposes an amendment numbered 1564.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the resolution, insert the following new section:

SEC. . CLOSING OF LOOPHOLES IN FOREIGN TAX PROVISIONS.

(a) FINDINGS.—The Senate finds that—

(1) foreign-controlled corporations doing business in the United States do not pay their fair share of taxes;

(2) up to 72 percent of foreign-controlled corporations doing business in the United States pay no Federal income tax;

(3) the Internal Revenue Service has limited its own ability to enforce Federal tax

laws against foreign-controlled corporations, to the detriment of domestic taxpayers;

(4) the Internal Revenue Service has been using antiquated accounting concepts to deal with sophisticated multinational corporations;

(5) billions of dollars of Federal revenues are lost annually due to the inability of the Internal Revenue Service to enforce the "arm's length" transaction rule—not even counting the costs of bureaucracy and litigation; and

(6) the Federal income tax laws encourage domestic taxpayers to relocate abroad by granting them deferral of United States taxes on income earned abroad.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that deficit reduction should be achieved, in part, by ending loopholes and enforcement breakdowns that now enable foreign-controlled corporations operating in the United States to pay no taxes and that subsidize the flight of domestic businesses and jobs out of the United States, including—

(1) a more streamlined and efficient method of enforcing Federal tax laws involving multinational corporations, especially those based abroad, in particular, the use of a formula approach by the Treasury Department where the "arm's length" transaction rule does not work; and

(2) a repeal of tax subsidies for domestic businesses that move jobs to tax havens abroad and then ship their products back into the United States.

Mr. DORGAN. Mr. President, this is a fairly simple amendment that deals with a subject I have worked on for a good number of years. As is often the case in Congress, one works for a number of years before one achieves success.

This amendment happens to deal with how much money we raise and from where we raise the money. We are talking today about how much we spend, how much money we raise, and what kind of a deficit we have left. The question is whether we spread the sacrifice around fairly and whether we ask the right things of the right groups.

My amendment deals with a couple of tax provisions that establishes a sense of the Senate that we ought to move in two areas.

One deals with an area where corporations close their doors in America and move overseas. These corporations produce in a tax-haven country and then ship back their tax-haven products into America. For all of that they then get a tax incentive or a tax benefit from the Federal Government.

President Clinton talked a lot about this issue during his campaign. He said—and he was right—should we not at least shut down the Federal tax incentives that encourage American companies to shut their doors in this country, move their jobs abroad, and then ship back to the United States? The answer, of course, is yes, we should shut down those tax incentives, and I will explain that in slightly more detail in a minute.

The second provision talks about how we tax large foreign corporations doing business in our country, and are the large foreign corporations doing business in America paying their fair share of taxes? Let me refer Members of the Senate to a very simple chart. This chart has numbers that are fairly well agreed to by everyone. It is the result of a number of studies. "Foreign Controlled Corporations Paying and Not Paying Tax in This Country." Seventy-two percent of the foreign-controlled corporations doing business in America pay no taxes. I am not saying they pay too little or they pay a little. Seventy-two percent of the foreign corporations doing business in this country pay no taxes to the U.S. Government.

How could that happen? How on Earth could that be the case? It is something called transfer pricing. Foreign corporations shipping goods to this country have the opportunity to determine where they want to take the profits. They can price sales between subsidiaries at virtually any price, and they can move profits out of this country.

For example, one corporation in this country that was producing automobiles over a 2-year period earned over $3 billion but paid nothing in Federal taxes because it claimed it did not make any money in this country. How does the Treasury Department and the U.S. Government deal with these kind of claims by foreign corporations doing business in this country? They say, well, we use the so-called arm's length test. In other words, they measure affiliated corporations and the business they do with each other with something called an "arm's length" test. They look to determine how an arm's-length price between the affiliated companies compares.

It is an enormously complicated system. But more importantly, it is a buggy whip system that does not work at all to catch tax cheaters in the 1990's. The result is the Treasury Department is chasing a kind of approach that is antiquated and does not work. Foreign corporations are doing business in this country, selling an enormous amount of goods in America and, in most cases, paying no taxes in this country.

When we talk about reducing the Federal deficit, getting in the revenues we deserve, should we not also do something about this outrage? Should we not also do something about changing the approach by which we tax foreign corporations doing business in this country? My answer is yes, of course.

We have already done this in the States in this country. Minnesota has done it. North Dakota has done it. The States decided they wanted to find out how you divide up the income of a company doing business in all of the States because the companies would say to Minnesota, "Well, that was North Dakota income, so you cannot tax it." They would say to North Dakota, "That was Minnesota income, so you cannot tax it." Neither State would receive tax on the business profits, and the business would pay no tax to either State. In fact, it would be nowhere income.

The States learned early on that the way to deal with that is to establish a simple and fair formula that apportions the incomes between a State for a corporation doing business with all of the States. The States have solved this problem and increased their revenue base by getting the appropriate taxes they ought to get from big corporations.

The Federal Government has not solved the problem with respect to foreign corporations. They are still using a system that does not work, that is clogging our tax courts, and allowing foreign corporations to do an enormous amount of business in this country and escape paying, in many cases, any taxes at all. They will do billions of dollars of business and pay zero in taxes.

Of course, the domestic corporation that has to compete with them in the United States must pay taxes, and the result is unfair competition.

My resolution simply says we want the Treasury Department to use existing authority to move toward a formulary approach to try to get our fair share of taxes from these corporations where the arm's-length method does not work. It ought not be controversial. No one ought to object to this at all. We ought to simply change the way we do business. This is unfair to American businesses, it is unfair to American taxpayers who have to pay their taxes and somebody else comes in from the outside and earns billions and pays nothing, and we ought to change it.

The second part, the part I mentioned first when I stood up, is fairly simple. President Clinton in the campaign talked about a tax provision that exists in our Tax Code today that desperately needs changing. He talked about our tax laws that tells a business, "Go ahead and close your doors in America, move the jobs overseas, and we will give you a tax break for doing so."

Here is how it works: If you have two companies side by side doing business on the same block, one of them decides: "I'm leaving, I'm going to shut my company, get rid of the 100 jobs in America and I'm going to move my company lock, stock and barrel to a foreign tax haven and hire 100 people there."

What have they done? They have moved their company and their jobs and they are producing garage door openers in a foreign country—whatever they are producing—and they are shipping them back to the United States.

What is the difference between that company and the other one that was beside it that was doing exactly the

same manufacturing job? The difference is the company that moved overseas can now make the same profit but not have to pay any Federal income taxes on that profit as long as it does not repatriate it. In other words, the company manufacturing abroad from a foreign tax haven gets an interest-free loan from Uncle Sam in order to compete against the other business that kept its jobs in America.

That is the tax incentive President Clinton talked about, and that is the tax incentive we ought to change. We ought to decide that for those companies which close their doors in America and move overseas to a tax haven to produce and ship back into this country, we will not any longer provide a tax incentive to do it.

You take a look at all the grotesque distortions in the Tax Code. And there are plenty. This ranks right up there as one of the dumbest. We ought to take action to change it.

My resolution does not instruct any committee on exactly how to change it, although I have a piece of legislation introduced that will do just that. But my resolution simply asks this Senate to decide to make these changes. Get rid of the incentives that encourage people to move their jobs out of this country and relocate them overseas and get rid of the tax enforcement provisions that do not work and replace them instead with a formulary approach that allows us to ask foreign companies working, selling and doing business in this country to pay the same taxes that American businesses have been paying for a long, long time.

My bill would impose no new taxes on anyone. It will simply eliminate a subsidy that ought never have been present in the first instance. In the second instance, we ought to develop an enforcement approach that will finally allow us to determine how much foreign corporations selling cars and VCR's and television sets in this country ought to be paying us in income taxes. The fact is I have my own notion about how much we are losing. I think we are losing around $10 billion a year because of the IRS' antiquated "arms-length" pricing approach, and $10 billion a year is a significant amount of money. There is no excuse at the time we are gripping this question of how do we find additional revenue for us to continue to ignore these two areas.

I look forward to working with the chairman of the Senate Finance Committee and other Members of the Senate on this issue. I served 10 years on the House Ways and Means Committee, and have worked on tax issues for a long time. I have worked on these issues for a long time, too. One of these days this is going to get solved. Until it gets solved, at every conceivable opportunity I will raise this question with my colleagues: Do you not agree; do you not think it is time for us, in all fairness to the American people and American businesses, to address these two questions?

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. SASSER. Mr. President, I am not sure who is controlling the time in opposition, but I would yield such time as the Senator from New York would consume in opposition. I know of no one else who wishes to speak on it.

The Senator from New York is welcome to 2 minutes or 5 minutes.

Mr. President, I suggest the absence of a quorum and ask it be charged equally against both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. 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. MOYNIHAN. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SASSER. Mr. President, acting for those in opposition, I yield 10 minutes to the distinguished Senator from New York.

Mr. MOYNIHAN. Five minutes will do, I say to the Senator.

Mr. SASSER. Five minutes.

Mr. MOYNIHAN. I want, first of all, to thank my friend and colleague from North Dakota for raising this subject once again. It is a serious subject. He is an expert in it. He served a decade on the Committee on Ways and Means in the other body, where he pursued the matter. It is an issue not only of large salience at this time, but as we become a more international economy, with growing firms, increased competition, and great complexities in these matters, it will become more of an issue. I would dare to think that 40 years ago the question of compliance by foreign corporations operating in the United States under the U.S. Tax Code would have been very small—some insurance activities, some manufacturing. A century ago it would have been large, but then there would not have been much Federal tax presence. But this is now coming into a new world.

The issue is that we want to be careful of generalizations. The fact that a great many corporations pay little or no tax reflects the increasing activity of foreign corporations here, just as our corporations are active abroad. The complexity of world trade will astound you.

About 2 weeks ago in the Finance Committee in a hearing on the GATT agreement, we had a manufacturer from Ohio, who makes automotive parts, describe what goes into a 14-cent air valve in a tire. The copper is from Zambia, the lead from Saskatchewan, the steel from Birmingham, a whole series of metals of which I have not heard and from some countries I would have difficulty locating on the map; about 15 foreign sources for a 14-cent device. It is normal.

That means that staying with compliance is important. I could not more agree with the Senator from North Dakota that we may have to attend to this.

I would like to say that the Committee on Finance has tried to do just that. We have in 1989 and 1990, and in last year's deficit reduction measure, addressed this issue—not to any final conclusion because there will not be any final conclusion. Compliance under Tax Codes is a permanent task of Government. It is never done once and for all.

We are seeing, ourselves, in our domestic arrangements, that only about one-quarter of domestic workers are covered by the Social Security taxes which are required by law to be paid. Only about a quarter of employers pay them. We addressed that issue just Tuesday in the Finance Committee.

At the same time, I want to say to the Senator from North Dakota that a unilateral action by the U.S. Government at this point would, in my view—I think in the view of the Committee on Finance—produce a reaction from trading partners which we would not desire. The Treasury is negotiating.

If you were to read the tax notes in the Wall Street Journal today, you would find that countries—there is a general comment—that countries are increasingly sensitive to tax shelters, and that, for example, Denmark broke off from a tax treaty with Portugal because of the tax havens in the Madeiras.

As I say, this is a continuous problem. But it is one in which our view as regards foreign corporations needs negotiation. The Treasury Department feels, with considerable energy, that this should be left to negotiations at this point with respect to the matter of arms-length assessment that the Senator very properly raises as perhaps one of the central issues at this time.

If the negotiations do not succeed, we must return to the issue. I cannot doubt that the Senator from North Dakota will see that we do. But for the moment, I would have to register the view that Secretary Bentsen and his associates should be allowed to continue the negotiations now underway, particularly in the aftermath of the Uruguay round agreement, which put a lot of new rules in place which we need to get settled on before we can address this complex, fundamentally important issue which the Senator from North Dakota has raised.

Mr. President, I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have no interest in prolonging the discus-

sion. I appreciate very much the comments of my colleague from New York. I have great respect for his leadership in the finance area. His stewardship of the Senate Finance Committee, his knowledge of taxation is substantial. I appreciate it a great deal.

I would observe that there is kind of a law of physics about bureaucracy in politics, but especially bureaucracy: A body at rest stays at rest. I have discovered trying to get the institutional mindset in the Treasury and elsewhere to think differently about some of these issues is difficult. You can win on the logic and on the common sense. But when you confront the difficulty of the bureaucracy and the inclination of the bureaucracy to resist change, you have a devil of a time trying to get these things done.

I would just observe that the very essence of what I am trying to do would represent simplicity for the corporations doing business all around the world. The Senator from New York is quite correct that it is increasingly a global economy. Many businesses do business virtually everywhere. I understand that. But the experience of the States is quite clear about businesses that do business everywhere.

To the extent that businesses can save money on the bottom of their balance sheet or their P&L statement, $1 saved there represents $10 or $20 sales on top. You can save it easily in the tax area by simply telling the various jurisdictions in which you are doing business, "This is not your income. I have attributed it elsewhere." And they are telling the elsewhere, "This is not your income. I have sent it back to the first locale."

The fact is, the income is sent nowhere. And billions and billions of dollars represent nowhere income, taxed by no jurisdiction. And those same companies that avoid taxes are now doing business in competition with domestic companies who are good neighbors and do all of the business and pay all of the taxes at a competitive disadvantage.

The fact is it happens. It happens all the time. It happens increasingly as we go to a global economy. And the businesses that are moving more globally would be much better served by a system with great simplicity, a formula of several factors which the States use at great success. That would tell everyone, including businesses, no one is going to tax you more than your income base. But neither are you going to be able to hide your income from countries in which you do business.

My intent is not to overtax anybody. My intent is to see if we can say to the American taxpayers, you pay your taxes and we are sure going to make certain that everybody else—especially the big shots—doing business all around the world, that they are not going to avoid theirs. When a company comes in here and does $3.5 billion in business in a 2-year period, and then says, "You know, what? We did not make 1 cent, not a penny, so we do not pay any taxes. How did they do that? Through financial accounting manipulation, by price transfers out of the country. There is no army of accountants in this town or in this country capable of penetrating that kind of price transfer. We have a few people who are—and I hesitate, but I will call them this—thick-headed policy analysts, who would not change what they do forever. They say it has always been done that way, so let us always do it that way. As I said before, we would still be making buggy whips if the private sector behaved that way.

I say we desperately need to take a fresh look at this and change. The Senator from New York is correct that some adjustments have been made in a couple of previous pieces of legislation. At least from my observation, they are baby steps, not major strides. I hope that we can get up to speed here and develop a kind of a cruising speed on changing some of these areas that will satisfy not only me but my constituents and others who pay taxes and do not want to see others avoid theirs.

I appreciate the comments of the Senator from New York and the courtesy of the budget chairman and ranking member. I shall not request a recorded vote on this, provided we can voice vote it and approve it.

I yield back my time.

Mr. SASSER. Mr. President, I yield back all time in opposition.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the Dorgan amendment.

The amendment (No. 1564) was agreed to.

Mr. SASSER. Mr. President, I move to reconsider the vote.

Mr. DORGAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1563

Mr. SASSER. Mr. President, is the regular order a return to the Lott amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. SASSER. Will the Chair advise me how much time is left for the proponents of the Lott amendment?

The PRESIDING OFFICER. The Senator from Mississippi has 10 minutes 47 seconds.

Mr. SASSER. The opponents?

The PRESIDING OFFICER. The opponents' time has expired.

Mr. SASSER. I thank the Chair.

Mr. DOMENICI. Mr. President, I understand Senator LOTT wants to yield 5 minutes to the Senator from New Hampshire, so I do that in his behalf.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I rise in support of the Lott amendment and to address briefly at this time the budget as presented by the President.

If you look at the budget presented by the President, it is, regrettably, a budget that is really a stand-pat budget on the issue of addressing the budget deficit. It does not move forward the issue of reducing the deficit. It says that last year we passed a lot of taxes and, therefore, under the context of what the President believes, we should be able to reduce the deficit this year. It is not a visionary proposal but vision-impaired proposal. If you look at the numbers in the outyear, we cannot afford to do nothing on the issue of the budget deficit.

This chart reflects what is happening to the budget and the deficit over the coming years. As you can see from the lines here, the green line, which is the bottom line, is the deficit. Although it flattens out over the next few years and goes down, it rises as we head into the next decade. The reason it starts to rise is because entitlement expenditures, which have been explained a number of times on this floor, increase dramatically.

So the practical effect is that if we do not start addressing this entitlement line today, we are not going to get in place any significant budget reduction in the deficit in the outyears. The President's budget, of course, has been put forward, and the rhetoric is on the premise that they are going to address entitlements in the outyears with their health care program. But if you look at the actual budget, the health care program, they create a trust fund, which is to be basically revenue neutral within their budget. So they are assuming absolutely no savings in the budget from health care reform.

Thus, we come to the proposal that is presented here today by Senator LOTT. That proposal should be looked at in the context of the entire budget and what we are spending in other areas. If you look at the budget over the next 5 years we are going to spend $8.3 trillion. That is a colossal amount of money. The accumulated deficit over that same 5-year period is $934 billion. That is what we are going to take and run up bills on and pass those bills on to our kids and say: Here, children, take care of these bills. We did not have the guts to do it in the U.S. Senate this year.

This $26 billion is basically the cut which has been proposed by the Grassley amendment. It is increased by $20 billion by the Lott amendment, up to about $46 billion. It does not even appear on this chart. There is a bottom line, and it does not even appear on the chart. It is so minuscule compared to the $8.3 trillion we are spending, and the $934 billion of deficit that we are running up, that it cannot even appear

here. That is how small this cut is. Yet, we are saying we cannot do it.

My goodness, if you have children, how can you go home and look them in the face and say you cannot even cut this little amount? I am almost embarrassed for Senator LOTT, because it is such a small amount. But at least he brought forward something that is substantive on this floor. He is shooting with real bullets. It is one of the first amendments on this floor that is shooting with real bullets. It is a good starting point.

The fact is, if there is not the political courage in this body to cut this small amount out of what is both discretionary spending and mandatory spending over the next 5 years, then I do not know how we can, with a straight face, say that we are concerned about the fiscal responsibility and solvency of this Nation.

This should be one of the simplest and easiest votes anybody in this body casts over the next few days, because it is such a small vote in the area of numbers compared to the entire spending that is planned over this period—$8.3 trillion, $934 billion in deficit, and way down here, this number plus $20 billion is what we are asking for in the cut in the Lott proposal. It is a very reasonable proposal. It is extremely fair and is not asking us to do anything overly courageous. It is asking us to do something as a starting point, so that tonight, and hopefully for the next few days, when we go home and look at our children, we will not have to say to them: Here is the bill we are passing on to you. We can say to them: We are still going to give you a big bill, but at least we had the guts to cut it a little bit. I support what Senator LOTT is proposing, and I hope this body will also support it.

I yield back whatever time I have remaining.

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

The PRESIDING OFFICER. The Senator has 6 minutes 19 seconds.

Mr. LOTT. We were waiting for the Republican leader. I believe he will be here momentarily, and my intent is to yield to him the remainder of the time. I ask the Senator from New Mexico, is any other time remaining, or will we be prepared to vote at that time?

Mr. DOMENICI. I think we will. They are finished with their time. Quarter of was the time we were trying to hold to. So I think we will vote.

I know the Senator needs that time for Senator DOLE. But I want to speak 2 minutes on the bill, not in opposition to the Senator's amendment but merely to make an observation.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 2 minutes.

Mr. DOMENICI. We find ourselves in a very strained and awkward position, and I want to make a couple of observations for the Senate from my vantage point regarding what Senator LOTT is trying to do.

Frankly, the Republicans offered an alternative today and had the full support of almost every single Republican. As I remember it, two Senators voted against it. It made the Republican case for real substantial entitlement cuts and for a moving toward a balanced budget in a realistic way. Senator LOTT was there in the forefront supporting that. I believe what he is doing in his amendment should in no way detract from the fact that there is no stronger supporter for defense than Senator TRENT LOTT in this body.

Whatever the interpretation of his amendment, it is because of the nuances and peculiarities of budget processes. The truth of the matter is that he clearly intends to reduce the deficit more than was done in the Budget Committee, and he intends to do it in a way which he feels very comfortable with in spite of his very strong feelings with reference to defense.

It just happens that there are interpretations indicating that some of the things he hopes to do will not be mandated on this body, but will be there as clear intentions and clear guideposts.

So I commend him for his effort. I am very hopeful that we can do something very specific before we are finished with reference to defense if, in fact, we have to.

Once again, I commend the Senator from Mississippi for his efforts here on the floor. The amendment, which takes an amendment which I intend to offer and incorporates it in his, is a good amendment, a solid amendment. The other Republicans speaking to it have so indicated, and I laud him for it.

The PRESIDING OFFICER. The Senator from Mississippi has 5 minutes and 29 seconds.

Mr. LOTT. Mr. President, I yield the remainder of my time to the distinguished Republican leader, Senator DOLE.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. DOLE. Mr. President, there is nothing very complicated about this amendment. It takes the $26 billion discretionary outlay cuts contained in the Exon-Grassley amendment. It ensures that these will come from nondefense accounts, and it cuts entitlement spending—and also I think the excellent amendment by the Senator from New Mexico—by $20 billion over 5 years, and locks in those savings for deficit reduction.

I have listened to the debate on the floor, and I must say I do not consider this to be some kind of a pork barrel or grab bag for all the different services in the Defense Department.

I think we can just look at one threat we are facing right now in North Korea, and it will have a sobering effect on a lot of people. This is dangerous business in North Korea.

I am not certain where we are from the standpoint of what we might be able to do there.

I was told today by the Government Accounting Office that if we go to send 25,000 troops to help keep the peace in Bosnia, they are going to have to call up the Reserves.

So I think we ought to be very careful when we say: Take it out of defense; take it out of defense.

That is the point that is made by the Senator from Mississippi in his statement just a few moments ago.

We hear time and time again how entitlements are consuming a large and growing share of the Federal budget. It is no secret that entitlement spending is the main force driving up the deficit.

We are told we have to save that money for health care. That will be the next amendment. I do not think that is the case. We ought to be talking about how to save money before we start talking about how to spend more money on health care.

I think this amendment offers a balanced approach. It cuts nondefense discretionary. It cuts entitlement spending and, above all, it reduces the deficit.

I believe that most supporters of the Exon-Grassley amendment never intended the cut to apply to defense. But we are being told that defense will bear the lion's share of the burden of these cuts.

In my view, as I said earlier, this is the wrong time to make further cuts in defense. When Candidate Clinton talked about cutting defense, as I recall, he was talking about $60 billion on top of the $60 billion President Bush already advocated. We cut defense by about $127 billion, and it is starting to have an impact on defense.

Defense was never meant to be a jobs bill. It was not meant to guarantee all bases remain open. But it was meant to protect us from potential problems around the world, because whether we like it or not, America is the leader in the world now, whether it is militarily or economically, or whatever.

I remind my colleagues that we had a similar debate in 1990, before Saddam Hussein reminded us that the world was still a dangerous place. A lot of people thought: Just do not cut other programs; just take it out of defense. Our troops prevailed in Desert Storm only because President Reagan and President Bush maintained the commitment to be strong.

The continued slashing at the defense budget has already taken a heavy toll. We have cut the defense budget every year for the past 10 years.

So it just seems to me the defense budget has already taken a heavy hit. The Senator from Mississippi pointed out 35 percent, as I recall.

So I think we have to take a look at the real world outside the Appropriations Committee, the Budget Commit-

tee, the Finance Committee, or whatever committee. Wishful thinking will not protect American interests. I think it is time we stop the raid on the defense budget.

I hope we will have the support of the President of the United States, who said himself, in the State of the Union Message: "We cut defense enough."

So I urge my colleagues to support what I consider to be a very good amendment for the reasons outlined by the Senator from Mississippi and underscored by the Senator from New Mexico.

The PRESIDING OFFICER. All time has expired.

The question occurs on amendment No. 1563, offered by the Senator from Mississippi [Mr. LOTT]. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio [Mr. METZENBAUM] and the Senator from Michigan [Mr. RIEGLE] are necessarily absent.

The PRESIDING OFFICER (Mr. MATHEWS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 64, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—34

Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Brown	Grassley	Nickles
Burns	Gregg	Pressler
Cochran	Hatch	Roth
Cohen	Helms	Simpson
Coverdell	Hutchison	Smith
Craig	Kassebaum	Thurmond
D'Amato	Kempthorne	Wallop
Danforth	Lott	Warner
Dole	Mack	
Faircloth	McCain	

NAYS—64

Akaka	Feingold	Mikulski
Baucus	Feinstein	Mitchell
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boren	Graham	Murray
Boxer	Harkin	Nunn
Bradley	Hatfield	Packwood
Breaux	Heflin	Pell
Bryan	Hollings	Pryor
Bumpers	Inouye	Reid
Byrd	Jeffords	Robb
Campbell	Johnston	Rockefeller
Chafee	Kennedy	Sarbanes
Coats	Kerrey	Sasser
Conrad	Kerry	Shelby
Daschle	Kohl	Simon
DeConcini	Lautenberg	Specter
Dodd	Leahy	Stevens
Domenici	Levin	Wellstone
Dorgan	Lieberman	Wofford
Durenberger	Lugar	
Exon	Mathews	

NOT VOTING—2

Metzenbaum	Riegle

So the amendment (No. 1563) was rejected.

Mr. SASSER. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BURNS. Mr. President, I rise today to make some comments about the fiscal year 1995–99 budget resolution.

As several of my colleagues have already said, this budget resolution contains few surprises. However, I have a few concerns about the direction that the debate on this bill may take.

DEFENSE

First, I am deeply worried about the continuing decline in defense budgets. Given the recent events in North Korea, I think we need to be especially cautious.

I would like to remind my colleagues that there are still potential, serious shortfalls in the defense budget.

My colleagues on the Armed Services Committee have already raised the red flag regarding unrealistic future inflation estimates for this particular budget.

I also remain concerned about potential shortfalls regarding bottom-up review requirements. I have seen widely varying estimates, but they are all in the billions of dollars.

I think we are harming military readiness with continued budget cuts. Let us put this in perspective: If we continue on our current course, entitlement spending will have increased by almost 40 percent between 1990 and 1999, domestic discretionary spending will have increased by 12 percent over that same time period, but defense spending will have decreased by 35 percent.

Therefore, I cannot support amendments to this bill that will make further cuts in our defense budget. As much as I support increasing funding for IDEA, as set forth in the Jeffords-Dodd amendment, I just cannot support cutting defense further to accomplish this.

I am pleased that the President promised Americans that he will not try to accelerate cuts in the defense budget. In my opinion, defense has already taken more than its fair share of cuts.

THE REPUBLICAN ALTERNATIVE

I think the Republican alternative budget is a positive step forward. I am a cosponsor of S. 1576, which is the basis for a good part of the alternative.

We hear a lot about empowerment these days. I think that the group that needs empowerment today is the American family.

But there are other folks out there who think empowering a family means creating more Government-run programs and entitlements.

I disagree. I think the best way to help families is to reduce the intrusion of Government in their lives. This includes the intrusion of Uncle Sam in a family's pocketbook.

The centerpiece of the bill is a $500-per-child tax credit. I am 100 percent behind this initiative, because I think giving tax relief to hard-working families is long overdue.

As I am sure my colleagues know, the dependent tax deduction has not kept pace with inflation. A nonrefundable tax credit like this would keep more money in the pockets of families.

I know there are a lot of Montanans who would tell you that they could spend their money a lot better than any Government bureaucrat can.

This tax credit would provide the middle class tax cut that families were promised not too long ago.

This alternative budget plan includes other provisions that I have been fighting for since I arrived in the Senate, including indexing the capital gains tax, and expanded access to individual retirement accounts. It would also provide deficit reduction.

I must say, however, that I would prefer that the money to pay for this plan not come from the additional funding added into the budget resolution by the committee for the Impact Aid Program LIHEAP, Rural Electrification Administration, or Head Start Program. Portions of these programs were cut in the President's budget and the committee added back extra funding.

However, the opportunity to provide Montana families with $98 million in direct tax relief is too important to pass up. I voted in favor of this plan when it appeared before the Senate today.

FUNDING FOR THE BYRNE MEMORIAL PROGRAM

AMENDMENT NO. 1558

Mr. HOLLINGS. Mr. President, I yield to no Senator in my support of the Edward Byrne Memorial Program. In the community-level war against crime, this has been a hugely successful program—both nationally and in my own State of South Carolina.

In South Carolina, more than 170 criminal justice professionals are currently funded as a direct result of the fiscal year 1993 Byrne Memorial Formula Grant Program. These individuals are involved in Drug Abuse Resistance Education [DARE] projects, public defender projects, addiction treatment units, and Community-Oriented Policing [COP] projects. South Carolina will receive $5.1 million in Byrne Memorial grants in fiscal year 1994. The Byrne Memorial Program is making a very real difference in city and county police departments across my State.

Because of my strong support for this program, I want there to be no misunderstanding of my vote Tuesday on the Gorton amendment to the budget resolution. As we all know, the administration's proposed fiscal year 1995 budget would eliminate Byrne formula grants, while increasing Byrne discretionary grant funding. The Gorton amendment proposed to restore $375 million in Byrne formula grant funding by cutting an offsetting amount from spending on new furniture and furnishings in the executive branch.

I was the only Senator to vote against the Gorton amendment, which

was adopted 97–1. My vote on that amendment was in no way a vote against the Byrne Memorial Program. It was a vote specifically against the transparent shenanigan of allegedly funding the Byrne Memorial Formula Grant Program by taking money from an alleged furniture fund. The truth is, there is no such furniture fund to raid. This was strictly a feel-good amendment with no practical consequences whatsoever.

Despite passage of this amendment, any attempt to restore fiscal year 1995 funding on the Byrne Memorial Formula Grant Program will have to take place within the allocation provided to the Commerce, Justice, State, and Judiciary Appropriations Subcommittee. As chairman of that subcommittee, I will continue my fight to preserve this program, as I have in the past. But I am under no illusion—and nor should anyone else—that as a result of the Gorton amendment, my committee's overall allotment will be increased by $375 million. That simply is not the way the process works.

I make no apologies for my lone vote against the Gorton amendment. Time will abundantly prove that the Gorton amendment was an empty—and perhaps cynical—gesture. The Byrne Memorial Formula Grant Program may be restored in the end, but its funding won't come from any phantom furniture fund. It would have to come from hard, painful tradeoffs among equally important programs under the jurisdiction of my Commerce, Justice, State and Judiciary Appropriations Subcommittee.

AMENDMENT NO. 1560

Mr. HATFIELD. Mr. President, I intend to vote for the Republican substitute budget resolution presented to us today because its guiding principle is that we must strive harder to reduce the deficit, cut the growth rate of entitlement programs, and enable private enterprise to prosper. However, I disagree with several of the proposals assumed under this substitute, and will describe my objections shortly.

One of the greatest challenges facing Congress today is to get control over our budget deficit. This Republican substitute amendment would cut the deficit to $99 billion by 1999, whereas the resolution passed by the Budget Committee only cuts the deficit to $192 billion by 1999. Most of this extra deficit reduction would be attained by lowering the rate of annual growth in Medicare and Medicaid—the largest and fastest growing mandatory programs—by imposing real cost cutting measures. However, this is done without jeopardizing service to the elderly, the sick, and the poor. This proposal allows Medicare to continue to grow by 7.8 percent annually, and Medicaid to grow at 8.1 percent per year, and makes no changes at all in Social Security.

Another important point in favor of this substitute is the set of tax provisions that will benefit middle-class families. This includes a $500 credit for each child, individual retirement accounts [IRA's] for homemakers, IRA withdrawals for first-time home purchases, and deductibility of interest on student loans. Beneficial tax incentives for businesses include the indexing of capital gains and depreciation schedules to inflation, and extending the research tax credit and employer educational assistance programs for an additional year. These are all proposals that I have supported and will continue to support.

One section of this amendment that I object to and have opposed in the past is the proposal to single out nondefense spending for additional reductions over the next 5 years, while allowing for an increase in the defense budget by $20 billion over the committee recommendation. Discretionary spending should not be divided into separate categories or caps that favor defense over important nondefense programs. Shifting funds to defense at a time when we are struggling to find funds for low-income energy assistance programs and child immunizations does not make sense. Similarly, the assumption that reductions are needed in overhead expenditures for university research is unwarranted in my opinion.

Another proposal in this substitute amendment with which I disagree involves fully funding the trust fund established in the Senate crime bill last year. I was one of the few Senators to vote against this method of funding our crime fighting priorities because, while proper funding of worthy justice programs is crucial, I believe that crime programs can and should compete in the usual appropriations process. Making more and more pieces of our Government into entitlement programs with separate trust funds will not lead to budget efficiency or to an effective approach for fighting the root causes of the horrible crime threatening this Nation.

Finally, because the Davis-Bacon Act is not mentioned by this amendment or its authors, it is my understanding that a previous proposal to repeal Davis-Bacon that was associated with a Republican alternative amendment has been deleted or modified. While I would strongly oppose a repeal of Davis-Bacon, I would not object to some modest reform proposals.

It is important to note that the budget resolution we are considering today does not enact any laws. Rather, it is a statement of intentions and principles with unwritten assumptions as to how we might meet those broad objectives. Only twice in the last 20 years has the Appropriations Committee adopted the same spending totals for the general function areas—areas such as "Justice" or "Health"—that the budget resolution contained. So, while I am concerned about some of the guidelines in this amendment, I am hopeful that the Congress will not approve some of these proposals when the Appropriations Committee takes up the actual laws implementing the Nation's spending priorities later this year.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The majority leader.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, if I may have the attention of Senators?

Last week, in a regular scheduling meeting with Senator DOLE, which as all Senators know I hold constantly, I advised Senator DOLE in response to his inquiry that it was my intention that the Senate complete action on certain measures prior to the upcoming Easter recess. I identified several bills which I hoped we would be able to complete action on, and we have now completed action on all of those I identified except for three. The three measures which remain are the pending budget resolution; the conference report to accompany H.R. 1804, that is the Goals 2000, Educate America bill; and the so-called buyout bill, Federal employees buyout bill.

Earlier this week, in a subsequent scheduling discussion with Senator DOLE, he advised me that Republican Senators would not agree to take up the education bill, and that there would be a filibuster if the bill were to be brought up. I indicated to Senator DOLE that, were that to be the case, then I would seek to proceed to the bill and file cloture motions on the bill so we could have cloture votes to see if we could end the filibuster and proceed to vote on the bills. The House has completed action on the measure, and the papers are now present in the Senate.

Just a few moments ago, I was advised through staff of the Republican leader that not only would Republican Senators filibuster the education bill but that they would require the clerk to read the entire conference report which, as we know, is permitted under the rules. That is one of the rules that I have urged be changed, for obvious reasons, and reasons which are relevant now. But nonetheless, it is the rule now.

I am further advised by the clerk that it is estimated that it would take between 6 and 7 hours to read the conference report. And if we are required to do that, then the clerk will do so and we will remain in session until the conference report is read, at which time we will proceed to the conference report and I will file the cloture motions.

That is likely not to occur until early tomorrow morning, Thursday,

which means that the cloture motions would ripen for a vote on Saturday. It is not my intention to inconvenience Senators, and I have tried very hard in this process to minimize the inconvenience to Senators, but if the filibuster is to occur and if the reading of the report is to be required, then there will be no alternative but to having at least one cloture vote, probably two, and additional votes on Saturday. That is an outcome that I very much hope can be avoided and will do all I can to avoid. But since I have just been presented with this demand, of which I had not been previously aware, I felt it important to notify Senators that it is possible that the travel schedules will be interrupted.

The same holds true with respect to the so-called Federal buyout bill. We do not have that yet from the House, and I have not been notified of what our colleagues intend to do with respect to that bill.

But I just want to say to my colleagues that it is my intention that the Senate will remain in session until we complete action on the budget resolution, the conference report on the education bill, and the conference report on the Federal buyout bill, however long that takes, and I hope it does not take as long as would be possible under the rules.

I will momentarily, after, of course, permitting the distinguished Republican leader to make such comments as he wishes to make, seek consent to proceed to the education conference report. Failing that, we will move to proceed to it, and I simply wanted to put Senators on notice to that effect.

Mr. President, I will be pleased now to yield to the distinguished Republican leader without losing my right to the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, I am advised the House is now voting on the second conference report, the buyout bill, on the motion to recommit to put in the crime bill provision spending so we can lock it in so it is not spent somewhere else. But that motion to recommit is losing, even though 250 Members voted to instruct the conferees earlier this week. So it shows nothing changes. You can vote both ways most of the time.

I would just suggest that the majority leader is accurate in what he said. This can be remedied very quickly if we arrange to put the Helms amendment back into the Goals 2000 bill. We would not be in this predicament now if they kept the amendment in conference, which passed the Senate by a vote of 3 to 1—70 some to 20 some. Therein lies the problem.

The Senator from North Carolina feels very strongly about it. The Senator from Massachusetts [Mr. KENNEDY], the manager of the bill, voted for the amendment. It had broad bipartisan support, and it was the hope of the Senator from North Carolina and others who supported the amendment that that would be part of the conference report. Had it been part of the conference report, then we would not have the dilemma which faces all of us now, as we near a recess.

So I understand the Senator from North Carolina will request that the report be read, and I will check with my colleagues with reference to the so-called buyout bill so I can convey that information to the majority leader at the earliest possible time because, as always happens at recess time, some people make plans to leave and sometimes they are interrupted. This may be one of those times.

Mr. KENNEDY. Will the Senator yield?

Mr. MITCHELL. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, my friend, the Republican leader, did not really state the situation accurately in terms of the conference report language dealing with prayer in school. I will take a later time to explain again and review the three different school prayer amendments. There were three different amendments. There was the amendment of Senator HELMS, of Senator DANFORTH, and of Senator LEVIN.

Coming back from the conference, in the conference report are the following words:

> No funds authorized to be appropriated under this act may be used by any State or local educational agency to adopt policies that prevent voluntary prayer and meditation in public schools.

I believe that we have carried basically the sense expressed in the Senate. We did that in a conference with the House of Representatives, and this has been the language which has been included in appropriations bills since 1982 and has been effective in dealing with this issue.

They have been in since 1982, and it has not been challenged. Here we have an extremely important education bill that has passed overwhelmingly in the House and here with bipartisan support, and we have appropriations that are dependent upon action to be taken prior to next week.

That is the situation that we have found ourselves in. So I just wanted to mention to the body that in terms of what comes back in the conference report, we will be glad to debate that issue. I also give assurances that we will have the elementary and secondary education bill, chapter 1, later in this session. We can always come back and, if the body wants to, revisit this particular issue and have a full debate on it. There is obviously no time limitation. So we have the opportunity to take this language in a timely way and to reconsider that issue, if that is the will of this body in a timely way before the end of the session. It seems to me that that is a reasonable way to proceed.

I thank the leader.

Mr. MITCHELL. I yield to the Republican leader.

Mr. DOLE. Mr. President, I say to the Senator from Massachusetts, I did not mean to give any inaccurate information. I guess the point I wanted to make is the Helms language is not in the conference report.

Mr. MITCHELL. Mr. President, the Senator from North Carolina would like to make a comment. I yield to him without losing my right to the floor.

Mr. HELMS. May I have the floor in my own right?

Mr. MITCHELL. I have the floor.

Mr. HELMS. Mr. President, let us review the bidding. This is supposed to be a body of 100 Senators and I, for one, am getting a little sick and tired of one Senator presuming to speak for all the rest of us when he does not represent the opinion of the rest of us.

Let us review the bidding, where we stand.

On February 3, the Senate voted 75 to 22 in favor of the Helms-Lott school prayer language as an amendment to H.R. 1804, the so-called Goals 2000 bill.

On February 23, the House voted 367 to 55 to instruct the House conferees on the Goals 2000 bill to accept the Helms-Lott school prayer amendment from the Senate.

On March 17, the House and Senate Goals 2000 conferees dropped the Helms-Lott amendment and substituted do-nothing language authored by Representative PAT WILLIAMS, and this was done in the last 60 seconds of the conference without a vote on the issue.

Now, I checked with staff members who were there. It was an orchestrated thing. Mr. KENNEDY said, after everybody just about had left, "Is there anything else?" And Mr. WILLIAMS said, "Oh, yes. We have a school prayer amendment." And my understanding is that Mr. KENNEDY said, "Well, we will take it."

And that was it. And, of course, they tried to back me in the corner about having the conference report read. Mr. KENNEDY backed the Senate in that corner.

Now, on May 21, the House voted 345 to 64 to add language identical to the Helms-Lott school prayer language as an amendment to H.R. 6, the Elementary and Secondary Education Reauthorization Act. That vote came after the House had voted 171 to 239 to reject Representative WILLIAMS' attempt to add his do-nothing language as an amendment to H.R. 6.

So do you see the pattern? In the last 60 seconds of the conference, in this prearranged, one-act play by Mr. KENNEDY of Massachusetts and Mr. WIL-

LIAMS, or whoever it was representing the House side, they did away with the Helms-Lott amendment and they put in this do-nothing amendment.

Now, what am I supposed to do; say, "It is OK, boys?" It is not OK, boys. I am not going to tolerate it. I hate to inconvenience anybody. I will stay here and you can go ahead for your Easter holidays if you want to. The majority leader is not going to get cloture, and he knows that he is not going to get cloture. But fair is fair and right is right, and 100 Senators make up this Senate, not the Senator from Massachusetts by himself.

I yield the floor.

Mr. KENNEDY addressed the Chair.

Mr. MITCHELL. Mr. President, I have the floor. I will give the Senator from Massachusetts an opportunity to respond briefly. Then I am going to make a brief statement, and proceed with this matter.

Mr. KENNEDY. Mr. President, the conference chronology is the following:

The conference committee met first on Tuesday, March 15. On the afternoon of that day, Senate staff were provided with language to be offered by the House in lieu of the Senate amendments on school prayer.

On Tuesday afternoon, the House language was given to the staff of the Republican Senators on the conference committee. They advised the staff of Senator Helms, who came to the conference committee late Tuesday afternoon. Staff of Senator Helms was given the House language and discussed their views of the language with the staff for the Republican and Democratic Senate conferees.

At the conference committee meeting on Tuesday afternoon, it was announced that the school prayer issue remained open and would be discussed at a later time.

The conference committee next met on Wednesday afternoon, March 16. It was announced at that meeting the school prayer issue still remained open and that the House members preferred to leave that issue for resolution until the issue of the opportunity-to-learn standards was resolved at the next day's conference.

Quite frankly, if that was not resolved, the bill was going down.

Senator Helms' staff was present at the conference that day.

The conference committee next met on Thursday afternoon, March 17. The conference committee reached a compromise on the opportunity-to-learn standards question. The House then offered its proposal on school prayer which was discussed by the conference committee and then accepted.

To summarize, staff for all the Republicans on the Labor and Human Resources Committee as well as the staff of Senator Helms was presented on Tuesday with the language that the House offered on school prayer 2 days before the offer was made. We repeatedly stated in the conference on each day the school prayer issue remained to be resolved and every effort was made to advise interested Senators of the proposed outcome.

Finally, I would remind the Senate that Senator DANFORTH's amendment was accepted 97 to zero and the Levin amendment was accepted unanimously. Those Senators were entitled to have their interests represented, as well. So I reject categorically any suggestion that this issue was not resolved in the openness of a committee conference. And I, too, am prepared to remain here. And the American people are prepared to watch and see whether this body is going to go forward and make progress on the important issues of education, or whether we are going to face the obstructionist tactics of Senators who have objected on other occasions to education issues as well.

I thank the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President——

Mr. HELMS. Mr. President, I know the majority leader will allow me to respond to that because it is just as "unfactual" as it can be. I implore the majority leader to let me set the record straight.

Mr. MITCHELL. Mr. President, can the Senator set the record straight in 2 minutes?

Mr. HELMS. I may have to talk like Donald Duck to do it in 2 minutes.

Mr. MITCHELL. The Senator will have plenty of time because if what he wants occurs, we will be in session all night, and I expect he will have the floor to himself all night. But go ahead and respond.

Mr. HELMS. I am the one Senator KENNEDY is trying to roll on this thing, not to mention the Senators who voted for the Helms-Lott amendment in good faith. Now, I will not take any more than 2 or 3 minutes.

Mr. MITCHELL. That is fine. Why not go ahead.

Mr. HELMS. Here is the chronology of what occurred with the Helms-Lott school prayer amendment in the conference on the Goals 2000 bill.

On Tuesday, March 15, at approximately 6 p.m., my staff was notified by Senator THURMOND and Senator COATS' staff that the Goals 2000 conferees meeting in the Senate Foreign Relations Committee room in the Dirksen Building would be considering the school prayer issue shortly.

My staff went to the meeting and was given a copy of Representative PAT WILLIAMS' proposed substitute language and immediately informed WILLIAMS' and KENNEDY's staff that that language would be unacceptable to me because as a practical matter it did nothing.

And I reiterate, it is a do-nothing amendment, and it was intended to be one of these "CMF" amendments, meaning "cover my fanny."

Now, my staff person informed me that he stayed at the meeting, but conferees themselves never discussed school prayer that night and the meeting was continued to Wednesday, March 16, at 10 a.m. in the Rayburn Building on the House side.

On Wednesday, March 16, at approximately 1 p.m., my staff was again notified that the Goals 2000 conferees would be considering school prayer shortly. My staff went to the House and stayed until the conference was continued over to Thursday on the Senate side at a time to be announced in room S-207 of the Capitol. Again, school prayer was not discussed on Wednesday.

On Thursday, March 17, at approximately 2 p.m., the conferees met again though my staff was never notified.

You see the pattern, Mr. President?

The meeting actually took place in Senate Foreign Relations room in the Capitol, not S-207, and lasted about 20 minutes.

Senator THURMOND's and Senator GREGG's staff later informed me that after the conferees finished discussing an agreement on the opportunity-to-learn standards issue in the bill, Senators KENNEDY, KASSEBAUM, PELL, and JEFFORDS were getting ready to leave for the last time when KENNEDY asked Representative WILLIAM FORD, chairman of the House Education and Labor Committee, if there were any other issues to be considered. Mr. FORD said the school prayer issue was left, and Mr. KENNEDY asked if there was any proposal on the issue.

See how it was a set-up job, Mr. President?

Mr. FORD said "yes." He and Representative KILDEE had substitute language authored by Representative PAT WILLIAMS. Mr. KENNEDY said that was fine with him and then everybody left. There was no vote on the school prayer issue or on final passage of the conference report.

Those are the facts. I have checked them not only with my staff, but with staffs of other Senators, and they say this report is right.

Now, I am not going to pound the table and say, "No, no, no, no," nine times, but this kind of business has to stop. This is a 100-person Senate. The Senator from Massachusetts does not own this Senate, and he is not going to run the show as long as I have breath left in me.

Mr. KENNEDY. Mr. President, 10 seconds.

Mr. MITCHELL. Ten seconds.

Mr. KENNEDY. I was glad to hear the chronology of the Senator from North Carolina basically reinforce what I represented. Republican Senators including Senator HELMS had notice of the proposed House offer 2 days before it was made. There was no objection to the acceptance of that offer by any Senator attending the conference. No objection. It was agreed to by the conferees.

Mr. MITCHELL. Mr. President, we now have competing chronologies from which any Senator can make his or her choice. I just want to make one general comment so there can be no misunderstanding about this.

There should be no suggestion that an amendment adopted in the Senate and not being accepted in conference is

an unusual event in the Senate. It is a daily event. I have had many amendments that I have offered that have been accepted in the Senate, sometimes by a 100-to-nothing vote, and then have not made it through conference.

Every Senator has a right to object to that and to oppose that, and use the rules in such a manner as he or she chooses. But there should be no implication—and I know none was intended—that an amendment adopted in the Senate and then not accepted in conference is an unusual event. It is not. It is a very common event. It happens every day.

Mr. President, I want to say this: In a moment I am going to seek consent to proceed to the conference report. If objection is made, I will then move to proceed to it. And if a request is made to read the conference report—that is permitted under the rules—it will occur.

I just say to Senators, when that is over, whatever time it is, there will be a rollcall vote on the motion to proceed, followed by other rollcall votes.

Finally, of course, it should go without saying—and I want to make it clear—that if we are required to read it, then of course those who insist on the reading will have to be present, because if not present we will move to terminate the reading so that we can proceed to it.

Mr. DOLE. Mr. President, I do not disagree with what the majority leader said. You have a provision in our bill, and as I understand it, the same provision is in each bill.

Mr. KENNEDY. There is no provision in the House bill.

Mr. DOLE. No provision at all in the House bill?

Mr. KENNEDY. No.

Mr. DOLE. They had a vote referred to. They voted by 321 to—voted on the same provision in the House bill. I wonder if the Senator from Massachusetts would entertain a unanimous-consent request to proceed to consideration of the concurrent resolution to correct the enrollment of the conference report by including the identical text of the Helms language. That way we could complete this in about 5 minutes.

Mr. KENNEDY. If the Senator will yield, we have the language of Senator DANFORTH, and the language of the Senator from Michigan. We have all three languages.

What we have attempted to include in the conference report is what is existing law with the clear opportunity that it could be altered or changed in the House or in the Senate, on education or any other topic. We also made that permanent.

Senator DANFORTH is here, and he made, I think, one of the very eloquent and most compelling presentations on this issue during the course of the debate, and received a 97 to 0 vote. And Senator LEVIN's amendment was accepted on a voice vote without a single objection, related to this same subject. The House of Representatives, without any kind of language.

And we come back with that language which I have just referred to that says:

> No funds to be appropriated under this act may be used by any State or local educational agencies to adopt policies that prevent voluntary prayer and meditation in public schools.

I think we have fulfilled the responsibility of the Senate. If this body wants to address this issue at another time, then that is certainly a matter for us to consider. Clearly, we can.

Mr. MITCHELL. Mr. President, I think we are not going to resolve it in that manner. I think we ought to know we are going to have to have a reading, then we are going to have a vote somewhere between now and 2 a.m. or 3 a.m. We might as well get going on it, if that is going to have to happen.

Mr. DOLE. Mr. President, it will not be possible to take all of this time out of the budget?

Mr. DOMENICI. We have taken out too much already.

Mr. DOLE. Just an idea.

Mr. DOMENICI. If it is fine with the majority leader, it is not fine with me.

Mr. MITCHELL. Mr. President, did the Senator from South Carolina want to speak?

Mr. THURMOND. Mr. President, I was just going to make a suggestion similar to Senator DOLE's, but he has already made that point. I thank the Senator.

I am just hoping, Mr. President, that the Senator from Massachusetts, who is a friend of mine, and a friend of all of us, would be gracious enough to wind this thing up. The Senate has voted overwhelmingly for this amendment. The House has voted overwhelmingly for this amendment. So why can we not go ahead and adopt this Helms amendment?

Mr. MITCHELL. I think that has been already been determined, I say to the chairman. I thank him for his comments.

GOALS 2000: EDUCATE AMERICA ACT

Mr. MITCHELL. I now, Mr. President, ask unanimous consent that the Senate proceed to the consideration of the conference report accompanying H.R. 1804, the Goals 2000: Educate America Act.

Mr. DOLE. I object.

Mr. HELMS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MITCHELL. I want to make clear. I am now going to move to proceed. If the clerk is required to read this report, whenever that report is completed, there will be a rollcall vote on the motion to proceed. There may well be other votes.

If we have to have a cloture vote on Saturday, I guarantee everybody there will be several votes, including procedural votes on motions to instruct the Sergeant at Arms.

So there can be no misunderstanding, I hope it does not occur. If we have to stay over until Monday to complete this, we will stay until Monday. And there will be several votes on that day. I cannot guarantee a vote on the substance because our colleagues can prevent us from doing that. But I can, and I do, guarantee procedural votes. So Senators who are not here will miss those votes as well.

MOTION TO PROCEED

Mr. MITCHELL. Mr. President, I now move to proceed to the conference report accompanying H.R. 1804, the Goals 2000: Educate America Act.

Mr. HELMS. Mr. President, I demand that the conference report be read.

Mr. DOMENICI. Mr. President, do I understand that we are now off the budget resolution?

The PRESIDING OFFICER. The clerk will report.

The legislative clerk proceeded to read the conference report.

(The conference report is printed in the House proceedings of the RECORD of March 21, 1994.)

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the reading of the conference report be dispensed with.

Mr. MACK. Mr. President, I object.

The PRESIDING OFFICER (Mr. CONRAD). Is there objection?

Mr. MACK. Mr. President, I object.

Mr. WELLSTONE. Mr. President, I just wanted to make sure my colleague was alert.

The PRESIDING OFFICER. The clerk will continue to read the conference report.

The legislative clerk continued to read the conference report.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the conference report be dispensed with.

Mr. COATS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to read the conference report.

The assistant legislative clerk continued with the reading of the conference report.

Mr. KENNEDY. Mr. President, I ask that further reading of the conference report be dispensed with.

Mr. COATS. I object.

The PRESIDING OFFICER (Mr. HARKIN). Objection is heard.

The clerk will continue reading the conference report.

The bill clerk continued with the reading of the conference report.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I ask unanimous consent that the reading of the conference report be temporarily dispensed with for the purpose of propounding a unanimous-consent request.

The PRESIDING OFFICER. Is there objection to this request that the reading of the conference report to be temporarily laid aside?

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENNEDY. What was the request, Mr. President?

The PRESIDING OFFICER. Would the Senator state the request again?

Mr. HELMS. I certainly will.

I ask unanimous consent that the reading of the conference report be temporarily dispensed with for the purpose of propounding a unanimous consent request.

The PRESIDING OFFICER. Is there objection to the request?

Hearing none, the reading is temporarily laid aside.

Mr. HELMS. I thank the Chair.

First of all, I want to thank the distinguished clerks who have been so diligently reading the conference report this evening.

UNANIMOUS-CONSENT REQUEST

Mr. HELMS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 230, to correct the enrollment of the conference report to accompany H.R. 1804; and that it be in order for the Senator from North Carolina [Mr. HELMS] to modify the resolution with the text of amendment No. 1382; and that there be then 30 minutes to be equally divided in the usual form; and that upon the use or yielding back of time, the Senate, without any intervening action or debate, vote on the concurrent resolution.

I further ask unanimous consent that once the Senate has adopted the concurrent resolution, as modified, and immediately upon the receipt of the House message that the House has agreed to House Concurrent Resolution 230, without further modification, the conference report to accompany H.R. 1804 be deemed agreed to and the motion to reconsider be laid upon the table.

I further ask unanimous consent that if the Senate does not receive the House message re: action on the concurrent resolution, prior to the business on Friday, March 25, or receives the message that the House has further modified the concurrent resolution, that the conference report then become the pending business on Monday, April 11, and that following 1 hour of debate, a cloture vote occur on the conference report, under the provisions of rule 22.

Further, I ask unanimous consent that immediately following the disposition of the concurrent resolution, the Senate resume consideration of the budget resolution.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. KENNEDY. Mr. President, I object and I ask that further reading of the conference report be dispensed with.

The PRESIDING OFFICER. The clerk will continue reading the conference report.

Mr. HELMS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The reading of the conference report was temporarily laid aside only for the purpose of propounding a unanimous-consent request, which was objected to. Therefore, the clerk will continue reading the report.

The bill clerk continued to read the conference report.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from North Carolina is recognized.

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

Mr. KENNEDY addressed the Chair.

Mr. HELMS. Regular order, Mr. President.

Mr. KENNEDY. Mr. President, I ask unanimous consent to dispense with the reading.

Mr. HELMS. I object.

The PRESIDING OFFICER. The clerk will read.

The bill clerk continued to read the conference report.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. I ask unanimous consent that the reading of the conference report be dispensed with.

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

UNANIMOUS-CONSENT REQUEST

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report on H.R. 1804, the Goals 2000 education bill; that there be 30 minutes for debate, equally divided in the usual form on the conference report; that upon the use, or yielding back of that time the Senate, without any intervening action or debate, vote on passage of the conference report; that upon the disposition of the budget resolution, the appointment of conferees thereto and the disposition of the conference report on H.R. 3345, the Federal Workforce Restructuring Act, the Senate proceed to the consideration of a bill to be introduced by Senator HELMS that is identical to the text of amendment No. 1382; that the only amendment in order to that bill be a relevant one to be offered by Senator LEVIN; that upon the disposition of the conference report on H.R. 1804, the Senate proceed to the consideration of the conference report on H.R. 3345 for the purpose of filing of cloture motions; and that when the Senate resumes consideration of Senate Concurrent Resolution 63 at 9 a.m. tomorrow there be 10 hours remaining for debate equally divided.

Mr. DOLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 12:30 a.m. today the Senate vote on my motion to proceed to the consideration of the conference report on H.R. 1804; that if the Senate votes to proceed to that conference report that I be recognized to offer two cloture motions on the conference report; that the Senate then proceed to a vote on my motion to proceed to the conference report on H.R. 3345, the Federal Workforce Restructuring Act, following which I be recognized to offer two cloture motions; that if the Senate votes to proceed to that conference report, that I then be recognized to offer two cloture motions to that conference report.

Mr. DOLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MITCHELL. Then, Mr. President, I ask unanimous consent that at 12:30 a.m. today the Senate vote on my motion to proceed to the conference report on H.R. 1804, the Goals 2000 education bill.

Mr. DOLE. I object.

The PRESIDING OFFICER. Objection is heard.

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

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

UNANIMOUS CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, prior to the quorum call, I propounded three unanimous consent requests, each of which were objected to.

I now renew the second of those requests, the substance of which was that we would have a rollcall vote at 12:30 on my motion to proceed to consideration of the conference report on the Goals 2000 education bill, following which I would offer two cloture motions to that conference report, following which we would vote in a recorded rollcall vote on my motion to proceed to the conference report on the Federal Workforce Restructuring Act, following which I would offer two cloture motions on that.

This is the substance of the request which I made earlier to which objection was heard, and I now renew that request.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. I will not object, I just want a clarification. These would ripen on Saturday?

Mr. MITCHELL. That is correct. As of now, under the rules, unless agreement is reached to the contrary, there would be the possibility of four cloture votes on Saturday.

Mr. DOLE. But in the event cloture was obtained on Goals 2000, we would complete action on that before the other vote?

Mr. MITCHELL. Yes.

I have a parliamentary inquiry, Mr. President.

It is my understanding, if cloture is obtained on the Goals 2000 bill, we would have to complete the clotured item before the vote occurred on the other item.

I ask the Chair whether my understanding in that regard is correct?

The PRESIDING OFFICER. The Senator's understanding is correct.

Is there objection?

Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, so all Senators can be aware of the situation, there will be a vote at 12:30 a.m., which is in about 6 minutes, on my motion to proceed to the conference report on the education bill, following which I will offer two cloture motions on that; and, immediately following that, there will be a rollcall vote on my motion to proceed to the conference report on the so-called Federal buyout bill, following which I will offer two cloture motions on that.

I have not requested the yeas and nays. I included it in my unanimous-consent request.

So there can be no misunderstanding, I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

I thank my colleagues for their cooperation.

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

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

VOTE ON THE MOTION TO PROCEED

The PRESIDING OFFICER. The question is on the motion to proceed to the conference report.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Oklahoma [Mr. BOREN], the Senator from Arizona [Mr. DECONCINI], the Senator from Louisana [Mr. JOHNSTON], the Senator from Ohio [Mr. METZENBAUM], the Senator from Georgia [Mr. NUNN], and the Senator from Alabama [Mr. SHELBY], are necessarily absent.

Mr. SIMPSON. I announce that the Senator from New York [Mr. D'AMATO], and the Senator from Wyoming [Mr. WALLOP], are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 60, nays 31, as follows:

[Rollcall Vote No. 70 leg.]

YEAS—60

Akaka	Exon	Levin
Baucus	Feingold	Lieberman
Bingaman	Feinstein	Mathews
Bond	Ford	Mikulski
Boxer	Glenn	Mitchell
Bradley	Gorton	Moseley-Braun
Breaux	Graham	Moynihan
Bryan	Harkin	Murray
Bumpers	Hatfield	Pell
Byrd	Heflin	Pryor
Campbell	Hollings	Reid
Chafee	Inouye	Riegle
Cohen	Jeffords	Robb
Conrad	Kassebaum	Rockefeller
Danforth	Kennedy	Sarbanes
Daschle	Kerrey	Sasser
Dodd	Kerry	Simon
Domenici	Kohl	Specter
Dorgan	Lautenberg	Wellstone
Durenberger	Leahy	Wofford

NAYS—31

Bennett	Gregg	Nickles
Brown	Hatch	Packwood
Burns	Helms	Pressler
Coats	Hutchison	Roth
Cochran	Kempthorne	Simpson
Coverdell	Lott	Smith
Craig	Lugar	Stevens
Dole	Mack	Thurmond
Faircloth	McCain	Warner
Gramm	McConnell	
Grassley	Murkowski	

NOT VOTING—9

Biden	DeConcini	Nunn
Boren	Johnston	Shelby
D'Amato	Metzenbaum	Wallop

So the motion was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

Mr. MITCHELL. Mr. President, pursuant to the prior order, I send a cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the cloture motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Conference Report accompanying H.R. 1804, Goals 2000: Educate America.

George Mitchell, Barbara Mikulski, David Pryor, Carl Levin, Edward M. Kennedy, Dennis DeConcini, Jeff Bingaman, Patrick Leahy, Paul Wellstone, Daniel K. Akaka, Wendell Ford, Harris Wofford, Paul Simon, Christopher Dodd, J. Lieberman, John F. Kerry, Dianne Feinstein, John Glenn.

CLOTURE MOTION

Mr. MITCHELL. Pursuant to the order, I send a second cloture motion to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report the cloture motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Conference Report accompanying H.R. 1804, Goals 2000: Educate America.

George Mitchell, Barbara Mikulski, David Pryor, Carl Levin, Edward M. Kennedy, Dennis DeConcini, Jeff Bingaman, Patrick Leahy, Paul Wellstone, Daniel K. Akaka, Wendell Ford, Harris Wofford, Paul Simon, Christopher Dodd, J. Lieberman, John F. Kerry, Dianne Feinstein, John Glenn.

FEDERAL WORKFORCE RESTRUCTURING ACT OF 1994 MOTION TO PROCEED

Mr. MITCHELL. Mr. President, I move to proceed to the conference report accompanying H.R. 3345, the Federal Workforce Restructuring Act and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second.

There is a sufficient second.

The yeas and nays are ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Oklahoma [Mr. BOREN], the Senator from Arizona [Mr. DECONCINI], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Ohio [Mr. METZENBAUM], the Senator from Georgia [Mr. NUNN], and the Senator from Alabama [Mr. SHELBY], are necessarily absent.

Mr. SIMPSON. I announce that the Senator from New York [Mr. D'AMATO], and the Senator Wyoming [Mr. WALLOP], are necessarily absent.

The PRESIDING OFFICER (Mr. KERRY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 29, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—62

Akaka	Exon	Leahy
Baucus	Feingold	Levin
Bingaman	Feinstein	Lieberman
Boxer	Ford	Mathews
Bradley	Glenn	Mikulski
Breaux	Gorton	Mitchell
Bryan	Graham	Moseley-Braun
Bumpers	Harkin	Moynihan
Byrd	Hatfield	Murray
Campbell	Heflin	Pell
Chafee	Hollings	Pryor
Cohen	Inouye	Reid
Conrad	Jeffords	Riegle
Daschle	Kassebaum	Robb
Dodd	Kennedy	Rockefeller
Dole	Kerrey	Sarbanes
Domenici	Kerry	Sasser
Dorgan	Kohl	Simon
Durenberger	Lautenberg	

Specter	Thurmond	Wellstone
Stevens	Warner	Wofford

NAYS—29

Bennett	Gramm	McCain
Bond	Grassley	McConnell
Brown	Gregg	Murkowski
Burns	Hatch	Nickles
Coats	Helms	Packwood
Cochran	Hutchison	Pressler
Coverdell	Kempthorne	Roth
Craig	Lott	Simpson
Danforth	Lugar	Smith
Faircloth	Mack	

NOT VOTING—9

Biden	DeConcini	Nunn
Boren	Johnston	Shelby
D'Amato	Metzenbaum	Wallop

So the motion was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MITCHELL. Mr. President, I send a cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION NO. 1

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Conference Report accompanying H.R. 3345, the Federal Workforce Restructuring Act of 1994.

George Mitchell, Barbara Mikulski, David Pryor, Carl Levin, Edward M. Kennedy, Dennis DeConcini, Jeff Bingaman, Patrick Leahy, Paul Wellstone, Daniel K. Akaka, Wendell Ford, Harris Wofford, Paul Simon, Christopher Dodd, J. Lieberman, John F. Kerry, Dianne Feinstein, John Glenn.

CLOTURE MOTION

Mr. MITCHELL. Mr. President, I send a second cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION NO. 2

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Conference Report accompanying H.R. 3345, the Federal Workforce Restructuring Act of 1994.

George Mitchell, Barbara Mikulski, David Pryor, Carl Levin, Edward M. Kennedy, Dennis DeConcini, Jeff Bingaman, Patrick Leahy, Paul Wellstone, Daniel K. Akaka, Wendell Ford, Harris Wofford, Paul Simon, J. Lieberman, John F. Kerry, Dianne Feinstein, John Glenn.

CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate now resume consideration of Senate concurrent resolution 63, the 1995 budget resolution.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 63) setting forth the congressional budget for the United States Government for the fiscal years, 1995, 1996, 1997, 1998, and 1999.

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. Who yields time on the resolution?

Mr. MITCHELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MITCHELL. Am I correct in my understanding that under a prior agreement Senator DOMENICI is now to be recognized to offer his amendment to the budget resolution?

The PRESIDING OFFICER. That is the next order of business.

Mr. DOMENICI. I lost my amendment. I was walking over here from my house, and it fell down somewhere.

Mr. MITCHELL. We will wait until the Senator finds it.

Mr. DOMENICI. Could I inquire what is the majority leader's intention? We have a number of amendments and I understand, after checking the time, that there are about 11 hours, a little over 11 hours total on the resolution at this point.

Could we not lay down the Domenici-Nunn amendment tonight and vote on it in the morning?

Mr. MITCHELL. Mr. President, I thank the colleague for the inquiry.

Under the totality of the circumstances, the Senate having been kept in session for more than 6 hours on the reading of the prior conference report at a time in which we could have been debating the Senator's amendment, I think it appropriate now, in the best interest of all concerned, that we proceed to the further consideration of the budget resolution.

Mr. STEVENS. Mr. President, will the leader yield?

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. I do not have any time, but that is probably one of the most important amendments we are going to face on this concurrent resolution. We know of at least four Members who are absent who asked us not to bring that amendment up now. Can we proceed with another amendment? There are other amendments.

Mr. MITCHELL. That is the decision for the managers of the bill to make. Under the prior ruling the Senator was to be recognized to offer his amendment. That was the agreement entered into by all concerned.

I emphasized we were prepared to do that at 6 p.m. last evening and were prevented from doing so by a requirement that we read the conference report. Therefore, that is where we find ourselves in the current situation.

Mr. STEVENS. I thank the leader.

Mr. DOMENICI. Could we discuss it with the chairman and a couple of Senators who have amendments?

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

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

Who yields time?

Mr. MOYNIHAN. I ask the Senator from Tennessee if he might yield me 2 minutes.

Mr. SASSER. I yield 2 minutes to my distinguished friend from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. MOYNIHAN. I wish simply to say, Mr. President, as I had occasion to say earlier today, that the Nunn-Domenici amendment involves a fateful decision by this body as to the future of health care reform. It would transfer so much in the way of entitlement money, Medicare and Medicaid, requiring them to be cut by the Committee on Finance. These are amounts that were programmed, if you accept that word, for the President's health care bill, and if this measure is to be adopted, it has the most ominous implications for the future of that legislation.

So I would hope there will be a full and careful debate now for whatever time.

This afternoon, when this matter was raised, there were only two or three Senators on the floor. I would like to use this occasion when most Senators are present to make that point.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Who yields time?

If neither side yields time, time will be charged equally against both sides.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate resume consideration of the budget resolution at 9 a.m. this morning; that there then be 8 hours remaining on the budget resolution; and that Senator DOMENICI be recognized at that time to offer his amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object, would that be equally divided?

Mr. MITCHELL. Eight hours, equally divided.

Mr. DOMENICI. could I just consult with one Senator?

Reserving the right to object, and I probably will not object.

The PRESIDING OFFICER. Time will continue to be charged equally to both sides.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The unanimous-consent request is pending. The Senator from New Mexico reserves the right to object. He said he would not do so, but will let us know very shortly.

Mr. DOMENICI. I object.

The PRESIDING OFFICER. Objection is heard to the unanimous-consent request.

Who yields time?

Mr. DOMENICI. I yield whatever time Senator SPECTER desires at this time.

The PRESIDING OFFICER. The order was to recognize the Senator from New Mexico for the purpose of offering an amendment. Does he intend to do so? The Senator need not offer the amendment.

Mr. DOMENICI. Not at this time.

The PRESIDING OFFICER. Who seeks recognition?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania seeks recognition. Who yields time?

Mr. DOMENICI. I yield such time as the Senator desires.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, we have been in session for about an hour without a quorum call and awaiting some decision on action. I have had an amendment, which I have been prepared to offer. I just said to my colleague from New Mexico that I was either going to offer my amendment or absent myself from the Chamber. I am not going to sit around all night while we engage in fussing and fuming.

My point is that if there is no objection, I am going to offer this amendment for its immediate consideration so that we can do something instead of sitting around here.

The PRESIDING OFFICER. The Senator has the right to offer his amendment.

AMENDMENT NO. 1565

(Purpose: An amendment by Senator SPECTER to restore full funding of LIHEAP; provide supplemental funding for prisoner literacy training and prisoner job training; and provide supplemental funding for unwanted pregnancy prevention and prenatal care programs by transferring funding from government consulting accounts)

Mr. SPECTER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 1565.

Mr. SPECTER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 41, decrease the amount on line 11 by $435,000,000.

On page 41, decrease the amount on line 12 by $326,000,000.

On page 41, decrease the amount on line 18 by $452,000,000.

On page 41, decrease the amount on line 19 by $339,000,000.

On page 41, decrease the amount on line 25 by $465,000,000.

On page 42, decrease the amount on line 1 by $349,000,000.

On page 42, decrease the amount on line 7 by $475,000,000.

On page 42, decrease the amount on line 8 by $357,000,000.

On page 42, decrease the amount on line 14 by $488,000,000.

On page 42, decrease the amount on line 15 by $366,000,000.

On page 26, increase the amount on line 8 by $100,000,000.

On page 26, increase the amount on line 9 by $50,000,000.

On page 26, increase the amount on line 15 by $103,000,000.

On page 26, decrease the amount on line 16 by $52,000,000.

On page 26, increase the amount on line 22 by $106,000,000.

On page 26, increase the amount on line 23 by $53,000,000.

On page 27, increase the amount on line 5 by $109,000,000.

On page 27, increase the amount on line 6 by $53,000,000.

On page 27, increase the amount on line 12 by $112,000,000.

On page 27, increase the amount on line 13 by $56,000,000.

On page 30, increase the amount on line 20 by $225,000,000.

On page 30, increase the amount on line 21 by $214,000,000.

On page 31, increase the amount on line 2 by $232,000,000.

On page 31, increase the amount on line 3 by $221,000,000.

On page 31, increase the amount on line 9 by $239,000,000.

On page 31, increase the amount on line 10 by $228,000,000.

On page 31, increase the amount on line 16 by $246,000,000.

On page 31, increase the amount on line 17 by $234,000,000.

On page 31, increase the amount on line 23 by $253,000,000.

On page 31, increase the amount on line 24 by $240,000,000.

On page 35, increase the amount on line 8 by $100,000,000.

On page 35, increase the amount on line 9 by $62,000,000.

On page 35, increase the amount on line 15 by $103,000,000.

On page 35, increase the amount on line 16 by $65,000,000.

On page 35, increase the amount on line 22 by $106,000,000.

On page 35, increase the amount on line 23 by $66,000,000.

On page 36, increase the amount on line 5 by $109,000,000.

On page 36, increase the amount on line 6 by $68,000,000.

On page 36, increase the amount on line 12 by $112,000,000.

On page 36, increase the amount on line 13 by $70,000,000.

Mr. SPECTER. Mr. President, I will explain this amendment.

The amendment transfers $435 million governmental consulting accounts, where there is now some $2.1 billion, an account which is largely recognized to have many items that we can do without. It constitutes a 19.5 percent cut in those consulting accounts. It transfers $225 million to LIHEAP, the Low Income Heat Energy Assistance Program. It transfers $100 million for prisoner literacy education and prisoner job training.

It transfers $100 million for prenatal pregnancy prevention.

Taking up the issue of low-income energy assistance first, that is a fund which has been cut consistently over the past several years regardless of which party controls the administration, and it has resulted in tremendous pain and suffering across this country. The cut in LIHEAP funding has given many families of America the stark choice of heating or eating, and it has resulted in many deaths over makeshift heating and lighting systems.

It is hard to get a total fix on the number of deaths, but in a short period of time in Philadelphia, between August 1992 and January 1993, 11 people, mostly children, died as a result of makeshift heating arrangements.

We have in the United States an enormous problem on adequate funding for heating. With last year's allocations of $1.475 billion, only 24 percent of federally eligible households were covered by LIHEAP assistance. Now the administration has proposed to have a cut of some $745 million, more than half of the LIHEAP accounts, with an assertion that there would be some discretionary funds applied to try to make up the difference.

This Senator views that as totally inadequate. The Budget Committee had reinstated some $520 million for the LIHEAP account, which still leaves a shortage of some $225 million even to have the funds which were available last year.

The families in the low-income bracket spend a significantly larger proportion of their income on heating than do families in higher brackets. For example, the amount spent on the average for heating is 3 to 4 percent of income, the people in the income brackets eligible for LIHEAP funding spend between 11 and 13 percent of their funding.

This issue is one which is especially problemsome for my State of Pennsylvania, but it is one that has enormous problems across the country.

Senator HARKIN chairs the Appropriations Subcommittee on Labor, Health, Human Services and Education where this account is located, and I am

the ranking Republican on that subcommittee. It has caused enormous difficulties as we have tried to allocate funds. The amount which is currently in the budget is just extraordinarily low.

Mr. President, I shall be relatively brief in all of these items in view of the lateness of the hours.

The second transfer is $100 million for prisoner literacy, education and job training, and it is designed to take to come to grips with some realistic rehabilitation. That figure is by no means sufficient to deal with the problem in this country, but it would establish a fund for a demonstration project to see if something meaningful can be done in that line.

This is a legislation which I have proposed virtually every year since 1981, and it is designed to try to stem the growth of the career criminal in this country. It is also designed to try to set a realistic scene for the imposition of life sentences on the so-called three-strikes-and-you-are-out legislation.

We have heard a great deal of rhetoric on three-strikes-and-you-are-out, and it is my view, based on experience as a prosecuting attorney, that judges will not impose mandatory life sentences. Under our current system where they see the cycle of crime with recidivists coming back again and again, where it is no surprise that a functional illiterate without a trade or a skill will go back to a life of crime, in the sentencing situation, as I think the Presiding Officer knows from his experience as an assistant district attorney, the judge simply is not going to impose a life sentence.

But, if there were realistic rehabilitation after juvenile offenses, and after a first offense, and the individuals did not do better with rehabilitation, with literacy training, and job training, and after a second offense came back and committed a crime of violence—armed robbery, for example—then I think it is realistic to have judges impose life sentences.

The Federal armed career criminal bill, which was passed as one of my earlier initiatives in 1984, amended to include drug offenses in 1986, has been acknowledged as a very important tool for law enforcement. If we really came to grips with career criminals in America, we could reduce violent crime very substantially.

The National Commission on Criminal Justice Standards and Goals back in 1972 estimated that violent crime could be reduced by some 50 percent. And if we make a real effort with rehabilitation, literacy training, and job training, and the individuals fail at that, then I do believe we can realistically move to life sentences for career criminals.

The third item, Mr. President, on this amendment which would receive $100 billion in funding, would be for prenatal care and pregnancy prevention.

Mr. COHEN. Did the Senator say $100 billion?

Mr. SPECTER. I said $100 million. If I said $100 billion it was a slip of the lip. At this hour I might have said $100 trillion. I think I said $100 million, but I do know. Whatever I said, I meant $100 million.

But I thank the Senator for the interruption, if not the suggestion. It sounds like a hollow tunnel. I thank the Senator.

The program which this $100 million is designed to address, again, is a demonstration project to see if something can be done on this problem of enormous magnitude.

The leader in the Senate is the distinguished Senator from New York, Senator MOYNIHAN. If I might have Senator MOYNIHAN's attention, I have been very much impressed with the clarion call which our colleague from the State of New York has made on the problem of rising pregnancies and unwanted children. It is a source of enormous problem in America which should have been addressed a long time ago. It is a very complex matter as to how to address it. It results in enormous costs.

In 1991, the most recent statistics available, the Federal Government spent some $29 billion for AFDC, aid to families with dependent children, Medicaid and WIC payments. As to the families begun by teenaged parents, more than 1 million American teenage girls between the ages of 15 and 19 become pregnant each year, and there are some 50,000 low birth-weight babies born to teenaged girls.

I first saw a 1-pound baby in 1984 when I visited a hospital in Pittsburgh. It was an ominous sign, a child as big as a hand. It is a human tragedy, because those children carry those scars throughout their lives. It is a financial tragedy because the average cost is $158,000 a child.

I introduced legislation on this subject back in 1985, and with the cooperation of both the Bush administration and the Clinton administrations, we have had a healthy start program which has done some good on prenatal care. It is a very important factor in planning health care reform because there are billions of potential savings there.

But this program of teenaged pregnancy is one which is long overdue in being addressed.

My colleague from Iowa, Senator HARKIN, who chaired the Subcommittee on Labor, Health, Human Services and Education, and I have sat down with the Secretary of Health and Human Services, Secretary Shalala, and the Secretary of Education, Secretary Reilly, to try to find some answers here.

Secretary Shalala made the observation that her study showed that most teenaged pregnancies occur between 3 p.m. and 7 p.m. And as Senator HARKIN and I tackled the problems in this subcommittee, with the great shortage of funds—this $100 million transfer is from consultants, and we have yet to really find out what consultants do. This $100 million would be a tremendous aid in enabling us to structure some programs to tackle this very, very important problem.

So, in summary, Mr. President, this amendment takes a look at an account on consulting fees, $2.1 billion, which is bloated and overspent, and it seeks a 19.5 percent reduction, and then seeks to tackle three very, very important problems.

The issue of assistance of low-income heat and energy is one of the most important ones that has been cut by the administration in a draconian way, and this would at least restore funding to last year's level.

The demonstration projects were $100 million. That on prisoner literacy training and prisoner education would enable us to try to deal with a major problem, and at least set the stage so that inmates who do not take advantage of realistic rehabilitation or do not succeed at it, then we would be able to impose life sentences on career criminals and make America's streets safer.

The $100 million for prenatal care and pregnancy prevention would give us at least some start on this problem of enormous magnitude.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). Who yields time?

The Senator from Tennessee.

Mr. DOMENICI. I yield 5 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from New Mexico yields 5 minutes to the Senator in Maine.

Mr. COHEN. I thank the Senator for yielding.

Mr. President, I will be very brief.

First, I want to commend my colleague from Pennsylvania for offering this amendment. It focuses particularly on the amendment dealing with LIHEAP, the low-income heating energy assistance program. This is a program which is vital to States like Maine.

Over the years, as the Senator from Pennsylvania has pointed out this program has been cut and cut again, and we find our citizens faced with heating bills they cannot pay. Just a couple years ago there was one incident when it was so cold in Maine, there was no fuel available, and they could not pay for the heating fuel. They were, in some cases, breaking up their furniture and using that for firewood in order to heat their homes to keep from freezing.

This is a very important program for the State of Maine.

I might point out it seems to me we are perhaps not allocating the funds in

the correct fashion. We need to be allocating more resources for weatherization programs as opposed to just providing the assistance to purchase the heat and fuel in order to keep warm during winter months or keep cool during the summer months in the more southern climates.

But I think the Senator has done an outstanding job of making his presentation. I intend to support him, and I am going to ask, if the Senator is not going to do it, for the yeas and nays on his amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

The Senator from Tennessee.

Mr. SASSER. Mr. President, will the proponent of the amendment yield me time to speak in favor of his amendment?

Mr. SPECTER. I do not control the time.

The PRESIDING OFFICER. The Senator from Pennsylvania, as a proponent of the amendment, does control 44 minutes 52 seconds.

Mr. SPECTER. How much time does the Senator from Tennessee wish?

Mr. SASSER. Five minutes or less.

Mr. SPECTER. I am glad to yield to the Senator.

The PRESIDING OFFICER. The Senator from Pennsylvania yields 5 minutes to the Senator from Tennessee.

Mr. SASSER. Mr. President, we restored in the Budget Committee 70 percent of the President's cut of the so-called low-income home energy assistance, and we also tried to increase funding for prenatal care.

The thrust of this amendment offered by the Senator from Pennsylvania is in agreement with the priorities that we are pursuing in the Budget Committee.

So I would just say, Mr. President, in the absence of any request for a rollcall vote on this particular amendment, that we would be pleased to accept the Senator's amendment.

Mr. SPECTER. Mr. President, the yeas and nays have been requested and ordered. I think we ought to stick with that and have the yeas and nays.

The PRESIDING OFFICER. Who yields time?

Mr. WOFFORD addressed the Chair.

The PRESIDING OFFICER. Who yields time to the Senator from Pennsylvania?

Mr. SPECTER. Mr. President, my colleague from Pennsylvania has made a request of me for 2 minutes, and I do yield that time to him.

The PRESIDING OFFICER. The Senator from Pennsylvania [Mr. SPECTER] yields 2 minutes to the Senator from Pennsylvania [Mr. WOFFORD].

Mr. WOFFORD. Mr. President, I commend the senior Senator from Pennsylvania for putting this amendment forward. I look forward to our accepting that amendment. The yeas and nays have been asked for and ordered. I look forward to an affirmative vote for it.

We have had hearings. Senator DODD has brought forth witnesses that have made very clear that, on the LIHEAP matter, this is a matter of great urgency. People have died in our State. Full funds should be restored. This amendment will make that possible.

The other elements of the amendment, I think, are good steps for us to take at this time in sending forth a signal that we are getting our priorities right.

I think we can cut down on consulting and we can bring up to full funding our support for LIHEAP and the other parts of this amendment, so I urge an affirmative vote.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. Will the Senator yield me 2 minutes?

Mr. SPECTER. I yield 5 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Pennsylvania yields 5 minutes to the Senator from Iowa.

Mr. HARKIN. I thank the Senator for yielding me that time. I will not take that much time.

I just want to compliment my good friend from Pennsylvania for offering this amendment. I do compliment the distinguished chairman of the Budget Committee for all that they did to replace the money on LIHEAP. They did a great job in doing that. I am most appreciative of their doing that and the funding they put in for paternal and child health care and all those programs.

But, nonetheless, they were operating under some constraints and could not quite get all of the money in that I think was required.

So I just want to say that everything that Senator SPECTER said is absolutely right. He is absolutely right in everything he said about the problems we had in the subcommittee in meeting those targets. He crafted a good amendment. It is needed, and I support it wholeheartedly. I hope it passes overwhelmingly.

I thank the Senator for his help on our subcommittee in meeting the human needs of our citizens in the country. He is a valued member of that subcommittee, and I enjoy working with him.

Again, I compliment him on offering this amendment.

The PRESIDING OFFICER. Who yields time? Who yields time?

SEVERAL SENATORS. Vote.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, if there are no speakers in opposition, I am prepared to yield back my time so we can proceed to a vote.

The PRESIDING OFFICER. If all time is yielded back, we would be in a position to vote.

Does the Senator from Pennsylvania yield back his time?

Mr. SPECTER. I do.

The PRESIDING OFFICER. The Senator from Pennsylvania yields back his time.

The Senator from New Mexico controls 59 minutes 35 seconds.

Mr. SPECTER. Mr. President, I am prepared to yield back my time if we are at a procedural vote stage. If there are going to be counter-arguments, then I would want to reserve some time to reply.

The PRESIDING OFFICER. The Senator from New Mexico controls 59 minutes 35 seconds. The Senator from Pennsylvania controls 45 minutes 41 seconds.

Mr. DOMENICI. If I yield back my time and we vote, will we have an inordinate delay because Senators are not here, or how would that work?

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Mr. MITCHELL. Mr. President, it has been my practice to accommodate Senators on both sides of the aisle who are not in the Capitol to give some notice of the vote so that they would be able to return.

In view of the hour, I am prepared to do that or not, as Senators wish. A large number of Senators, of course, have remained.

I inquire of my colleagues on the Republican side whether they wish to, in accordance with the usual practice, give notice of 10 minutes or so before the vote begins, to give people the opportunity to get back who wish to get back to do so?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I would be prepared to give time of about 7 hours to come back in. It is now 2:22. My suggestion would be that we stack this vote for later this morning. It is my amendment, and I will be prepared to do that.

If we are going to give time, what time would the majority leader suggest; 2:45, 3 o'clock?

Mr. MITCHELL. Mr. President, I was going to suggest a 10-minute notice for people, to give those who wish to come back the opportunity to do so.

Mr. SPECTER. I would not object to that, if that is the wish of the majority leader. My preference would be to stack the vote for later in the morning.

Mr. MITCHELL. I inquire of my colleagues, then, if there is any objection to setting the vote for 10 minutes from now to give Senators not present an opportunity to be present?

The PRESIDING OFFICER. The Chair would advise that the Senator from Pennsylvania controls 39 minutes

and 50 seconds and the Senator from New Mexico controls 59 minutes and 5 seconds.

Mr. SPECTER. I am prepared to yield back my time if the Senator from New Mexico does so, and we can follow the schedule propounded by the majority leader.

Mr. DOLE. Mr. President, after time is yielded back, the amendment would be subject to a second-degree amendment, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I yield back my time.

The PRESIDING OFFICER. The Senator from New Mexico yields back his time.

Mr. SPECTER. I yield back my time.

The PRESIDING OFFICER. The Senator from Pennsylvania yields time.

The PRESIDING OFFICER. The question is on amendment No. 1565. The yeas and nays have been ordered.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

AMENDMENT NO. 1566

Mr. DOLE. Mr. President, I send a second-degree amendment to the desk and ask it be read.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment numbered 1566.

The legislative clerk proceeded to read the amendment.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. SASSER). Is there objection?

Without objection, it is so ordered.

Who yields time on the amendment?

No time has been yielded. The time will run equally on both sides on the second-degree amendment that is offered by the minority leader.

Mr. DOLE. Mr. President, I withdraw the amendment, and I ask unanimous consent that the second-degree amendment not be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOLE. I ask unanimous consent that we vitiate the yeas and nays on the Specter amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the Specter amendment, all time having been yielded back.

The amendment (No. 1565) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DODD-JEFFORDS AMENDMENT NO. 1561

Mr. DURENBERGER. Mr. President, I rise in reluctant opposition to the Jeffords-Dodd amendment to transfer $30.5 billion to special education programs over 5 years—$6 billion in fiscal 1995 alone. I have a long history of support for many education programs. As the ranking member of the Labor Committee's Disability Subcommittee, I am committed to improving educational opportunities for all Americans, particularly those individuals requiring special education. I am sensitive to the criticism by State and local governments that the Federal Government has not lived up to its commitment to contribute 40 percent of the national average per pupil cost for special education services to children with disabilities. The current 8 percent contribution is woefully inadequate. The 20 percent level achieved by this amendment still hardly addresses the need.

However, Mr. President, this country is in the midst of a budget crisis. We simply do not have the luxury to fund all of our worthy programs at their authorized levels. I wish we did. But right now we have a $4.7 trillion debt, and we are loading $173 billion more onto that debt in fiscal 1995. Our priorities must be to reduce the deficit before we can think about expanding current programs.

The amendment pays for this spending increase by a corresponding decrease in funding for the Milstar program as well as certain intelligence funding. These cuts have been opposed by the chairman of the Armed Services Committee. Even though the Appropriations Committee would have the option of cutting another defense program, or any other program, $30 billion is a sizable hit on our discretionary spending areas, particularly to fund an increase that was not recommended by the President or the Budget Committee. I am not sure we are ready to make this kind of sensitive choice today. If we do choose to cut spending, as we have under the Exon-Grassley amendment, the critical need is to dedicate these cuts to deficit reduction.

The sponsors of the amendment also indicate that the amendment would be partially paid for by restoring half of the Exon-Grassley cuts made in the Budget Committee. Mr. President, I don't see how restoring some of these cuts creates a new pool of money that can be spent for worthy programs. It would avoid certain spending cuts that will be made by the Appropriations Committee, but it should not be considered a new pool of money that can be used for programs that were not addressed in the President's budget. I strongly support the Exon-Grassley cuts as an important effort to reduce the deficit and will oppose any efforts to eliminate these cuts.

The intent of this amendment is commendable, but the result could be that we will cut other programs that should not be cut, possibly other education programs. The Appropriations Committee and its Labor, HHS and Education Subcommittee will have the responsibility to decide whether this or other programs will be increased or cut. Even if we pass this amendment, we cannot guarantee that this specific increase would be made by Appropriations. If this is a critical spending need, we should appeal to the Appropriations Committee rather than to pass this amendment.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate return to consideration of the budget resolution at 9:30 a.m. today and that there then be 8½ hours remaining on the resolution for debate, divided as follows: 4¾ hours under Senator DOMENICI's control; 3¾ hours under Senator SASSER's control, with the last 15 minutes for debate under Senator SASSER's control.

The PRESIDING OFFICER. Is there objection?

Mr. EXON. Reserving the right to object, Mr. President, I simply say that, so I understand it properly, at 9:30 are we going to take up the Domenici amendment that is the pending business and has been since before all of the reading started?

Mr. MITCHELL. Mr. President, that is my understanding and intention that Senator DOMENICI will be present at 9:30 to offer his amendment.

Mr. EXON. How much time has been allotted to each side, and who will control the time on each side? Obviously, Senator DOMENICI would control the time in support of his amendment. How much time is set aside for that, and how much time is set aside for those of us who will be opposing the Domenici amendment.

The PRESIDING OFFICER. Under the Budget Act, it is 2 hours, equally divided.

Mr. EXON. On the Domenici amendment?

The PRESIDING OFFICER. On each first-degree amendment.

Mr. EXON. Two hours equally divided on any amendment, including the Domenici amendment?

The PRESIDING OFFICER. On any first-degree amendment.

Mr. EXON. I do not object.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. Reserving the right to object. I hope we do not use the 2 hours. We hope we can do a lot of these in about 10 minutes on a side.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request as expressed by the majority leader?

Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, it is my hope and intention that we will be

able to complete action on this bill tomorrow. There are 8½ hours remaining for debate. If all of that time is used—and I expect that it will be—debate would be concluded by approximately 5 p.m. There will be several votes, I am advised, because a number of amendments remain to be offered, and that time does not count against the resolution. So assuming there are as many as 3 or 4 hours of votes, we should be able to complete action by sometime during the evening tomorrow. That is not included in the unanimous-consent agreement that has just been obtained. But there is going to be, I understand, a good-faith effort on both sides to complete action on the bill before the close of business today, Thursday.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, that will complete our action for this morning. There will be no further rollcall votes until this morning after 9:30 a.m., most likely around 11:30.

MORNING BUSINESS

DEATH OF HAM WILSON

Mr. HEFLIN. Mr. President, on January 26, 1993, I paid tribute to E. Hamilton "Ham" Wilson, who at that time had just retired from his long-time position as government affairs director at Alabama's Auburn University. Prior to that, he had been chief executive officer of the Alabama Cattlemen's Association.

Ham's many friends at Auburn and throughout the agricultural community in Alabama were deeply saddened on March 11, when Ham passed away. He served as Auburn's chief lobbyist beginning in 1985, when former president James E. Martin established the position to ensure a permanent presence for Auburn at the Alabama State House. The job was tailor-made for Ham, who had already earned a distinguished reputation statewide through his work with the cattlemen's association.

I extend my deepest condolences to Louise L. Wilson, Ham's wife of 46 years, and to their entire family in the wake of their painful loss. I ask unanimous consent that an article appearing in the March 12 edition of the Montgomery Advertiser summarizing Ham's life and work be printed in the RECORD at this point.

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

[From the Montgomery Advertiser, Mar. 12, 1994]

RODEO KING WILSON DIES

(By Mary Orndorff)

Auburn University and the entire agricultural industry in Alabama lost one of their own Friday. Edward Hamilton "Ham" Wilson died at the age of 72.

"He was the spirit of Auburn, the spirit of beef farming in Alabama, the spirit of the Cattlemen's Association and the spirit of the rodeo," said longtime friend and legislative dean, state Rep. Pete Turaham, D–Auburn.

Mr. Wilson didn't just sport a white cowboy hat to shade his perpetually grinning eyes—he earned the "good guy" image that goes with it. Since 1958, the Greenville native wore a white hat to his historic creation, the Southeastern Livestock Exposition Rodeo. And for 36 years, thousands showed appreciation for his work by flocking to Garrett Coliseum for the annual event, which returns later this month.

Mr. Wilson was king of the rodeo from the day of its birth to the day of his death. He was at the rodeo's ticket office Wednesday, the day of the heart attack that eventually took his life.

As executive vice president of the Alabama Cattlemen's Association, the livestock ring leader nurtured the industry, the rodeo and the association for more than 40 years.

"His work, his work was his greatest passion. He gave his life to his work to the Alabama Cattleman's Association, to Auburn University and to the rodeo," said his wife of 46 years, Louise L. Wilson.

Their children, Edward Hamilton Wilson Jr. and Nancy Wilson Blount, live in Montgomery with five grandchildren, Bradley, Hallie and Nancy Beth Wilson, and Jess and Wilson Blount. A sister, Elizabeth W. Kitching lives in Greenville.

Bill Blount, chairman of the Alabama Democratic Party, described his father-in-law Friday as vibrant.

"I remember lively discussions around the Sunday dinner table," Mr. Blount said. "He cared passionately about current events, about his state, his city and his country."

Even in the sticky arena of politics, friends and rivals recalled Ham Wilson's honesty and integrity. Protecting the cattle industry in legislative battles was a job requirement, and he was Auburn University's first full-time lobbyist from 1985 to 1992.

"Ham was successful because he was the kind of fellow who is a friend to everyone," said House Speaker Jimmy Clark, D-Eufaula.

It's been said the cattlemen's group rarely sought legislation, but what it had on the books was nearly sacred.

"I was kind of lucky," Mr. Wilson said in a December 1992 interview before his retirement from the Auburn post. "I not only knew the lawmakers, I knew their mammas and daddies."

Mr. Wilson and Rep. Turnham were college buddies at the Loveliest Village on the Plains, where Mr. Wilson graduated in 1943 with a degree in agricultural science. "I've never seen a more caring and unselfish person in my whole life," Rep. Turnham said.

The list of civic and community groups that count the World War II veteran in the memberships is lengthy: Montgomery Area Chamber of Commerce, Montgomery Rotary Club, Men of Montgomery, Montgomery Country Club, Capital City Club, First United Methodist Church, Alabama 4-H Club Foundation, Alabama Sheriff's Boys and Girls Ranches, and he was a charter member of the Alabama Livestock Hall of Fame.

Honors and awards poured in, but even more poured out. Mr. Wilson created things. He opened the Cattlemen's Association headquarters in downtown Montgomery, now undergoing a $1.5 million renovation and expansion; started the Alabama Cattleman magazine in 1958, one of the nation's largest and most widely recognized livestock publications; and the country's first comprehensive beef promotion program started under his leadership. In 1979, the Ham Wilson Livestock Arena was dedicated at Auburn.

In 1985, Mr. Wilson told a reporter the accomplishment of which he is most proud as Cattlemen's Association chief was the expansion of cattle production from a sectional Black Belt occupation to a statewide industry. It is now a $1.5 billion staple in Alabama's economy

By his retirement, the state association had blossomed into the country's largest, with more than 16,700 members.

"Ham was truly a unique individual and did much for the state's youth and the livestock industry that he cared so much about," said Billy Powell, now executive director of the cattlemen's group.

Bubba Trotman, a former president of the association's state and national organizations, said Friday that he owed his cattleman career to Mr. Wilson. "This is a great loss to all the people of the state."

James E. Martin, Auburn's former president who hired Mr. Wilson in 1985, said in 1992, "Ham Wilson just doesn't meet a stranger."

In lieu of flowers, the Wilson family asks donations be made to the Alabama Cattlemen's Association Foundation, the Auburn University School of Agriculture and the American Heart Association. Services are Sunday at 3 p.m. at First United Methodist Church in Montgomery.

TRIBUTE TO LEVI WATKINS, SR.

Mr. HEFLIN. Mr. President, higher education in the State of Alabama lost one of its greatest supporters on March 3 when former Alabama State University president Levi Watkins, Sr., died at the age of 83. He served at the helm of Alabama State from 1962 until 1981, a time of both unparalleled turbulence in education as well as dramatic progress. As difficult as these times were for our State and region, he did not see his mission as a burdensome one. In a statement made some 11 years before his death, Watkins said that he had been privileged to be right in the middle of, as he called it, the greatest turmoil in this century.

The school was known as Alabama State College when Levi Watkins, a Kentucky native, became its president in 1962, the same year that George Wallace was first elected governor. By the time he left 19 years later, Alabama State had become a fully accredited university with 12 new buildings and a dramatically increased student enrollment. During his tenure, he placed a great emphasis on financial accountability, saying at the time of his appointment that he respected the taxpayer's right to get at least a dollar's value on each dollar invested in Alabama State College.

Watkins' commitment to total accountability went beyond finances, however. He fought hard for Alabama State and never failed to accept responsibility when things went wrong. He never passed the buck, and his shoulders supported the weight of both credit and blame. He was a consummate advocate for his school.

Levi Watkins was the kind of administrator who any school would be proud to call its own. He made the tough decisions, even when they were unpopular, and did what he had to do to ensure that students, faculty, and university officials were treated fairly. Although he fully supported the civil rights movement, Levi never lost sight of his or Alabama State's primary mission of educating young blacks.

During the turbulent days of the movement, Alabama State emerged as a refuge for the demonstrators. Later, as was the case on campuses all across the Nation, more militant students turned against the administration, forcing Levi to close the school for 2 weeks in 1969. But the National Guard never intervened. His was a delicate balancing act, for he was committed to the progress being sought by the civil rights movement, but at the same time, he understood the importance of obtaining the State funding crucial to his university's mission.

Levi had the charisma and finesses to secure vital resources for a black college in a State like Alabama. He was even able to work with then-Governor Wallace in getting the required funding for Alabama State to be accredited by the Southern Association of Colleges and Schools in 1966.

I extend my condolences to Levi's wife, Lillian Varnado Watkins and their six children, who include a teacher, principal, two surgeons, a lawyer, and a research specialist with an earned doctorate. Their father's dedication to higher education obviously was not lost on his children. They are all living testaments to his rich legacy.

TRIBUTE TO ALABAMA LABOR LEADER BOBBY L. BOWDEN

Mr. HEFLIN. Mr. President, I want to pay tribute today to one of Alabama's most distinguished labor leaders, Bobby L. Bowden. He has been a close personal friend of mine for many years, as well as one of the best friends working men and women in Alabama have ever had. He retired earlier this year after serving as an active member of the Machinists Union for 39 years.

A native of Enterprise, AL, Bobby attended Troy State University for a short time before enlisting in the Marine Corps. After his tour of duty in the Marines, he was hired in 1955 by an aircraft maintenance contractor at Fort Rucker. Except for the time he was on leave of absence and serving as a business representative with the International Association of Machinists and Aerospace Workers district lodge 75, he remained in aircraft maintenance at Fort Rucker until his retirement.

For 6 years beginning in 1967, Bobby was elected to serve on the negotiating/grievance committee of local lodge 2003. In 1973, he was elected business representative of lodge 75 and served in that position until 1978. He then returned to his previous job as an aircaft mechanic troubleshooter from 1979 through 1983. That year, he was reelected business representative and served in that capacity until his retirement.

Bobby was raised in a political family, and has always been active in politics himself. His father, Ed Mack "Buster" Bowden, was a Coffee County Commissioner. Bobby has been actively involved in the machinists union nonpartisan political league, serving on its planning committee for a number of years. He was the first machinists union business representative to donate $1,000 to the non-partisan political league. Bobby worked diligently to try and accomplish what he truly believed in, politically.

The 39 years Bobby Bowden gave the machinists union yielded many, many benefits for his labor union as well as for all working people in southeast Alabama. Every union member owes him a debt of gratitude for the progressive and positive efforts he made on their behalf. He performed many good deeds over the years, giving of his time, talents, and resources freely and unselfishly. His ability, dedication, and energy will be sorely missed.

I extend my very best to Bobby for a happy, healthy retirement and bright, active future.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt stood at $4,557,219,560,535.33 as of the close of business on Wednesday, March 16. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is $17,479.97.

A MORE RESPONSIBLE APPROACH TO NATIONAL PARK CONCESSIONS

Mr. DORGAN. Mr. President, many in Congress have known for years that the National Park Service must take a more business-like approach to the way the service contracts for private concessions to serve visitors to our national parks. Many in Congress have tried to forge improvements in that area, and, finally, we have before us a bill painstakingly molded in our Energy and Natural Resources Committee to make those improvements.

I serve on that committee, and I am a cosponsor. I wish to recognize Senators BUMPERS and BENNETT, as well as the chairman and ranking minority member of the committee, for their intense and sincere efforts to craft policies in this bill that are fair, on the one hand, to the landlord—that is, American taxpayers—and, on the other hand, to the concessionaires. I believe a balance has been accomplished in that respect, and I will support this bill.

I wanted also to note, while serving in the House of Representatives in 1991 and 1992 I headed a Task Force on Government Waste. Our task force found that the National Park Service's lease agreements and related fees were terribly inadequate in many cases, and we called for reasonable franchise fees to be collected.

This bill will require a more competitive arena for those seeking to operate businesses within the National Parks, creating a system much closer to what occurs in the private sector. The increased fees will result from that competition instead of arbitrary levels set in Washington. Out of more than $650 million gross income of national parks concessionaires, the bill would increase rent to about $65 million, compared to the $17 million collected last year. This rental income will be used where it should be—to maintain and improve the parks.

I am pleased to see a recommendation of the Task Force on Government Waste up before this body for approval.

At the same time that this bill would require more competitive rents from large concessionaires than are now collected, it is sensitive to the financial limitations of small family businesses and outfitters. The bill retains a preference for such businesses to renew their contracts with NPS if they are operating in an adequate fashion and serving the public well.

In brief, I believe this bill directs the Park Service toward fair and proper treatment of the parks concessionaires and outfitters.

THE CLOSING OF PLATTSBURGH AIR FORCE BASE

Mr. MOYNIHAN. Mr. President, it is now 8 months since the Base Closure and Realignment Commission overruled the recommendations of the Air Force, the Secretary of Defense, and its own staff and elected to close Plattsburgh Air Force Base and expand McGuire Air Force Base, rather than the opposite. The Air Force had proposed to establish its East Coast Air Mobility Base at Plattsburgh, taking advantage of its outstanding runway and parking ramp, its extensive new refueling system, the excellent base infrastructure, and the lack of airspace congestion.

The members of the Commission concluded that Secretary Aspin had deviated substantially from two closure criteria when he placed a higher military value on Plattsburgh than McGuire. The Commission's staff conducted their own exhaustive analysis and reached the same conclusion as Secretary Aspin, that Plattsburgh had greater military value. Tragically, the Commissioners reached a different conclusion; move the new air mobility base to McGuire and close Plattsburgh. They did not close any other large air-

craft base that the Air Force wanted to keep open.

The result is that the Air Force is spending $43 million this year, $78 million next year, and more in 1996 to bring a base it did not want up to the standards of an air mobility base. Plattsburgh is facing a massive disruption in the fabric of its community as its largest employer prepares to leave town. The only conclusion I can draw from this decision is that the Commission, which we established to remove politics from the base closure process, brought politics back in. The BRAC process may be an improvement over previous efforts to close bases, but it is imperfect and subject to the same biases as before. My colleagues should take note, as we are just a year from the next round. Take nothing for granted.

There is one recourse for Plattsburgh, and that is the Federal courts. Governor Cuomo, Mayor Rabideau of Plattsburgh, Town Supervisor Art Lefavre, and others have filed a complaint against the Commission for exceeding its authority in finding substantial deviation by the Secretary of Defense. I will file an amicus brief with the court in this matter, and I trust that Plattsburgh will finally get a fair hearing. If going to court undermines the base closure process, so be it.

INSPECTION OF NORTH KOREA'S NUCLEAR SITES

Mr. PRESSLER. Mr. President, the Clinton administration decided, last Saturday, to ask the United Nations to lay groundwork for economic sanctions against North Korea. This move came in the wake of the collapse of diplomatic efforts to persuade Pyongyang to end its nuclear program. I support this move on the part of the administration. However, the question remains: why has the world's greatest superpower allowed itself to be manipulated and misled by the North Korean government?

Although the carrot and stick approach has long been an effective tool of diplomacy, the carrot and carrot approach recently employed by the Clinton administration clearly is detrimental to world security arrangements. The United States should never have canceled the joint United States-South Korean military exercises known as "Team Spirit" before North Korea exhibited a good faith effort to allow International Atomic Energy Agency [IAEA] inspectors access to their nuclear sites.

Time and time again, I have enumerated the many dangers inherent in allowing the proliferation of nuclear weapons to rogue nations such as North Korea. For 40 years, it has been the policy of the United States to ensure the democratic countries of North Asia do not develop nuclear weapons. Allowing the development of a nuclear bomb in North Korea, seriously jeopardizes the credibility of that policy.

I met with the IAEA Director, Hans Blix, in December 1993. He expressed the unequivocal need to inspect North Korean nuclear sites "anytime, and anywhere." If we allow North Korea the right to abide by different standards than other signatories of the Nuclear Non-Proliferation Treaty [NPT], we tacitly encourage other outlaw nations such as Iran to follow suit. If North Korea gets away with anything less than meeting its full obligations under the NPT, other problem nations surely will follow suit.

By agreeing to a one-time inspection of seven declared nuclear sites and canceling scheduled joint military exercises, the administration set the United States and the IAEA up for failure. The United States must take a stand against the government of Pyongyang. The IAEA must be allowed to inspect "anytime anywhere." The United States must do everything it can to ensure the success of this time honored policy. To do any less will demonstrate to the World that the United States is less than serious about stopping the proliferation of weapons of mass destruction.

LT. MARK DION, PORTLAND POLICE DEPARTMENT

Mr. MITCHELL. Mr. President, I rise today to bring to the attention of my colleagues and to give recognition to an outstanding police officer in my home State of Maine.

The national debate on crime and punishment too often focuses on the failures of law enforcement—those who successfully commit crimes and what the society should do about them.

We do not spend enough time focused on the people who actually do the most for law enforcement: The people whose work helps prevent crimes, who take a proactive approach to the work of law enforcement and look for ways to resolve problems before they cause a breach of the law.

The City of Portland in Maine is fortunate to have the services of one such man in its Police Department. Lt. Mark Dion of the Portland Police Department has received numerous awards for his work with the people of Portland, including being named an Officer of the Year by Parade magazine.

Although Portland is a small city by national standards, Portland residents are facing an increased flow of immigrants into the community, a factor that can sometimes result in tensions and even violence.

At present, Portland is home to at least 18 different ethnic and racial communities, as well as a vibrant gay community. It is not only our large cities which face the difficulties in education, community services and community peace that result from growing diversity.

Lt. Mark Dion takes a community-oriented approach to eliminating the tensions that can too often lead to hate crimes. Lt. Dion's work has been focused on helping pave the way for each of the groups that make up the Portland community to find their place in our city and to take part in the life of the community.

He views the police department as a service agency with a variety of goals, one of which is to work with the community to prevent crime.

Police Departments traditionally react to violations of the law after the fact, but that means neighborhood peace has been disrupted, people have concrete reasons for being fearful and victims of crime have suffered actual harm. Preventing the disintegration of communities is at least as important as reacting to disintegration after the fact.

Lt. Dion has created cultural awareness programs for refugees arriving in Portland and for the police officers who will deal with these communities.

He has overseen the creation of a Citizen Task Force on Bias Crime to firmly establish a partnership between the community and the police.

Lt. Dion's outstanding leadership has helped create a more tolerant and peaceful climate in Portland at a time when all sectors of the community are being asked to recognize and adjust to increased diversity. Most important, by working to preserve the sense of community Lt. Dion has also helped preserve one of the essential elements of the quality of life in Maine's smaller cities.

Lt. Dion's philosophies and program have become models for other cities in Maine and New England.

As Congress considers anti-crime legislation which will put 100,000 new police officers on the streets, it is important to recognize that community-policing efforts have been tried and have proven tremendously successful. Lt. Mark Dion and the Portland Police Department are an example. I commend Lt. Dion for his efforts and his leadership.

MOUNT ST. CHARLES ACADEMY WINS AGAIN

Mr. PELL. Mr. President, I rise today to bring to the attention of my colleagues the achievements of the Mount St. Charles Academy ice hockey team, in Woonsocket, RI, who on March 19, won their 17th consecutive State championship.

I understand that no other team in the Nation has ever won 17 consecutive championships in interscholastic ice hockey.

As of just a few days ago the Mount St. Charles Mounties shared the record of 16 consecutive State championships

with Notre Dame High School in Berlin, NH. That school, which no longer exists, had a winning streak that lasted from 1947 until 1962.

Although winning is something that Rhode Islanders have come to expect from the Mount St. Charles hockey program, it should not be taken for granted. It takes long hours of practice, a drive to succeed, talented athletes, and most of all skilled and dedicated coaching.

The head coach of the Mounties, Bill Belisle, and his son, Dave, the assistant coach, embody that kind of dedication and skill.

I congratulate the Mounties' players and coaches for their victories. I salute their achievements, and wish them continued success.

I ask unanimous consent that an article from the Sunday, March 20, 1994, edition of the Woonsocket Call, entitled "Mount Skaters Win Record 17th Straight Title", be inserted in the RECORD as if read.

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

MOUNT SKATERS WIN RECORD 17TH STRAIGHT TITLE

(By Scott Cole)

PROVIDENCE.—Mount St. Charles Academy stands alone atop the summit of high school hockey achievement.

The Mounties established a national record last night at Meehan Auditorium by winning their 17th consecutive state hockey title with an 8-4 victory over Bishop Hendricken High of Warwick. No other team in the history of American high school hockey has ever won that many state titles in a row.

Mount had shared the national record for the past year with now-defunct Notre Dame High of Berlin, N.H. Notre Dame High won 16 consecutive titles from 1947 to 1962.

"It's special," said Mount's 19-year head coach Bill Belisle, architect of the Logee Street dynasty. "When we won four or five or six in a row, you'd never think about something like this. But when we won 13 or 14 in a row, I started thinking about it. I'd be a hypocrite if I said I didn't."

MSC already owned the national record for total state hockey titles. In now has 29—and counting.

Mount St. Charles began its streak of consecutive titles in 1978 and has been celebrating championships every March ever since.

"This is something for everybody to share, all the kids on all the teams going back to 1978," said Belisle. "What a team that was (in '78). We scored 304 goals and only gave up 51."

Mount sophomore forward Brian Glaude was one-year-old when the title streak began. Sixteen years later, he etched his name into Mount's rich hockey tradition with a pair of goals in last night's rout. "I just can't explain what this means," said a beaming Glaude. "It's following a tradition."

The Mounties have poured it on in recent years. They have won their last three state titles with two-game sweeps in the championship series and are unbeaten in their last 64 games against Rhode Island competition.

The last Rhode Island school to beat Mount was La Salle Academy, which edged the Mounties in game one of the 1991 state title series. Mount went on to win that series in three thrilling games, the last time it has been challenged in a state championship series.

FIBERGLASS AND THE NATIONAL TOXICOLOGY PROGRAM

Mr. DOLE. Mr. President, I wanted to make my colleagues aware of a situation that has developed at the Department of Health and Human Services that may have an enormous impact on over 1,300 employees in my State of Kansas at three fiberglass insulation production facilities in McPherson and Kansas City, KS.

Under the National Toxicology Program, the Department will soon issue the seventh annual report on carcinogens. The recommendation of the interagency working group of the NTP was to include glass wool, respirable size, on the list of substances reasonably anticipated to be a carcinogen.

However, Mr. President, the working group also voted to recommend that a review was needed of the criteria by which ARC decisions are made generally, and in particular, to review whether the existing criteria are appropriate for assessing fiber carcinogenicity.

Basically, Mr. President, the question is this: Why should this substance be officially listed as a possible cancer hazard under the old criteria when a recommended criteria review has yet to be completed? It is my understanding there is a considerable body of evidence recently completed in Canada that supports the industry contention that inclusion on the list is not warranted.

Mr. President, I would ask unanimous consent that a letter I have sent to Secretary Shalala and supporting materials be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, March 23, 1994.

Hon. DONNA E. SHALALA,
Secretary of Health and Human Services, Washington, DC.

DEAR SECRETARY SHALALA: I am writing to you regarding a recent request by my constituents Owens-Corning Fiberglass, Schuller International and Certain Teed Corporation.

The information which I have received relates to the National Toxicology Program (NTP) administered by the Department of Health and Human Services. These constituents are asking that the review of their product under the NTP be delayed in light of the recent decision by the Interagency Working Group that the criteria used for evaluation of substances should be reviewed.

I am pleased to forward this information to you for your review prior to your final decision.

Sincerely,

BOB DOLE,
U.S. Senate.

NAIMA,
September 30, 1993.

DONALD AINSLIE HENDERSON, M.D., M.P.H.,
Deputy Assistant Secretary for Health-Science, Department of Health and Human Services, Washington, DC.

Re: Proposed Listing of Glass Wool (Respirable Size) On 7th Annual Report on Carcinogens.

DEAR DR. HENDERSON: Thank you for your letter of August 17. I am disappointed that we will not have the opportunity to meet with you at this time. However, I do appreciate that the Department and the National Toxicology Program (NTP) are considering the issues raised in our petition, and I respect your decision that this is not the right time for a meeting.

NAIMA remains very concerned that the issues raised in the petition regarding the Annual Report on Carcinogens (ARC) listing criteria, as well as the underlying science on glass wool, receive a detailed, expert and objective review by scientists familiar with fiber toxicology and occupational epidemiology issues. We believe that the criteria used by the NTP, at least as NTP now interprets them, are outside the scientific mainstream and scientifically indefensible. Because of this, the NTP should not proceed with the listing of glass wool until this review is completed and the criteria revised. Proceeding to evaluate glass wool under the existing criteria (or NTP's interpretation of those criteria) risks an erroneous, arbitrary and capricious result.

Along those lines, NAIMA is concerned that your memorandum of July 15, 1993 to Dr. Olden may be misunderstood. This memorandum was telecopied to us for comment by a reporter for the Bureau of National Affairs (BNA); the reporter indicated he had received the memorandum from members of Dr. Olden's staff. Your August 17 letter states that the Department is in the midst of considering the issues raised by the petition including, presumably, the ARC listing criteria and NTP's interpretation of those criteria. However, your July 15 memorandum describes a review process in which both the NTP Scientific Review Committee and the NTP Working Group will review "the strength of the evidence for glass wool's carcinogenicity according to ARC criteria."

Meaningful consideration of the NAIMA petition's arguments that the NTP listing criteria require reevaluation would entail a review of the existing "strength of the evidence" approach to carcinogen classification. Under that "strength of the evidence approach," a substance must be classified as a carcinogen if it produces tumors in laboratory animals—regardless of any other evidence. Under a "weight of the evidence" approach, by contrast, the totality of scientific evidence may be considered in making human carcinogen hazard identification judgments [including negative animal studies, the relevance of the routes of animal and human exposure, other mechanistic information and epidemiological (mortality and morbidity) data]. NAIMA is concerned that NTP may consider your memorandum to Dr. Olden warrant for the evaluation of the glass wool science under the existing criteria.

The Department's decisions to review the NTP carcinogen hazard classification criteria and the application of those criteria to glass wool are of obvious importance to the industry, the industry's employees, the public and the NTP. These reviews provide a unique opportunity to assess important scientific issues both generically and with regard to a particular, important substance—

glass wool. NAIMA believes these reviews should be as well informed, as fair and impartial and as comprehensive as practicable. To that end, NAIMA formally requests that a number of procedures be followed.

First, we believe, it is imperative that these decisions be made on the basis of an open, publicly available record that contains all relevant documents to be considered. Over the past several weeks, NAIMA has repeatedly been questioned by reporters in possession of external letters written to the Department as well as internal Departmental and NTP memoranda, and has been asked to comment or respond. We believe that the public record should reflect what representations have been made to the Department so that NAIMA and others can bring relevant information supporting or refuting those representations to the Department's attention.

Second, NAIMA requests that the Working Group meeting(s) be open to the public. There has been considerable confusion regarding the proceedings to date including precisely what occurred at the closed October 1992 Working Group meeting and precisely what information was transmitted to Dr. Olden thereafter regarding the views of the various NTP Working Group constituent agencies. NAIMA also believes that secrecy regarding these important questions of science and science policy serves no purpose. Openness is more consistent with and promotes fairness and full discussion. It should be the policy of the Department to provide the public the fullest information practicable regarding these important decision-making processes.

Third, NAIMA requests the opportunity to make full, expert scientific presentations to the Working Group regarding glass wool toxicology, the epidemiology studies of glass wool workers and the NTP carcinogen hazard identification criteria. NAIMA anticipates that a number of eminent, independent toxicologists with fibers, occupational epidemiologists and carcinogen classification experts would be available to make such presentations. This would doubtless be useful input to the Working Group members.

Fourth, we request that the Department and/or the Working Group convene an independent, peer review panel of preeminent fiber toxicologists and occupational epidemiologists, as well as carcinogen classification experts, to assist the Department and/or the Working Group in evaluating all the scientific evidence including the evidence presented pursuant to NAIMA's previous (third) request.

We would point out that Department action granting this request would be consistent with the consensus of the NTP Working Group, as reflected in the publicly available minutes of the October 8, 1992 Working Group meeting:

"The general consensus was that the review by the Working Group for the ARC could be considered as a partial peer review but that it should be willing to take some scientific issues which need further definition to some body of scientists deemed expert on the issue."

NTP Working Group Minutes, October 8, 1992 Meeting, p.6. Specifically, regarding the new glass wool toxicology data, again according to the October 8 meeting minutes, "Dr. Allaben then stated that he did not feel it was in the charter of the Working Group for the ARC to serve as a peer review group for this type of submission and felt that an ad hoc group of experts would better serve to review this data for the NTP." Id. at 8-9. If NIH grant proposals and NTP bioassays deserve external peer review, then critical carcinogen hazard identification information intended for general public dissemination surely deserves no less review.

Fifth, NAIMA requests that the NTP/NIEHS, taken together, be allowed only one vote at the next Working Group meeting. The minutes of the October 8 meeting reflect a series of ballots in which nine votes were cast although only eight agencies were represented. Although the NTP and NIEHS representatives are identified separately as if they represent distinct entities, both representatives work for and report to the NIEHS/NTP Director and are NIEHS employees. Indeed, the cover page of the October 8, 1992 Working Group minutes specifically identifies two voting members as NIEHS representatives (copy attached as Attachment 1). Given the significance of the issues to be discussed and the closeness of the October 8 votes, it would be more representative if NTP/NIEHS were treated as are other agencies and allowed only one vote. This would also eliminate any questions about the appropriateness of such double counting.

There is no doubt that the Department is legally required, having decided to review its criteria and the glass wool decision, to follow procedures fair to all interested parties and adequate to develop a full and fair record. We believe the procedures requested above are essential to achieving that end.

We are, in similar vein, concerned that these important scientific issues be debated within this decisional process—and not in the press. In recent weeks, we have been called by a number of reporters and informed by them that they had received information from NTP employees about the decisional process—information about which we were totally unaware. As you know, that information has led to several press stories in recent weeks.

We believe it essential that the scientific issues be considered fully and fairly by each of the participants in the NTP process. The process will inevitably be infected if such publicity continues. Creating an open, publicly available record, opening up the Working Group meeting, allowing expert input, requiring independent expert peer review and addressing the voting process—as we request above—is an appropriate means of assuring a full and fair process.

Finally, even if the NTP criteria were to remain unchanged, we do not believe that a rigorous, impartial and even-handed review of the science supporting the proposed listing of glass wool has yet taken place. Specifically, even under the extant criteria, NTP must consider questions of study design, conduct and the meaning of the results in its evaluation of the scientific evidence which allegedly supports the listing. See Introduction, Sixth (1991) Annual Report on Carcinogens, Summary, p. 6 ("As an alternative. . . . epidemiologic studies . . ., scientists can use well-designed animal studies") (emphasis added). Any positive studies must be found to meet a certain threshold of quality in order for them to be considered to be "sufficient" to warrant a finding of carcinogenic hazard.

NTP staff has been at great pains to identify any weakness in the RCC glass wool inhalation studies and to question their value in the carcinogen hazard identification process. NAIMA welcomes this detailed scrutiny and analysis of the design and conduct of this study, conducted according to Good Laboratory Practices and now published in two peer-reviewed journals. Similar scrutiny is welcomed of the seven other consistent, negative animal inhalation studies involving glass wool exposure to a variety of species.

By contrast, with respect to the glass wool injection/implantation studies, NTP staff has set forth no criteria against which such studies are to be evaluated and judged to be valid, well designed and well conducted. This apparently uncritical acceptance of the positive injection/implantation studies is especially troubling in light of the growing national and international consensus that the sole value of these non-physiological route of exposure studies is as screening tests to determine what fibers should be subject to inhalation testing, the exposure route relevant to humans. The NAIMA petition of June 29, 1993 discusses in detail the nearly identical conclusions of the Chemical Industry Institute of Toxicology (CIIT) (1992) and World Health Organization (WHO) (1992) expert panels on this point. So as not to prolong this letter, NAIMA here merely enumerates certain of the importing failings of the glass wool injection/implantation studies. These studies:

1. Employ excessive or overload doses;
2. Use non-physiologic routes of administration by normal, respiratory system defense mechanisms:
3. Have produced results that have not been demonstrated to correspond to results in either animal inhalation or human epidemiology studies;
4. Have not been conducted in accordance with established, accepted repeatable scientific protocols following Good Laboratory Practices:
5. Allow little or no opportunity for natural clearance of fiber from the injection/implantation site;
6. Entail abnormal anatomical localization of fibers;
7. Permit little or no interaction with cell types common in the terminal bronchioles and alveoli; and
8. Result in a high incidence (approximately 10%) of neoplasms in saline control animals.

Such criticisms are abundant in the peer-review literature, and yet they apparently have received little or no consideration by NIP as part of its evaluation. Instead, NPT has relied totally upon these studies as the basis for recommending that glass fibers be listed as a reasonably anticipated human carcinogen. Rather than elaborate these criticisms here, NAIMA respectfully refers you to Attachment 2, where some of these criticisms and failings are discussed in more detail. NAIMA shares the concerns reflected in the October 8, 1992 Working Group meeting minutes that the Working Group may not have the highly specialized expertise to conduct a full evaluation of these studies. As such, NAIMA requests that if the review of glass wool is to proceed under the existing criteria, that this evaluation be referred to an independent panel of fiber toxicology experts.

A final note is in order. Some individuals have attempted to minimize the significance of the proposed listing of glass wool as reasonably anticipated to be a human carcinogen. These individuals have argued that NAIMA should not be concerned because this is merely the "First step in hazard identification" and further that "reasonably anticipated" in fact means only "may possibly." Others have questioned industry's good faith in filing the petition and pursuing the options provided to it by law under the Administrative Procedure Act.

Two points need to be made. Let us momentarily put to one side any economic

harm to the industry or the jobs of its employees. Let us also momentarily put to one side the concrete and empirically verifiable losses in the area of energy conservation, recycling and air pollution prevention if the market place substitutes other, untested products for glass wool or uses less insulation as a result of an unwarranted classification of glass wool as reasonably anticipated to be a human carcinogen. Putting all that aside, NAIMA, its member companies and their many thousands of employees and customers have a right to a full, fair and open hearing before being needlessly stigmatized by the United States Government as working with or selling a product that has been classified as a reasonably anticipated human carcinogen. NAIMA does not choose to waive that right.

Second, the public has a right to a full and fair evaluation from its Government of these important questions of science and public policy. It has been observed that "once the government condemns a substance as inherently dangerous, that denouncement may well be tantamount to an economic death knell." The ability of the public to make fine distinctions between "reasonably anticipated" and "may possibly," and between "first step in hazard identification" and "actual risk that I will get cancer" is difficult to estimate. However, one point is clear: the public will be harmed if substances are classified provisionally as carcinogens on the basis of flawed criteria. The public is also keenly interested in not being falsely alarmed by government agencies about the carcinogenicity of particular substances.

NAIMA respectfully requests that this letter and its two attachments be made part of the administrative record that the Department preserves for this proceeding.

Thank you for your consideration of this important matter.

Sincerely yours,

WILLIAM BLACK,
President.

DEPARTMENT OF HEALTH AND HUMAN SERVICES—U.S. PUBLIC HEALTH SERVICE, NATIONAL TOXICOLOGY PROGRAM

MEMBERS/ALTERNATES

Dr. Jameson, NIEHS, Chairman; Dr. Allaben, NCTR/FDA; Dr. Cameron, NCI; Dr. Fouts, NIEHS; Dr. Parker, EPA; Dr. Schuman, OSHA; Dr. Siegel, NLM; Ms. Stevens, ATSDR; Dr. Wind, CPSC (absent); Dr. Zumwaide, NIOSH.

OBSERVERS

Dr. Greenman, NCTR/FDA Dr. Sheridan, NEIHS.

THE LIMITATIONS OF ANIMAL INJECTION/IMPLANTATION STUDIES IN ASSESSING HUMAN CANCER HAZARDS

Numerous governmental agencies and scientific groups have questioned the relevance of animal injection and implantation studies in assessing the hazard to humans of fibers. The World Health Organization and the International Programme on Chemical Safety and, in the United States, the National Institute on Occupational Safety and Health, the Environmental Protection Agency (EPA), the Consumer Product Safety Commission, and a symposium co-sponsored by EPA and the National Institute of Environmental Health Sciences have all in recent years issued reports that, while finding value in such studies to screen fibers for further testing by physiological (inhalation) routes of exposure, also find they should not be used to assess whether the same fibers, when inhaled by humans, pose cancer hazards.

These reviews question the relevance of injection/implantation studies based on fundamental failings of such studies. Injection/implantation studies:

(1) Employ non-physiologic routes of administration that bypass normal respiratory system defense mechanisms;

(2) Have produced results that have not been demonstrated to correspond to results in either animal inhalation or human epidemiology studies; and

(3) Have not been conducted in accordance with established, accepted protocols following Good Laboratory Practice (GLP) methodology.

We describe each failing below.

(1) *Non-Physiologic Routes of Administration:* When humans inhale fibers, five levels of defense protect against adverse effects: (a) aerodynamic filtration of the respiratory tract; (b) ciliated mucous transport of fibers deposited on the bronchial tree; (c) phagocytosis by macrophages of fibers that reach the terminal bronchioles; (d) solubilization of fibers that may remain in this region; and (e) additional filtration of fibers in moving to the lung pleura. Injection/implantation studies bypass all of these defense mechanisms and thus do not reflect the reality that:

"If the lung is able to prevent the fiber from reaching or removes the fiber from the critical site for producing a pathological response, the fiber will not be pathogenic."

D.M. Bernstein, "An Evaluation of the Use of an Inhalation Model versus Intraperitoneal Injection Model for the Assessment in Rats of the Carcinogenicity of Natural and Man-Made Vitreous Fibers," 43 Zbl Arbeitzsmed [Main Journal of Occupational Medicine] 120, 126 (1993).

Moreover, these defense mechanisms, even if they do not totally prevent fibers from reaching target tissues, may substantially change the size, shape, surface area, surface charge and chemical composition of the fibers—each of which factors may affect fiber toxicity. Indeed, the intra-peritoneal test has shown coarse fibers to be more carcinogenic than finer fibers—in contrast to the accepted toxicological wisdom that precisely the opposite is true. C.E. Rossiter, "Fiber Carcinogenesis: Intro-Cavitary Studies Cannot Assess Risk to Man," 567, 575 Mechanisms in Fiber Carcinogenesis (1991).

In addition, the typical bolus dose employed injection/implantation studies (up to 100 million times the typical human dose) will often produce a massive inflammatory response totally untypical of human reactions. Indeed, certain often-employed intraperitoneal test systems produce about 10% neoplasms from injection of saline in controls. Such results should be viewed as artifactual of the test system, rather than as evidence of animal or human hazard or risk. Rossiter, supra, at 573–75. See also R.O. McClellan, "Approaches to Evaluating the Toxicity and Carinogenicity of Man-Made Fibers: Summary of a Workshop Held November 11–13, 1991, Durham, North Carolina," 16 Reg. Toxicol. & Pharmacol. 321, 335 (1992).

(2) Lack of Correspondence to Inhalation Results: Injection/implantation studies of fibers have never been validated as relevant to human, or even animal, inhalation. Marked discrepancies exist between human and animal inhalation results and results achieved in injection/implantation studies of the same fibers.

Chrysotile asbestos, for example, very rarely causes mesotheliomas in humans, and fiber glass has never been associated with mesotheliomas in humans or in animals inhalation studies. Yet, intra-cavitary studies have produced significant mesothelioma rates with both fibers. On the other hand, animal inhalation studies, when properly performed using fibers of the relevant dimensions, have been found to correlate well with human results.

Studies that have not been validated as demonstrating results that are similar to real-life results should not be relied upon in human health hazard assessment.

(3) Absence of Accepted Protocols: No accepted protocols have been adopted by governmental scientific bodies for injection/implantation studies, Nor have such studies been conducted according to Good Laboratory Practice methodologies as are required for inhalation studies relied on by Governmental bodies.

Animal inhalation study protocols have been developed with great care over the years by NTP, EPA, the European Economic Community and many other groups. Regulators have insisted on compliance with these protocols in order to rely on study results. No such established protocols exist for injection/implantaton studies.

Nor have injection/implantation studies been performed according to Good Laboratory Practices regulations. Such rules assure that all aspects of the study were performed as specified in the protocols and that all data were properly recorded and reported. Such guarantees of proper study design and implementation have not been employed in injection/implantation research.

Because of the absence of established protocols and GLP methodology, injection/implantation studies typically fail to include important research techniques and/or report very important information. For example, such studies:

Typically do not report the full range of fiber dimensions administered;

Do not include microscopic recovery tests to determine which of the administered fibers actually reached the target tissues;

Fail to report on the viral status of the animals;

Do not include microscopic histopathological examinations of control animals;

Do not include evaluations of the origins of the tumors produced;

Do not include any peer review reading of the slides.

These failings all indicate an absence of information critical to assessment of injection/implantation studies. Without such information, for example, it is impossible to know whether lesions have been missed in examination of controls, or to determine which tumors in which organs are or are not related to the administered fiber, or whether important issues in pathology diagnosis exist as interpreted by different pathologists.

Given all the failings in the typical conduct of injection/implantation studies, reports of such studies fall short of providing the information necessary for appropriate review.

PRESIDENT NIXON'S SPEECH IN RUSSIA

Mr. DOLE. Mr. President, I would like to recognize the efforts of one of our country's leading observers of international affairs, former President Richard Nixon. Having recently concluded a trip to the former Soviet Union that was highlighted by a speech before the State Duma's Committee on Foreign Relations, President Nixon has

once again shown that he is a voice that should be heard on United States relations with the world. Not only did President Nixon speak without notes, he fielded tough questions for more than 1 hour. President Nixon's energy and ability continue to make an impact on the world.

As President, Richard Nixon constructed the policy of detente with the Soviet Union. This trip marked his 10th visit to Russia in 35 years. At a time when relations with the former Soviet Union are at a crossroads, President Nixon provides sound advice. In his speech, President Nixon emphasizes the importance of Russia to United States interests and the need to ensure the success of freedom in Russia. On this approach, I think we can all agree. Although President Nixon's trip may have made headlines due to an unfortunate miscommunication with President Yeltsin, it should be remembered for more. President Nixon's astute observations on foreign policy deserve wide attention and therefore I ask that the text of his comments before the State Duma's Committee on Foreign Relations be printed in the RECORD at this point.

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

ADDRESS BY PRESIDENT RICHARD NIXON—COMMITTEE ON FOREIGN RELATIONS, STATE DUMA, RUSSIAN FEDERATION

MONDAY, MARCH 14, 1994, MOSCOW

Mr. Chairman, I want to express my appreciation for your very gracious introduction. I am particularly pleased that for the first time in my many visits to Russia—this is the tenth—I am appearing before a committee of the Duma and other Russian friends. I noted that Chairman Lukin pointed out that I was a former President of the United States. I also have been one of you, because it was 47 years ago that John F. Kennedy and I came to Washington for the first time as freshman Congressmen. In 1960, he was elected President of the United States. In 1968, I was elected President of the United States. And I am sure that some of the younger members of the Duma hope that happens to them here in Russia. So I wish you well as far as your political careers are concerned.

I want to address Russian-American relations in a very realistic way today. Let me put the matter in historical perspective. Thirty-five years ago on my first visit to Russia, Premier Khrushchev and I had a lively exchange of views during a period of confrontation between the Soviet Union and the United States. In 1972 and 1974 in the Kremlin, I met with President Brezhnev at a time of detente. We were able to negotiate a very significant arms control agreement and other positive agreements between our two countries. Now I stand here before the first freely elected Parliament in Russian history at a time when Russia also has its first freely elected President in one thousand years. So I have seen our relationship move from confrontations in 1959 to detente in 1972 and 1974, and now to cooperation.

In order to understand what the new relationship should be, it is necessary to disabuse ourselves of some misconceptions. We sometimes hear it said that the Cold War is over and the Russians have lost it. That is not true. The Russians did not lose the Cold War. Democratic Russia was responsible for delivering the knock-out blow to Soviet communism in December 1991. It was the Soviet communists rather than Democratic Russians who lost the Cold War. The United States, therefore, should not treat Russia as a defeated enemy but as an ally and friend in the defeat of aggressive Soviet communism.

The second misconception, one that was repeated in a major American newspaper last week, is that because Russia no longer rules an empire, it is no longer a great power and should not be treated as a great power by the United States. That is also incorrect. Russia was and is a great power and the Russian-American relationship is the most important relationship that the United States has with any nation in the world. There are several reasons why that is the case.

First, Russia is the only nation in the world that has the capability to destroy the United States of America. Second, Russia's cooperation is indispensable in dealing with a number of problems like the current situation in the Mideast. Third, and to me most important, is that the success or failure of political and economic freedom in Russia will have a profound effect in the world among those who are dictators or hope to be dictators. If freedom succeeds in Russia, it means that freedom will be the wave of the future. Therefore we should work together to make it succeed.

Having stated that we are no longer potential enemies, we must recognize that as friends, we will have differences. But I emphasize that they will be differences between friends, rather than differences between enemies—just as the United States has differences with a number of other of its friends and allies in Europe and Japan. As far as those differences are concerned, it is important to put them on the table, to know where we agree and disagree, rather than to drown them in toasts of vodka and champagne. There is no question but that the good personal relationship between President Yeltsin and President Clinton is one of the most positive developments of this period. But we must recognize that this personal relationship does not indicate that we do not have some profound differences. I say this because there is a tendency, particularly between friends, to paper over differences with emotionalism. This does not serve the cause of peace. It does not serve the cause of friendship.

Mr. Chairman, I want to be very frank with our friends here in the Duma, as you have often urged me to be, and which you have been in the United States when you have addressed members of our Congress. After the euphoria of 1991 and 1992, and after several summit meetings, there has been too much of a tendency to assume that everything is going smoothly between our two countries. That is not true. If you look at the situation in Russia and in America, there are some profoundly disturbing developments. For example, in America, if you follow our media you will find that as a result of the exaggerated reaction to the Ames spy scandal, there has been a resurrection of some anti-Russian attitudes carrying over from the Cold War. And speaking candidly, a number of our most distinguished commentators and observers have reacted very strongly to the recent election in Russia. They are concerned that Russia will revert to an aggressive foreign policy. Many Americans are concerned by what they see as a new assertiveness on the part of some of Russia's foreign policy officials.

Now let us look at the situation in Russia. Mr. Chairman, I have found some profound change in the attitude among my Russian friends since even last year. It is not anti-American. It is more pro-Russian. I understand this. Russia is a great power and Russia as a great power must chart its own course in foreign policy. Sometimes that course will be the same as that of the United States—in fact, most of the time. Sometimes it will be different. And when it is different, we must not allow that difference to poison the most important strategic relationship between two powers in the world today.

I have found, for example, that some of my Russian friends say they are disappointed in the failure of the United States to provide in performance what it promised insofar as aid to reforms in Russia is concerned. Others have expressed concern with regard to the failure of the United States to recognize the plight of 25 million Russians living in the near abroad. And as you know, we have had some differences in Bosnia which currently we hope are being resolved.

I give these only as examples. It is important for leaders in this country and in the United States to work together when we can. But when we have differences, we should not assume that they will be overcome by a good personal relationship even at the highest level or by friendly meetings between members of legislatures. They can only be overcome if we recognize them and then negotiate in a progmatic way. As great nations, we must always stand for our ideals but we must base our policies on our interests. I used to say to your Chairman that if I were a Russian politician I would realize that it would not be helpful to go in lockstep with America on all issues. I speak to you candidly as a politician and as an American, just as you are patriotic Russians.

It is in that spirit that I look forward to hearing your questions on foreign or domestic policy, and if you desire your speeches on either. Let me add finally a personal word. I noted that President Yeltsin has returned to his native Sverdlovsk for the funeral services of his mother-in-law. We express our sympathy to him on this occasion.

I vividly remember thirty-five years ago my visit to Sverdlovsk and then to a small school in the Ural mountains nearby. The school children were there waving American and Russian flags. I asked my translator, "What can I say in Russian that they would want to hear? What do I say to school children?" He said I should say, "Mir i Drushba." For the balance of that trip, in every speech I made, I said, "Mir i Drushba—peace and friendship."

My friends, when I said that 35 years ago, it was only a hope. Today, you can help to make it a reality.

President Nixon spoke without notes.

TRIBUTE TO JOE STEWART

Mr. PELL. Mr. President, I want to express my high regard and best wishes to our distinguished Secretary of the Senate, Walter J. Stewart, who will be leaving office on April 14. I know I value greatly his friendship and shall miss him.

Joe Stewart can truly be described as a man of the Senate. He has spent most of his adult life in the service of this institution and he knows its customs and its requirements instinctively, by dint of long experience and familiarity.

As Secretary of the Senate, he has managed with quiet efficiency the far-flung responsibilities of his office, which include not only the central legislative and record keeping functions of the Senate, but a wide array of support functions, ranging from the office of the Senate security in the Capitol attic to the disbursing office in the Hart Building.

Joe has always recognized that the Senate is an assembly of unique individuals, each of whom has an independent agenda, and he has always been skillful in accommodating the operation of the institution to the needs of the individual members whenever he could.

He will be sorely missed and I know I speak for many others when I say that I am sorry to see Joe depart to follow other pursuits. He will be a hard act to follow, but we are fortunate indeed to have a person of Martha Pope's experience and stature to assume the office of Secretary of the Senate when Joe leaves, and I wish her well in her new role.

MESSAGES FROM THE HOUSE

At 12:20 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, each with amendment, in which it requests the concurrence of the Senate:

S. 476. An Act to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. 1574. An Act to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes.

S. 1636. An Act to authorize appropriations for the Marine Mammal Protection Act of 1972 and to improve the program to reduce the incidental taking of marine mammals during the course of commercial fishing operations, and for other purposes.

The message also announced the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1394. An Act to improve coordination of National Oceanic and Atmospheric Administration Great Lakes activities.

H.R. 2063. An Act to amend existing law relating to the National Coastal Resources Research and Development Institute.

H.R. 2760. An Act to authorize the Marine Mammal Protection Act of 1972 for 6 fiscal years, to establish a new regime to govern the incidental taking of marine mammals in the course of commercial fishing operations, and for other purposes.

H.R. 3235. An Act to amend subchapter II of chapter 53 of title 31, United States Code, to improve enforcement of antimoney laundering laws, and for other purposes.

H.R. 3360. An Act to demonstrate ballast water management technologies and practices on vessels, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in the United States waters.

H.R. 3516. An Act to increase the amount authorized to be appropriated for assistance for highway relocation regarding the Chickamauga and Chattanooga National Military Park in Georgia.

H.R. 3664. An Act to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility.

H.R. 3786. An Act to amend title 46, United States Code, to establish requirements to ensure safe operation of recreational vessels, to require allocation of State recreational boating safety program assistance based on State adoption of laws regarding boating while intoxicated, and for other purposes.

H.R. 3886. An Act to amend the boundaries of the Flower Garden Banks National Marine Sanctuary.

H.R. 4034. An Act to amend the Urban Park and Recreation Recovery Act of 1978 to authorize grants for the expansion of recreation opportunities for at risk youth in urban areas with a high prevalence of crime, and for other purposes.

H.J. Res. 329. Joint Resolution designating March 23, 1994, as "Education and Sharing Day, U.S.A."

The message further announced that pursuant to the provisions of section 5(b)(1) of Public Law 102-521, the Speaker appoints the following as members of the Commission on Child and Family Welfare, from private life, on the part of the House: Mr. Donald R. Bardill of Tallahassee, FL, Mr. George C. Cheek of Spokane, WA, Mr. John Guidubaldi of Kent, OH, and Mr. Bill Harrington of Tacoma, WA.

At 2:31 p.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 joint resolution, without amendment:

S.J. Res. 171. Joint Resolution to designate March 20 through March 26, 1994, as "Small Family Farm Week."

At 5:46 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 1804) entitled "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 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."

The message further announced that the House agrees to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 230, concurrent resolution to correct an error in the enrollment of the bill H.R. 1804.

At 7:50 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 3345) to provide temporary authority to Government agencies relating to voluntary separation incentive payments, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 171. Joint Resolution to designate March 20 through March 26, 1994, as "Small Family Farm Week."

The enrolled joint resolution was subsequently signed by the President Pro tempore (Mr. BYRD).

MEASURES REFERRED

The following measures were read the first and second times by unanimous consent, and referred as indicated:

H.R. 1394. An act to improve coordination of National Oceanic and Atmospheric Administration Great Lakes activities; to the Committee on Commerce, Science, and Transportation.

H.R. 2063. An act to amend existing law relating to the National Coastal Resources Research and Development Institute; to the Committee on Commerce, Science, and Transportation.

H.R. 3235. An act to amend subchapter II of chapter 53 of title 31, United States Code, to improve enforcement of antimoney laundering laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3360. An act to demonstrate ballast water management technologies and practices on vessels, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in the United States waters; to the Committee on Commerce, Science, and Transportation.

H.R. 3516. An act to increase the amount authorized to be appropriated for assistance for highway relocation regarding the Chickamauga and Chattanooga National Military Park in Georgia; to the Committee on Energy and Natural Resources.

H.R. 3664. An act to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility; to the Committee on Environment and Public Works.

H.R. 3786. An act to amend title 46, United State Code, to establish requirements to ensure safe operation of recreational vessels, to require allocation of State recreational boating safety program assistance based on State adoption of laws regarding boating while intoxicated, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3841. An act to amend the Bank Holding Company Act of 1956, the Revised Statutes of the United States, and the Federal Deposit Insurance Act to provide for interstate banking and branching; to the Committee on Banking, Housing and Urban Affairs.

H.R. 3886. An act to amend the boundaries of the Flower Garden Banks National Marine Sanctuary; to the Committee on Commerce, Science, and Transportation.

H.R. 4034. An act to amend the Urban Park and Recreation Recovery Act of 1978 to authorize grants for the expansion of recreation opportunities for at risk youth in urban areas with a high prevalence of crime, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following measure was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2760. An act to authorize the Marine Mammal Protection Act of 1972 for 6 fiscal years, to establish a new regime to govern the incidental taking of marine mammals in the course of commercial fishing operations, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2399. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report relative to the appointment of conservators; to the Committee on Banking, Housing, and Urban Affairs.

EC-2400. A communication from the Secretary of Transportation, transmitting, pursuant to law, the annual report on transportation user fees for fiscal year 1992; to the Committee on Commerce, Science, and Transportation.

EC-2401. A communication from the Secretary of Energy, transmitting, pursuant to law, notice relative to the report on insular areas and oil supply disruptions; to the Committee on Energy and Natural Resources.

EC-2402. A communication from the Secretary of Labor, transmitting, pursuant to law, the annual report on the expenditure and need for Worker Adjustment Assistance Training Funds for fiscal year 1994; to the Committee on Finance.

EC-2403. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the annual report under the Government in the Sunshine Act for calendar year 1993; to the Committee on Governmental Affairs.

EC-2404. A communication from the Chairman of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the annual report on the system of internal accounting and financial controls in effect during fiscal year 1993; to the Committee on Governmental Affairs.

EC-2405. A communication from the Chairman of the Postal Rate Commission, transmitting, pursuant to law, notice of the filing of proposed postal rate and fee changes; to the Committee on Governmental Affairs.

EC-2406. A communication from the Vice President of the Corporation for National and Community Service, transmitting, pursuant to law, the annual report under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2407. A communication from the Deputy Director of the Office of Government Ethics, transmitting, pursuant to law, the annual report under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2408. A communication from the Assistant Secretary of Education (Office of Special Education and Rehabilitative Services), transmitting, pursuant to law, the report of final regulations—Student Assistance General Provisions (Student Eligibility); to the Committee on Labor and Human Resources.

EC-2409. A communication from the Secretary of Veterans' Affairs, transmitting, pursuant to law, the annual report for fiscal year 1993; to the Committee on Veterans' Affairs.

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-410. A joint resolution adopted by the Legislature of the State of California; to the Committee on Banking, Housing, and Urban Affairs.

"SENATE JOINT RESOLUTION NO. 34

"Whereas, The United States of America mint located at Fifth and Mission in San Francisco has been known as the Old Mint and called over the years the Granite Lady; and

"Whereas, The Federal Greek Revival fortress was built by famed architect A.B. Mullet with four-foot walls of Rocklin granite, a facade of British Columbia blue-stone, iron shutters, a pyramidal flight of steps, a portico of Doric columns and was declared a National Landmark in 1961; and

"Whereas, The 119-year old building opened for business in December 1874, withstood the earthquake and fire of 1906 and the 1989 Loma Prieta earthquake, and houses one of the best museums of California history, and was itself a major part of that history; and

"Whereas, The mint once housed significant amounts of the nation's gold reserve; and

"Whereas, The Granite Lady once stamped California's gold and Nevada's silver into the coins that most people then preferred to greenbacks; and

"Whereas, In 1906, as flames ignited by the earthquake destroyed everything around it, mint employees and soldiers with a hose one-inch in diameter fought seven hours to save the building—and the two hundred million dollars ($200,000,000) in its vaults; and

"Whereas, When the smoke cleared, the Old Mint was nearly alone among the survivors in its neighborhood after the 1906 San Francisco earthquake and fire; and

"Whereas, The Old Mint is the only example of Greek Revival used in the architecture of federal buildings west of the Rockies; and

"Whereas, The Old Mint drew 83,552 visitors and generated a $400,000 income from the sales of commemorative coins and souvenirs last year; and

"Whereas, This beloved and popular landmark was closed as a result of a decision by bureaucrats within the Treasury Department affording no public comment by elected officials or other citizens; and

"Whereas, The United States Treasury Department reopened the Old Mint temporarily after its sudden closure, for a 90-day period, in order to study options other than the permanent closure of the Old Mint; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to direct the Treasury Department to make the reopening of the museum and former U.S. Mint in San Francisco, known as the Granite Lady or Old Mint, permanent at the end of the 90-day review period; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-411. A resolution adopted by the Council of the Town of Wethersfield, Connecticut relative to commercial whale killing; to the Committee on Commerce, Science, and Transportation.

POM-412. A resolution adopted by the Council of the City of New Bedford, Massachusetts relative to the fishing industry; to the Committee on Commerce, Science, and Transportation.

POM-413. A resolution adopted by the Legislature of the State of South Dakota; to the Committee on Commerce, Science, and Transportation.

"SENATE CONCURRENT RESOLUTION NO. 2

"Whereas, Congress passed a federal law in 1975, amended in 1988, requiring all federal agencies to use the metric system in their procurements, grants, and other business-related activities, except to the extent that such use is impractical or is likely to cause significant inefficiencies or loss of markets to United States firms; and

"Whereas, the federal mandate stated that all federal agencies are to proceed with metric conversion, and

"Whereas, up to this point it appears that the Federal Highway Administration (FHWA) is one of only a few federal agencies, if not the only federal agency, aggressively moving forward with metric conversion; and

"Whereas, the Interstate Commerce Commission, in a decision issued on June 2, 1992, dropped all plans to encourage the industries it regulates to switch from the decimal to the metric system of measurement; and

"Whereas, the FHWA solicited comments on metric conversion through the Federal Register and published a review of those comments on June 11, 1992; and

"Whereas, the notice stated that forty-seven percent of the respondents strongly opposed metric conversion and another thirty-five percent expressed some reservation to the conversion while only eighteen percent were strongly supportive of converting to the metric system; and

"Whereas, the conversion to the metric standard will require state and local transportation agencies to absorb the costs of conversion within their own budgets at a time when federal funding has been cut and infrastructure needs and costs continue to increase; and

"Whereas, the costs will range from changing highway speed and distance signs to rewriting highway and transportation design procedures and rewriting vehicle license procedures and manuals to retraining workers and contractors throughout the public and private transportation sector; and

"Whereas, the conversion costs will divert millions of construction and maintenance dollars from the nation's infrastructure and inhibit rather than enhance productivity; and

"Whereas, the conversion cost in South Dakota alone is estimated to be over 6.3 million dollars for state and local government transportation agencies; and

"Whereas, there exists the lack of a strong public education program to prepare the public for this change as well as a lack of federal leadership and direction of a conversion program; and

"Whereas, the United States Department of Commerce was mandated at the federal level to direct and coordinate implementation of the metric system and has not acted in that role which has resulted in each federal agency developing their own plan and time schedule for conversion without coordination between agencies: Now, therefore, be it

"*Resolved*, by the Senate of the Sixty-ninth Legislature of the state of South Dakota, the House of Representatives concurring therein, that in the best interests of the state of South Dakota, the United States Department of Transportation should cancel or delay the Federal Highway Administration's plans to convert their activities and business operations to the metric system of weights and measures by September 30, 1996; and be it further

"*Resolved*, that copies of this resolution be sent by the secretary of the senate to each member of the South Dakota congressional delegation; and be it further

"*Resolved*, that copies of this concurrent resolution be sent by the secretary of the senate to the secretary of the United States Department of Transportation, the administrator of the Federal Highway Administration, the presiding officers of each house of the Legislature of each of the other states in the union, the clerk of the United States House of Representatives, and the secretary of the United States Senate."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1963. An original bill to permit certain financial institutions to engage in interstate banking and branching (Rept. No. 103-240).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. GLENN, from the Committee on Governmental Affairs:

Rafael Diaz, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of 15 years, vice Robert A. Shuker.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. BIDEN, from the Committee on the Judiciary:

Raymond Gerard Gagnon, of New Hampshire, to be U.S. Marshal for the District of New Hampshire for the term of 4 years.

Frank James Anderson, of Indiana, to be U.S. Marshal for the Southern District of Indiana for the term of 4 years.

Nannette Holly Hegerty, of Wisconsin, to be U.S. Marshal for the Eastern District of Wisconsin for the term of 4 years.

David D. Freudenthal, of Wyoming, to be U.S. Attorney for the District of Wyoming for the term of 4 years.

Ancer L. Haggerty, of Oregon, to be U.S. District Judge for the District of Oregon.

Herbert Lee Brown, of Nevada, to be U.S. Marshal for the District of Nevada for the term of 4 years.

Lawson Cary Bittick, of Georgia, to be U.S. Marshal for the Middle District of Georgia for the term of 4 years.

Kent Barron Alexander, of Georgia, to be U.S. Attorney for the Northern District of Georgia for the term of 4 years.

Michael J. Davis, of Minnesota, to be U.S. District Judge for the District of Minnesota.

Franklin D. Burgess, of Washington, to be U.S. District Judge for the Western District of Washington.

(The above nominations were reported with the recommendation that they be confirmed.)

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. RIEGLE:

S. 1963. An original bill to permit certain financial institutions to engage in interstate banking and branching; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. METZENBAUM (for himself, Mr. KENNEDY, Mr. SIMON, Mr. PELL, Mr. DODD, Mr. WOFFORD, Mr. MITCHELL, Mr. FORD, Mr. DASCHLE, Mrs. BOXER, Ms. MOSELEY-BRAUN, and Ms. MIKULSKI):

S. 1964. A bill entitled the Reemployment and Retraining Act; read the first time.

By Mr. McCAIN:

S.J. Res. 175. A joint resolution to designate the week beginning June 13, 1994, as "National Parkinson Disease Awareness Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. METZENBAUM (for himself, Mr. KENNEDY, Mr. SIMON, Mr. PELL, Mr. DODD, Mr. WOFFORD, Mr. MITCHELL, Mr. FORD, Mr. DASCHLE, Mrs. BOXER, Ms. MOSELEY-BRAUN, and Ms. MIKULSKI):

S. 1964. A bill entitled the Reemployment and Retraining Act.

THE REEMPLOYMENT AND RETRAINING ACT

Mr. METZENBAUM. Mr. President, today I am introducing the Reemployment and Retraining Act of 1994, an initiative proposed by the Clinton administration to revitalize assistance to dislocated workers.

Our economy is finally emerging from a long recession. In the first year of the Clinton administration, almost 2 million jobs were created in the private sector. This is encouraging news, but for the 8.5 million Americans still looking for work, this is little consolation. No matter how much the economy improves, their old jobs are gone for good. In 1993 we saw the highest percentage of permanent job loss ever recorded by the Department of Labor—75 percent of all laid-off workers will never return to their former jobs.

For years unemployment has been concentrated in the manufacturing sector due to increased global competition and overseas plant relocation. But job loss is no longer the exclusive problem of these blue collar workers. Tens of thousands of white-collar jobs have been eliminated in downsizing efforts by large companies, a trend that is likely to continue even in an expanding economy.

Workers in both sectors have been affected by the increasing use of part-time and temporary workers. Often these contingent jobs are the only jobs out there, even for experienced, skilled professionals—jobs with lower pay, fewer benefits, and no security.

The business community claims that this is unavoidable in an era of global competition. But as companies trim their payrolls and plants close their doors in the name of competitiveness, more and more workers are left to face the difficult task of finding new jobs and new careers.

We must do more to help workers meet the challenges of our changing economy. Business and labor must work together to create high wage jobs. We must also ensure that workers have the information and skills necessary to find new and better jobs.

In the past, we have tried to assist dislocated workers with programs targeted at specific groups affected by trade agreements, defense reductions, and other government actions. In fact, I was the author of the dislocated worker provisions in the Omnibus Trade and Competitiveness Act of 1988. Unfortunately, this multi-program approach has left too many dislocated workers out in the cold. Dislocated worker programs serve approximately 600,000 workers each year, but that is only about one-third of the dislocated worker population. We can, and we must, do better.

When workers come to the government for help, they are confronted with a confusing maze of forms, eligibility requirements, and lengthy processing periods. The assistance available to these workers is often inadequate. Too frequently, local program offices lack the necessary information to help workers make informed decisions about career and training choices and do not have the funds to enable workers to retrain for better jobs. Budget cuts in dislocated worker programs during the 1980's have left the dislocated worker program a well-intentioned, but mostly unfulfilled promise.

In addition, the success of these programs is dependent upon early intervention, which is possible only when workers and local communities receive advance notice of layoffs. But our Federal notice law has substantial problems in terms of coverage, compliance and enforcement. We must address

these problems if our dislocated worker programs are to succeed.

In sum, American workers deserve a better chance at a fresh start.

That is why today I am introducing the Reemployment and Retraining Act of 1994, an initiative proposed by President Clinton and Secretary of Labor Robert Reich. The reemployment and retraining act aims to restructure existing dislocated worker programs into one comprehensive system that will serve all permanently laid-off workers. By consolidating these programs, access to assistance will be easier for workers and the department can sponsor a broader array of services.

The bill will require State and local governments to establish a network of career centers that will provide a single point of access to job search assistance, career counseling, skills assessment and referral to job training. A new labor market information system will provide dislocated workers with up-to-date information on job openings and labor market trends. These services will be available to all permanently laid-off workers, without any consideration as to why they lost their jobs.

Workers who need retraining will receive $4,750 per year for training expenses and will be able to select a training program based on consumer performance information, such as placement rates and graduate earnings. For workers who have 1 to 3 years tenure with their previous employer, income support for up to 1 year will be available while they are enrolled in a training program.

In addition, the Reemployment and Retraining Act encourages States to go one step further by establishing one-stop centers that would expand these services to assist not only dislocated workers, but all job seekers.

The Reemployment and Retraining Act will increase funding for dislocated workers' assistance by $1 billion a year. This is a bottom line investment that will help revitalize programs that have long been underfunded. Our workforce is this country's greatest resource and we should spend whatever amount is necessary to provide workers with needed jobs and job skills.

The Reemployment and Retraining Act is a good and important first step toward putting Americans back to work, preferably in high skill, high wage jobs. I intend to hold a series of hearings, with the full participation of the job training community, to evaluate what has worked and what has not worked in the past 6 years of program experience. I look forward to working with my colleagues and with the administration to develop this legislation into a strong and successful reform of our job training programs.

Mr. KENNEDY. Mr. President, it is an honor to join Senator METZENBAUM in introducing the Reemployment and Retraining Act of 1994. This legislation, which was developed by the Clinton administration after extensive consultation with key leaders around the country, addresses an issue of critical importance to our economic future: The need for an effective system to ensure that workers who are bearing the brunt of the rapid structural changes in the economy get the services they need to enable them to secure new jobs at decent wages.

We have all heard the encouraging news about the increasing pace of economic recovery. Unemployment is down, production and productivity are up, and nearly 2 million new jobs have been created in just the last 13 months. The administration's economic program and deficit reduction strategy are clearly producing results.

But these positive signs of recovery exist side by side with other compelling data that tell us that for working Americans, the landscape is still bleak. Wages are stagnant—and in some sectors still falling. Large companies continue to downsize, shedding workers at a record pace. Long-term unemployment—the percent of unemployed workers who have been out of work for more than 6 months—remains at a postwar high. And more than three out of every four workers who lost their jobs last year were permanently—not temporarily—laid off.

Even those who were fortunate enough to keep their jobs and standard of living through the last recession remain deeply concerned about their economic future. According to recent polls, large percentages of employed Americans have very real fears that they too will lose their jobs or be forced to take pay cuts in the foreseeable future.

As Labor Secretary Reich testified last week at a hearing by the Senate Labor and Human Resources Committee, we cannot, and must not, accept a status quo in which large numbers of working Americans are left behind as the economy moves ahead. That is why it is so important to use our best efforts to ensure that working Americans have the skills, the services, and the information they need to participate in the benefits of economic recovery.

The evidence is strong that skill is one of the most significant factors in determining who is benefiting and who is being hurt by the changes in the economy. The earnings gap between those with a college education or other technical training and those without it is steadily increasing. Jobs for relatively unskilled or semiskilled workers that pay good wages and provide decent benefits are disappearing. Workers who once held those jobs and have lost them often find themselves with no other choice than to accept low-paying, unskilled work at a fraction of their former wages.

The legislation which we are introducing today is designed to address that challenge by replacing our current fragmented system of Federal assistance programs for dislocated workers with a single, comprehensive system that moves quickly to identify unemployed workers who are not going to get their old jobs back, and provide them with a range of services to prepare for new jobs that pay decent wages.

In place of the six separate existing programs for dislocated workers—two for workers affected by trade agreements, two for workers affected by defense cutbacks, one for workers affected by the Clear Air Act, and a separate program for every one else—this legislation creates a single program that will serve all workers who are dislocated, regardless of the reason for their dislocation. That step alone should save millions of dollars that are currently wasted each year in duplicative administrative expenses and costly efforts to determine whether a particular worker meets a particular program's eligibility requirements.

Instead of requiring dislocated workers to travel from one office to another to get information and receive the various services available to them, the bill creates single-site career centers at which workers can obtain a full range of services, including assistance in filing for unemployment benefits, information about job openings and training programs, and individualized counseling to assist them in developing plans to get back to work.

Instead of a system in which workers are too often steered into training programs that fail to fit their needs, the bill is designed to allow workers to make their own choices from among programs offered by a wide range of providers. These choices will be based on accurate and up-to-date information on how well those programs are performing in providing participants with marketable skills relevant to actual job opportunities.

For most dislocated workers using the new system, services will focus on providing accurate labor market information and job search assistance. Such services have proved effective for workers who have marketable skills but have difficulty in identifying and contacting potential employers with job openings for which the workers would be qualified.

For the 30 percent of dislocated workers who lack skills to find work or whose skills are obsolete or no longer relevant to existing job opportunities, the program will provide more intensive services, including individual counseling to develop a re-employment plan and assistance in identifying and enrolling in job training programs. Participants enrolled in qualified education and training programs will be eligible to receive up to $4,760 per year in tuition assistance.

Participants will receive training and education services from a wide variety of public and private providers, including community colleges. However, those providers will be required to furnish objective information on their graduation and placement rates and other performance factors, so that participants can make informed choices about whether to enroll in particular programs, and to ensure that Federal dollars are not used to subsidize fly-by-night or other ineffective programs.

The administration's proposal which we are introducing today is the product of extensive consultations that have been ongoing since early last year. Hundreds of interested groups have participated in the consultation process, and the administration's proposal takes account of many of the comments received. This consultation process has produced broad support for the administration's approach from business and labor groups, state and local government officials, and the provider community.

Because the proposal is complex, we anticipate a full airing of the proposal in the Labor and Human Resources Committee. Last week's hearing, at which Secretary Reich testified, was the first of a series of hearings we will be holding on the bill. We look forward to the active participation of all interested parties as the bill moves forward through the committee. Other aspects of the administration's proposal will be considered by the Senate Finance Committee, including the important reforms of income support for the unemployed. I look forward to working with the members of that committee and with other Senators to achieve the comprehensive reform that is needed.

By Mr. McCAIN:

S.J. Res. 175. A joint resolution to designate the week beginning June 13, 1994, as "National Parkinson Disease Awareness Week"; to the Committee on the Judiciary.

NATIONAL PARKINSON DISEASE AWARENESS WEEK

• Mr. McCAIN. Mr. President, today it is my pleasure to introduce legislation which designates the week beginning June 13, 1994, as "National Parkinson Disease Awareness Week." I am proud to be sponsoring this important resolution which is dedicated to developing a better understanding of Parkinson's disease by promoting and sponsoring discussions, mutual sharing and support groups for patients as well as their families throughout our Nation.

Also included in this important week will be educational forums and medical symposiums which will help stimulate further medical research into this disease. Since there is no cure for this disease, we must improve biomedical research to determine the causes of this disease, effective treatment methodologies, and one day a cure.

Parkinson's disease is a disorder of the nervous system which affects more than 1,500,000 people throughout our Nation. I am personally aware of the effects of Parkinson's disease, as I have watched my very good friend and one of this country's most respected elected officials, Congressman Mo Udall, valiantly battle the effects of this disease.

Mr. President, I think we can all agree that this measure is in the best interest of this Nation and will play a vital role in the fight against Parkinson's disease. I hope that my colleagues will join me in working together to pass this joint resolution and ensure that National Parkinson Disease Awareness Week is a success in promoting public awareness and the fight against this disease.

Mr. President, I ask unanimous consent that the joint resolution and a letter from the American Parkinson Disease Awareness Association be printed in the RECORD.

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

S.J. RES. 175

Whereas Parkinson's Disease is a chronic neurologic, crippling disorder of the nervous system; and

Whereas Parkinson's Disease affects more than 1,500,000 people of all ages in the United States and millions more around the world; and

Whereas no cure is available at this time, but extensive research in laboratories throughout the world has led to improved treatment in alleviating symptoms while searching for a cure; and

Whereas Parkinson support groups, chapters, and information and referral centers across America are dedicated to developing understanding of this disease and community awareness of Parkinson's Disease by promoting discussions, mutual sharing, and support among patients and family members and by sponsoring educational and medical symposiums that help stimulate research: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning June 13, is hereby designated as "National Parkinson's Disease Awareness Week." The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that week with appropriate ceremonies and activities.

THE AMERICAN PARKINSON DISEASE ASSOCIATION, INC.,
Washington, DC, March 23, 1994.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: The American Parkinson Disease Association and the more than 1 million people who suffer from Parkinson's Disease thank you for sponsoring legislation that would establish the week of June 13, 1994 as National Parkinson Disease Awareness Week.

As you know, Parkinson's Disease is a long term debilitating neurological disorder which unfortunately, has no cure. Several national organizations are dedicated to developing a greater understanding of Parkinson's Disease by funding research, sponsoring educational programs and medical symposiums, and raising public awareness. Until there is a cure for Parkinson's Disease, our work will continue.

Establishing National Parkinson Disease Awareness Week will help focus national attention on the important need for Parkinson's Disease research and greater public awareness while we all work toward the ultimate goal—a cure for Parkinson's Disease.

Thank You.

Sincerely,

PAUL C. SMEDBERG.•

ADDITIONAL COSPONSORS

S. 21

At the request of Mrs. FEINSTEIN, the names of the Senator from Louisiana [Mr. BREAUX], the Senator from Arkansas [Mr. BUMPERS], the Senator from Connecticut [Mr. DODD], and the Senator from Kentucky [Mr. FORD] were added as cosponsors of S. 21, a bill to designate certain lands in the California Desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes.

S. 70

At the request of Mr. COCHRAN, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 70, a bill to reauthorize the National Writing Project, and for other purposes.

S. 439

At the request of Mr. COATS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 439, a bill to amend the Solid Waste Disposal Act to permit Governors to limit the disposal of out-of-State solid waste in their States, and for other purposes.

S. 455

At the request of Mr. HATFIELD, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 455, a bill to amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

S. 542

At the request of Mr. PRYOR, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 542, a bill to amend the Internal Revenue Code of 1986 to provide additional safeguards to protect taxpayer rights.

S. 1329

At the request of Mr. D'AMATO, the name of the Senator from Nevada [Mr. BRYAN] 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. 1354

At the request of Mrs. KASSEBAUM, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 1354, a bill to amend the

Fair Labor Standards Act of 1938 relating to the minimum wage and overtime exemption for employees subject to certain leave policies, and for other purposes.

S. 1541

At the request of Mr. COVERDELL, the names of the Senator from Montana [Mr. BURNS], the Senator from Idaho [Mr. CRAIG], and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 1541, a bill to provide that a nongovernmental person may use a private express carriage of certain letters and packets without being penalized by the Postal Service, and for other purposes.

S. 1576

At the request of Mr. COATS, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 1576, a bill to provide a tax credit for families, to provide certain tax incentives to encourage investment and increase savings, and to place limitations on the growth of spending.

S. 1669

At the request of Mrs. HUTCHISON, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 1669, a bill to amend the Internal Revenue Code of 1986 to allow homemakers to get a full IRA deduction.

S. 1787

At the request of Mr. MCCONNELL, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1787, a bill to amend the Internal Revenue Code of 1986 to provide for the tax-free treatment of education savings accounts established through certain State programs, and for other purposes.

S. 1805

At the request of Mr. WARNER, the names of the Senator from Rhode Island [Mr. PELL], the Senator from New Hampshire [Mr. GREGG], and the Senator from Washington [Mr. GORTON] were added as cosponsors of S. 1805, a bill to amend title 10, United States Code, to eliminate the disparity between the periods of delay provided for civilian and military retiree cost-of-living adjustments in the Omnibus Budget Reconciliation Act of 1993.

S. 1815

At the request of Mr. DOLE, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1815, a bill to authorize matching funds for State and local firearm buy-back programs.

S. 1836

At the request of Mr. DOLE, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 1836, a bill for the relief of John Mitchell.

S. 1842

At the request of Mr. CAMPBELL, the name of the Senator from Wyoming [Mr. WALLOP] was added as a cosponsor of S. 1842, a bill to amend title 23, United States Code, to exempt a State from certain penalties for failing to meet requirements relating to motorcycle helmet laws if the State has in effect a motorcycle safety program, and to delay the effective date of certain penalties for States that fail to meet certain requirements for motorcycle safety and passenger vehicle safety laws, and for other purposes.

S. 1948

At the request of Mr. DECONCINI, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1948, a bill to amend the National Security Act of 1947 to improve the counterintelligence and security posture of the U.S. intelligence community and to enhance the investigative authority of the Federal Bureau of Investigation in counterintelligence matters, and for other purposes.

SENATE JOINT RESOLUTION 159

At the request of Mr. DODD, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Mississippi [Mr. COCHRAN], the Senator from Arizona [Mr. DECONCINI], the Senator from Tennessee [Mr. MATHEWS], the Senator from Idaho [Mr. CRAIG], the Senator from Ohio [Mr. METZENBAUM], the Senator from Hawaii [Mr. INOUYE], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Michigan [Mr. LEVIN], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of Senate Joint Resolution 159, a joint resolution to designate the period commencing on February 14, 1994, and ending on February 20, 1994, as "Children of Alcoholics Week".

SENATE JOINT RESOLUTION 172

At the request of Mr. DOLE, the names of the Senator from Idaho [Mr. KEMPTHORNE], the Senator from Virginia [Mr. WARNER], and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of Senate Joint Resolution 172, A joint resolution designating May 30, 1994, through June 6, 1994, as a "Time for the National Observance of the Fiftieth Anniversary of World War II".

SENATE RESOLUTION 185

At the request of Mr. D'AMATO, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Colorado [Mr. BROWN], the Senator from Nevada [Mr. REID], the Senator from Connecticut [Mr. LIEBERMAN], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Resolution 185, a resolution to congratulate Phil Rizzutto on his induction into the Baseball Hall of Fame.

AMENDMENTS SUBMITTED

CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

DOMENICI (AND OTHERS) AMENDMENT NO. 1560

Mr. DOMENICI (for himself, Mr. DOLE, Mr. GRASSLEY, Mr. NICKLES, Mr. GRAMM, Mr. BOND, Mr. LOTT, Mr. BROWN, Mr. GORTON, and Mr. GREGG) proposed an amendment to the concurrent resolution (S. Con. Res. 63) setting forth the congressional budget for the U.S. Government for the fiscal years 1995, 1996, 1997, 1998, and 1999; as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1995.

(a) DECLARATION.—The Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 1995, including the appropriate budgetary levels for fiscal years 1996, 1997, 1998, and 1999, as required by section 301 of the Congressional Budget Act of 1974.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 1995.

TITLE I—LEVELS AND AMOUNTS

Sec. 2. Recommended levels and amounts.
Sec. 3. Debt increase as a measure of deficit.
Sec. 4. Display of Federal Retirement Trust Fund balances.
Sec. 5. Social Security.
Sec. 6. Major functional categories.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

Sec. 21. Pay-as-you-go point of order.
Sec. 22. Deficit-neutral reserve fund in the Senate.
Sec. 23. Social Security fire wall point of order in the Senate.
Sec. 24. Exercise of rulemaking powers.

TITLE III—SENSE OF THE CONGRESS AND THE SENATE

Sec. 31. Sense of the Senate regarding discretionary spending limits.
Sec. 32. Sense of the Congress regarding the budgetary accounting of health care reform.
Sec. 33. Sense of the Congress regarding unfunded mandates.
Sec. 34. Sense of the Congress regarding baselines.
Sec. 35. Sense of the Congress regarding the sale of Government assets.
Sec. 36. Sense of the Senate regarding scoring of emergency legislation.

TITLE I—LEVELS AND AMOUNTS

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 1995, 1996, 1997, 1998, and 1999:

(1) FEDERAL REVENUES.—(A) For purposes of comparison with the maximum deficit amount under sections 601(a)(1) and 606 of the Congressional Budget Act of 1974 and for purposes of the enforcement of this resolution—

(i) The recommended levels of Federal revenues are as follows:

Fiscal year 1995: $972,400,000,000.
Fiscal year 1996: $1,007,600,000,000.
Fiscal year 1997: $1,062,900,000,000.
Fiscal year 1998: $1,117,900,000,000.
Fiscal year 1999: $1,165,600,000,000.

(ii) The amounts by which the aggregate levels of Federal revenues should be increased are as follows:
Fiscal year 1995: −$5,300,000,000.
Fiscal year 1996: −$23,600,000,000.
Fiscal year 1997: −$16,800,000,000.
Fiscal year 1998: −$18,500,000,000.
Fiscal year 1999: −$24,500,000,000.

(iii) The amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:
Fiscal year 1995: $100,300,000,000.
Fiscal year 1996: $106,300,000,000.
Fiscal year 1997: $111,900,000,000.
Fiscal year 1998: $117,800,000,000.
Fiscal year 1999: $123,700,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund)—

(i) The recommended levels of Federal revenues are as follows:
Fiscal year 1995: $872,100,000,000.
Fiscal year 1996: $901,300,000,000.
Fiscal year 1997: $951,000,000,000.
Fiscal year 1998: $1,000,100,000,000.
Fiscal year 1999: $1,041,900,000,000.

(ii) The amounts by which the aggregate levels of Federal revenues should be increased are as follows:
Fiscal year 1995: −$5,300,000,000.
Fiscal year 1996: −$23,600,000,000.
Fiscal year 1997: −$16,800,000,000.
Fiscal year 1998: −$18,500,000,000.
Fiscal year 1999: −$24,500,000,000.

(2) NEW BUDGET AUTHORITY.—(A) For purposes of comparison with the maximum deficit amount under sections 601(a)(1) and 606 of the Congressional Budget Act of 1974 and for purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:
Fiscal year 1995: $1,206,800,000,000.
Fiscal year 1996: $1,250,400,000,000.
Fiscal year 1997: $1,301,300,000,000.
Fiscal year 1998: $1,365,100,000,000.
Fiscal year 1999: $1,419,500,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund), the appropriate levels of total new budget authority are as follows:
Fiscal year 1995: $1,093,900,000,000.
Fiscal year 1996: $1,128,300,000,000.
Fiscal year 1997: $1,168,600,000,000.
Fiscal year 1998: $1,220,500,000,000.
Fiscal year 1999: $1,260,700,000,000.

(3) BUDGET OUTLAYS.—(A) For purposes of comparison with the maximum deficit amount under sections 601(a)(1) and 606 of the Congressional Budget Act of 1974 and for purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:
Fiscal year 1995: $1,196,000,000,000.
Fiscal year 1996: $1,222,300,000,000.
Fiscal year 1997: $1,273,600,000,000.
Fiscal year 1998: $1,316,200,000,000.
Fiscal year 1999: $1,365,000,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund), the appropriate levels of total budget outlays are as follows:
Fiscal year 1995: $1,084,200,000,000.
Fiscal year 1996: $1,101,500,000,000.
Fiscal year 1997: $1,142,200,000,000.
Fiscal year 1998: $1,173,100,000,000.
Fiscal year 1999: $1,208,100,000,000.

(4) DEFICITS.—(A) For purposes of comparison with the maximum deficit amount under sections 601(a)(1) and 606 of the Congressional Budget Act of 1974 and for purposes of the enforcement of this resolution, the amounts of the deficits are as follows:
Fiscal year 1995: $223,600,000,000.
Fiscal year 1996: $214,700,000,000.
Fiscal year 1997: $210,700,000,000.
Fiscal year 1998: $198,300,000,000.
Fiscal year 1999: $199,400,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund), the amounts of the deficits are as follows:
Fiscal year 1995: $212,100,000,000.
Fiscal year 1996: $200,200,000,000.
Fiscal year 1997: $191,200,000,000.
Fiscal year 1998: $173,000,000,000.
Fiscal year 1999: $166,200,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:
Fiscal year 1995: $4,957,800,000,000.
Fiscal year 1996: $5,259,000,000,000.
Fiscal year 1997: $5,555,600,000,000.
Fiscal year 1998: $5,841,600,000,000.
Fiscal year 1999: $6,125,000,000,000.

(6) DIRECT LOAN OBLIGATIONS.—The appropriate levels of total new direct loan obligations are as follows:
Fiscal year 1995: $16,500,000,000.
Fiscal year 1996: $22,500,000,000.
Fiscal year 1997: $24,200,000,000.
Fiscal year 1998: $26,200,000,000.
Fiscal year 1999: $28,000,000,000.

(7) PRIMARY LOAN GUARANTEE COMMITMENTS.—The appropriate levels of new primary loan guarantee commitments are as follows:
Fiscal year 1995: $168,700,000,000.
Fiscal year 1996: $158,500,000,000.
Fiscal year 1997: $155,800,000,000.
Fiscal year 1998: $155,000,000,000.
Fiscal year 1999: $153,100,000,000.

SEC. 3. DEBT INCREASE AS A MEASURE OF DEFICIT.

The amounts of the increase in the public debt subject to limitation are as follows:
Fiscal year 1995: $300,448,000,000.
Fiscal year 1996: $301,115,000,000.
Fiscal year 1997: $296,686,000,000.
Fiscal year 1998: $285,993,000,000.
Fiscal year 1999: $283,392,000,000.

SEC. 4. DISPLAY OF FEDERAL RETIREMENT TRUST FUND BALANCES.

The balances of the Federal retirement trust funds are as follows:
Fiscal year 1995: $1,161,100,000,000.
Fiscal year 1996: $1,275,200,000,000.
Fiscal year 1997: $1,396,900,000,000.
Fiscal year 1998: $1,524,200,000,000.
Fiscal year 1999: $1,651,300,000,000.

SEC. 5. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 1995: $360,500,000,000.
Fiscal year 1996: $379,600,000,000.
Fiscal year 1997: $399,000,000,000.
Fiscal year 1998: $419,500,000,000.
Fiscal year 1999: $439,800,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 1995: $287,600,000,000.
Fiscal year 1996: $301,300,000,000.
Fiscal year 1997: $312,300,000,000.
Fiscal year 1998: $324,400,000,000.
Fiscal year 1999: $337,000,000,000.

SEC. 6. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 1995 through 1999 for each major functional category are:

(1) National Defense (050):
Fiscal year 1995:
(A) New budget authority, $263,700,000,000.
(B) Outlays, $270,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1996:
(A) New budget authority, $258,600,000,000.
(B) Outlays, $263,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1997:
(A) New budget authority, $256,400,000,000.
(B) Outlays, $260,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1998:
(A) New budget authority, $264,300,000,000.
(B) Outlays, $262,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1999:
(A) New budget authority, $271,800,000,000.
(B) Outlays, $263,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.

(2) International Affairs (150):
Fiscal year 1995:
(A) New budget authority, $15,400,000,000.
(B) Outlays, $16,900,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $16,600,000,000.
Fiscal year 1996:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $14,900,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $16,600,000,000.
Fiscal year 1997:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $14,500,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $16,600,000,000.
Fiscal year 1998:
(A) New budget authority, $13,300,000,000.
(B) Outlays, $14,200,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $16,600,000,000.
Fiscal year 1999:
(A) New budget authority, $13,600,000,000.
(B) Outlays, $14,200,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $16,600,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 1995:
(A) New budget authority, $16,900,000,000.
(B) Outlays, $17,000,000,000.

(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $16,800,000,000.
(B) Outlays, $16,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(4) Energy (270):
Fiscal year 1995:
(A) New budget authority, $4,900,000,000.
(B) Outlays, $4,200,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $4,800,000,000.
(B) Outlays, $4,200,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $4,400,000,000.
(B) Outlays, $3,600,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $4,200,000,000.
(B) Outlays, $2,900,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $1,800,000,000.
(B) Outlays, $700,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
(5) Natural Resources and Environment (300):
Fiscal year 1995:
(A) New budget authority, $19,500,000,000.
(B) Outlays, $20,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $19,900,000,000.
(B) Outlays, $20,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $19,800,000,000.
(B) Outlays, $19,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $18,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(6) Agriculture (350):
Fiscal year 1995:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $11,900,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $6,200,000,000.
Fiscal year 1996:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $10,200,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $6,200,000,000.
Fiscal year 1997:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $10,400,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $6,200,000,000.
Fiscal year 1998:
(A) New budget authority, $11,900,000,000.
(B) Outlays, $10,700,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $6,200,000,000.
Fiscal year 1999:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $11,000,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $6,200,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1995:
(A) New budget authority, $5,600,000,000.
(B) Outlays, −$9,800,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $90,500,000,000.
Fiscal year 1996:
(A) New budget authority, $3,100,000,000.
(B) Outlays, −$12,600,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $90,500,000,000.
Fiscal year 1997:
(A) New budget authority, $2,400,000,000.
(B) Outlays, −$5,700,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $90,500,000,000.
Fiscal year 1998:
(A) New budget authority, $2,100,000,000.
(B) Outlays, −$5,800,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $90,500,000,000.
Fiscal year 1999:
(A) New budget authority, $2,000,000,000.
(B) Outlays, −$4,900,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $90,500,000,000.
(8) Transportation (400):
Fiscal year 1995:
(A) New budget authority, $31,300,000,000.
(B) Outlays, $33,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $32,000,000,000.
(B) Outlays, $33,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $33,300,000,000.
(B) Outlays, $33,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $34,900,000,000.
(B) Outlays, $33,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $35,500,000,000.
(B) Outlays, $32,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(9) Community and Regional Development (450):
Fiscal year 1995:
(A) New budget authority, $7,700,000,000.
(B) Outlays, $9,200,000,000.
(C) New direct loan obligations, $2,000,000,000.
(D) New primary loan guarantee commitments, $2,400,000,000.
Fiscal year 1996:
(A) New budget authority, $7,800,000,000.
(B) Outlays, $7,300,000,000.
(C) New direct loan obligations, $2,000,000,000.
(D) New primary loan guarantee commitments, $2,400,000,000.
Fiscal year 1997:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $2,000,000,000.
(D) New primary loan guarantee commitments, $2,400,000,000.
Fiscal year 1998:
(A) New budget authority, $8,000,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $2,000,000,000.
(D) New primary loan guarantee commitments, $2,400,000,000.
Fiscal year 1999:
(A) New budget authority, $8,100,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $2,000,000,000.
(D) New primary loan guarantee commitments, $2,400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1995:
(A) New budget authority, $50,500,000,000.
(B) Outlays, $51,200,000,000.
(C) New direct loan obligations, $5,500,000,000.
(D) New primary loan guarantee commitments, $19,200,000,000.
Fiscal year 1996:
(A) New budget authority, $49,400,000,000.
(B) Outlays, $48,200,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New primary loan guarantee commitments, $14,400,000,000.
Fiscal year 1997:

(A) New budget authority, $49,700,000,000.
(B) Outlays, $48,600,000,000.
(C) New direct loan obligations, $13,200,000,000.
(D) New primary loan guarantee commitments, $13,600,000,000.
Fiscal year 1998:
(A) New budget authority, $50,500,000,000.
(B) Outlays, $49,700,000,000.
(C) New direct loan obligations, $15,100,000,000.
(D) New primary loan guarantee commitments, $12,700,000,000.
Fiscal year 1999:
(A) New budget authority, $50,900,000,000.
(B) Outlays, $50,100,000,000.
(C) New direct loan obligations, $16,800,000,000.
(D) New primary loan guarantee commitments, $11,600,000,000.
(11) Health (550):
Fiscal year 1995:
(A) New budget authority, $119,400,000,000.
(B) Outlays, $118,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $400,000,000.
Fiscal year 1996:
(A) New budget authority, $124,800,000,000.
(B) Outlays, $123,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1997:
(A) New budget authority, $132,800,000,000.
(B) Outlays, $131,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1998:
(A) New budget authority, $141,800,000,000.
(B) Outlays, $140,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1999:
(A) New budget authority, $151,300,000,000.
(B) Outlays, $150,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $500,000,000.
(12) Medicare (570):
Fiscal year 1995:
(A) New budget authority, $162,400,000,000.
(B) Outlays, $154,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $180,400,000,000.
(B) Outlays, $167,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $198,400,000,000.
(B) Outlays, $181,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $217,600,000,000.
(B) Outlays, $194,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $242,100,000,000.
(B) Outlays, $210,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(13) For purposes of section 710 of the Social Security Act, Federal Supplementary Medical Insurance Trust Fund:
Fiscal year 1995:
(A) New budget authority, $49,500,000,000.
(B) Outlays, $42,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $58,300,000,000.
(B) Outlays, $47,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $65,700,000,000.
(B) Outlays, $49,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $73,000,000,000.
(B) Outlays, $51,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $83,300,000,000.
(B) Outlays, $53,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(14) Income Security (600):
Fiscal year 1995:
(A) New budget authority, $216,600,000,000.
(B) Outlays, $217,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $224,400,000,000.
(B) Outlays, $222,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $235,500,000,000.
(B) Outlays, $233,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $251,600,000,000.
(B) Outlays, $242,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $252,000,000,000.
(B) Outlays, $210,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(15) Social Security (650):
Fiscal year 1995:
(A) New budget authority, $6,800,000,000.
(B) Outlays, $6,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $6,300,000,000.
(B) Outlays, $6,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $9,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $9,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(16) Veterans Benefits and Services (700):
Fiscal year 1995:
(A) New budget authority, $36,400,000,000.
(B) Outlays, $36,200,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $32,900,000,000.
Fiscal year 1996:
(A) New budget authority, $36,200,000,000.
(B) Outlays, $34,800,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $27,400,000,000.
Fiscal year 1997:
(A) New budget authority, $36,300,000,000.
(B) Outlays, $36,200,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $25,500,000,000.
Fiscal year 1998:
(A) New budget authority, $36,300,000,000.
(B) Outlays, $36,200,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $25,600,000,000.
Fiscal year 1999:
(A) New budget authority, $37,000,000,000.
(B) Outlays, $37,100,000,000.
(C) New direct loan obligations, $1,500,000,000.
(D) New primary loan guarantee commitments, $25,300,000,000.
(17) Administration of Justice (750):
Fiscal year 1995:
(A) New budget authority, $17,700,000,000.
(B) Outlays, $16,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $19,800,000,000.
(B) Outlays, $17,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $20,800,000,000.
(B) Outlays, $19,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $21,800,000,000.
(B) Outlays, $21,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $23,100,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(18) General Government (800):
Fiscal year 1995:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $13,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $12,500,000,000.

(B) Outlays, $12,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $11,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $11,300,000,000.
(B) Outlays, $10,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $9,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(19) Net Interest (900):
Fiscal year 1995:
(A) New budget authority, $246,500,000,000.
(B) Outlays, $246,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $265,000,000,000.
(B) Outlays, $265,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $277,800,000,000.
(B) Outlays, $277,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $289,600,000,000.
(B) Outlays, $289,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $301,700,000,000.
(B) Outlays, $301,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(20) For purposes of section 710 of the Social Security Act, Net Interest (900):
Fiscal year 1995:
(A) New budget authority, $257,000,000,000.
(B) Outlays, $257,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $275,700,000,000.
(B) Outlays, $275,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $288,600,000,000.
(B) Outlays, $288,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $300,200,000,000.
(B) Outlays, $300,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $311,500,000,000.
(B) Outlays, $311,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(21) The corresponding levels of gross interest on the public debt are as follows:
Fiscal year 1995: $311,200,000,000.
Fiscal year 1996: $328,800,000,000.
Fiscal year 1997: $342,200,000,000.
Fiscal year 1998: $355,300,000,000.
Fiscal year 1999: $369,000,000,000.
(22) Allowances (920):
Fiscal year 1995:
(A) New budget authority, −$3,700,000,000.
(B) Outlays, −$2,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, −$5,800,000,000.
(B) Outlays, −$4,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, −$5,800,000,000.
(B) Outlays, −$5,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$6,000,000,000.
(B) Outlays, −$5,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$6,400,000,000.
(B) Outlays, −$6,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(23) Undistributed Offsetting Receipts (950):
Fiscal year 1995:
(A) New budget authority, −$36,300,000,000.
(B) Outlays, −$36,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, −$30,600,000,000.
(B) Outlays, −$30,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, −$30,700,000,000.
(B) Outlays, −$30,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$31,700,000,000.
(B) Outlays, −$31,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$32,300,000,000.
(B) Outlays, −$32,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(24) For purposes of section 710 of the Social Security Act, Undistributed Offsetting Receipts (950):
Fiscal year 1995:
(A) New budget authority, −$33,700,000,000.
(B) Outlays, −$33,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, −$27,400,000,000.
(B) Outlays, −$27,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, −$28,000,000,000.
(B) Outlays, −$28,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$28,800,000,000.
(B) Outlays, −$28,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$29,200,000,000.
(B) Outlays, −$29,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

SEC. 21. PAY-AS-YOU-GO POINT OF ORDER.

(a) ENFORCING PAY-AS-YOU-GO.—

(1) THIS RESOLUTION.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would increase the deficit in this resolution for any fiscal year through fiscal year 1999 or would increase the deficit for any other fiscal year through fiscal year 2004, as measured by the sum of—

(1) all applicable estimates of direct spending and receipts legislation applicable to that fiscal year, other than any amounts resulting from—

(A) full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990; and

(B) emergency provisions as designated under section 252(e) of that Act; and

(2) the estimated amount of savings in direct spending programs applicable to that fiscal year resulting from the prior year's sequestration under that Act, if any (except for any amounts sequestered as a result of a net deficit increase in the fiscal year immediately preceding the prior fiscal year).

(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and receipts for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 22. DEFICIT-NEUTRAL RESERVE FUND IN THE SENATE.

(a) WELFARE REFORM RESERVE FUND.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for legislation that increases funding to make improvements in welfare systems within such a committee's jurisdiction if the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate shall file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels to carry out this subsection. These revised allocations and functional levels shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and functional levels contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee shall report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(b) HEALTH CARE REFORM.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for legislation to provide for health care reform within such a committee's jurisdiction if the enactment of such legislation (including proposed amendments to such legislation) will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), the offering of amendments to such legislation, and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate shall file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee shall report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(c) OFFSETTING REVENUE LOSSES ASSOCIATED WITH GATT.—

(1) IN GENERAL.—Revenue aggregates may be reduced for legislation that reduces revenues by implementing the general agreement on tariffs and trade GATT agreement and other trade-related legislation within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate shall file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee shall report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(d) BUDGET COMMITTEE APPROVAL OF MAJOR RESERVE FUND ADJUSTMENTS.—

(1) THRESHOLD.—Except as provided in paragraph (2), no adjustments shall be made pursuant to this section if legislation would cause—

(A) a change in outlays or a change in revenues of more than $1,000,000,000 for fiscal year 1995; or

(B) a change in outlays or a change in revenues of more than $10,000,000,000 for the period of fiscal years 1995 through 1999.

(2) COMMITTEE APPROVAL.—Any change exceeding the levels provided for in paragraph (1) shall only be made with the approval of the Committee on the Budget of the Senate.

SEC. 23. SOCIAL SECURITY FIRE WALL POINT OF ORDER IN THE SENATE.

APPLICATION OF SECTION 301(i).—Notwithstanding any other rule of the Senate, in the Senate, the point of order established under section 301(i) of the Congressional Budget Act of 1974 shall apply to any concurrent resolution on the budget for any fiscal year (as reported and as amended), amendments thereto, or any conference report thereon.

SEC. 24. EXERCISE OF RULEMAKING POWERS.

The Senate adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change those rules (so far as they relate to the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

TITLE III—SENSE OF THE CONGRESS AND THE SENATE

SEC. 31. SENSE OF THE SENATE REGARDING DISCRETIONARY SPENDING LIMITS.

It is the sense of the Senate that legislation should be enacted modifying the discretionary spending limits as follows:

(a) DEFINITION.—As used in this section, for the discretionary category, the term "discretionary spending limit" means—

(1) with respect to fiscal year 1995—

(A) for the defense category $264,165,000,000 in new budget authority and $271,087,000,000 in outlays; and

(B) for the nondefense category $217,407,000,000 in new budget authority and $257,612,000,000 in outlays;

(2) with respect to fiscal year 1996—

(A) for the defense category $259,173,000,000 in new budget authority and $264,264,000,000 in outlays; and

(B) for the nondefense category $222,462,000,000 in new budget authority and $253,664,000,000 in outlays;

(3) with respect to fiscal year 1997—

(A) for the defense category $256,969,000,000 in new budget authority and $260,872,000,000 in outlays; and

(B) for the nondefense category $222,369,000,000 in new budget authority and $253,338,000,000 in outlays;

(4) with respect to fiscal year 1998, $495,278,000,000 in new budget authority and $514,846,000,000 in outlays; and

(5) with respect to fiscal year 1999, $493,666,000,000 in new budget authority and $516,116,000,000 in outlays;

as adjusted for changes in concepts and definitions, changes in inflation, and emergency appropriations.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any concurrent resolution on the budget for fiscal year 1996, 1997, 1998, or 1999 (or amendment, motion, or conference report on such a resolution) or any appropriations bill or resolution (or amendment, motion, or conference report on such appropriations bill or resolution) for fiscal year 1995, 1996, 1997, 1998, or 1999 that would exceed any of the discretionary spending limits in this section.

(2) EXCEPTION.—This section shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate or the Committee on the Budget of the House of Representatives, as the case may be.

SEC. 32. SENSE OF THE CONGRESS REGARDING THE BUDGETARY ACCOUNTING OF HEALTH CARE REFORM.

It is the sense of the Congress that—

(1) the Congress should measure the costs and benefits of all health care reform legislation against a uniform set of economic and technical assumptions;

(2) before enacting major changes in the health care system, the Congress should have available to it reliable estimates of the costs of competing plans prepared in a comparable manner;

(3) Congress should use Congressional Budget Office estimates in accounting for the costs and benefits of health care reform legislation; and

(4) all financial transactions associated with Federal health care reform legislation mandating employer payments for health care coverage should be treated as part of the Federal budget, including employer mandated payments to entities (which should be treated as Government receipts) and pay-

ments made by the entities pursuant to Federal law (which should be treated as outlays), for all purposes under the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 33. SENSE OF THE CONGRESS REGARDING UNFUNDED MANDATES.

It is the sense of Congress that—

(1) the Federal Government should not shift the costs of administering Federal programs to State and local governments;

(2) the Federal Government's share of entitlement programs should not be capped or otherwise decreased without providing States authority to amend their financial or programmatic responsibilities to continue meeting the mandated service;

(3) the Federal Government should not impose excessive mandates and regulations that increase costs for the private sector, hindering economic growth and employment opportunities; and

(4) Congress should develop a mechanism to ensure that the costs of mandates are considered during agencies development of regulations and Congressional deliberations on legislation.

SEC. 34. SENSE OF THE CONGRESS REGARDING BASELINES.

(a) FINDINGS.—The Congress finds that—

(1) the baselines budget shows the likely course of Federal revenues and spending if policies remain unchanged;

(2) baselines budgeting has given rise to the practice of calculating policy changes from an inflated spending level; and

(3) the baseline concept has been misused to portray policies that would simply slow down the increase in spending as spending reductions.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the President should submit a budget that compares proposed spending levels for the budget year with the current year; and

(2) the starting point for deliberations on a budget resolution should be the current year.

SEC. 35. SENSE OF THE CONGRESS REGARDING THE SALE OF GOVERNMENT ASSETS.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) from time to time the United States Government should sell assets; and

(2) the amounts realized from such asset sales should be scored with respect to the level of budget authority, outlays, or revenues.

(b) DEFINITIONS.—For purposes of this section, the term "sale of an asset" shall have the same meaning as under section 250(c)(21) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by the Budget Enforcement Act of 1990).

SEC. 36. SENSE OF THE SENATE REGARDING SCORING OF EMERGENCY LEGISLATION.

It is the sense of the Senate that notwithstanding any other rule of the Senate, in the Senate, determinations under sections 302, 303, and 311 of the Congressional Budget Act of 1974 should take into account any new budget authority, new entitlement authority, outlays, receipts, or deficit effects in any fiscal year for legislation that is designated as an emergency under sections 251(b)(1)(D) and 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DODD (AND OTHERS) AMENDMENT NO. 1561

Mr. DODD (for himself, Mr. JEFFORDS, Mr. WELLSTONE, Ms. MOSELEY-BRAUN, and Mr. HARKIN) proposed an amendment to the concurrent resolution Senate Concurrent Resolution 63, supra; as follows:

On page 24, line 17, increase the amount by $6 billion.

On page 24, line 18, increase the amount by $0.7 billion.

On page 24, line 25, increase the amount by $5.5 billion.

On page 25, line 1, increase the amount by $4.7 billion.

On page 25, line 8, increase the amount by $5 billion.

On page 25, line 9, increase the amount by $5.4 billion.

On page 25, line 16, increase the amount by $6.5 billion.

On page 25, line 17, increase the amount by $5.3 billion.

On page 25, line 24, increase the amount by $7.5 billion.

On page 25, line 25, increase the amount by $6.3 billion.

On page 10, line 3, decrease the amount by $1 billion.

On page 10, line 4, decrease the amount by $0.5 billion.

On page 10, line 10, decrease the amount by $1.6 billion.

On page 10, line 11, decrease the amount by $1.2 billion.

On page 10, line 17, decrease the amount by $2 billion.

On page 10, line 18, decrease the amount by $1.7 billion.

On page 10, line 24, decrease the amount by $2.4 billion.

On page 10, line 25, decrease the amount by $2.2 billion.

On page 11, line 6, decrease the amount by $2.5 billion.

On page 11, line 7, decrease the amount by $2.4 billion.

On page 5, line 1, increase the amount by $5 billion.

On page 5, line 2, increase the amount by $3.9 billion.

On page 5, line 3, increase the amount by $3 billion.

On page 5, line 4, increase the amount by $4.1 billion.

On page 5, line 5, increase the amount by $5 billion.

On page 5, line 11, increase the amount by $5 billion.

On page 5, line 12, increase the amount by $3.9 billion.

On page 5, line 13, increase the amount by $3 billion.

On page 5, line 14, increase the amount by $4.1 billion.

On page 5, line 15, increase the amount by $5 billion.

On page 5, line 22, increase the amount by $0.2 billion.

On page 5, line 23, increase the amount by $3.5 billion.

On page 5, line 24, increase the amount by $3.7 billion.

On page 5, line 25, increase the amount by $3.1 billion.

On page 6, line 1, increase the amount by $3.9 billion.

On page 6, line 7, increase the amount by $0.2 billion.

On page 6, line 8, increase the amount by $3.5 billion.

On page 6, line 9, increase the amount by $3.7 billion.

On page 6, line 10, increase the amount by $3.1 billion.

On page 6, line 11, increase the amount by $3.9 billion.

On page 6, line 17, increase the amount by $0.2 billion.

On page 6, line 18, increase the amount by $3.5 billion.

On page 6, line 19, increase the amount by $3.7 billion.

On page 6, line 20, increase the amount by $3.1 billion.

On page 6, line 21, increase the amount by $3.9 billion.

On page 7, line 1, increase the amount by $0.2 billion.

On page 7, line 2, increase the amount by $3.5 billion.

On page 7, line 3, increase the amount by $3.7 billion.

On page 7, line 4, increase the amount by $3.1 billion.

On page 7, line 5, increase the amount by $3.9 billion.

On page 7, line 8, increase the amount by $0.2 billion.

On page 7, line 9, increase the amount by $3.7 billion.

On page 7, line 10, increase the amount by $7.4 billion.

On page 7, line 11, increase the amount by $10.5 billion.

On page 7, line 12, increase the amount by $14.4 billion.

On page 8, line 7, increase the amount by $0.2 billion.

On page 8, line 8, increase the amount by $3.5 billion.

On page 8, line 9, increase the amount by $3.7 billion.

On page 8, line 10, increase the amount by $3.1 billion.

On page 8, line 11, increase the amount by $3.7 billion.

On page 70, line 21, decrease the amount by $3.9 billion.

On page 70, line 22, decrease the amount by $3.5 billion.

On page 70, line 24, decrease the amount by $3.0 billion.

On page 70, line 25, decrease the amount by $3.7 billion.

On page 71, line 2, decrease the amount by $4.1 billion.

On page 71, line 3, decrease the amount by $3.1 billion.

BOXER (AND OTHERS) AMENDMENT NO. 1562

Mrs. BOXER (for herself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. DORGAN, Ms. MOSELEY-BRAUN, Mr. WOFFORD, and Mr. LAUTENBERG) proposed an amendment to the concurrent resolution Senate Concurrent Resolution 63, supra; as follows:

On page 17, line 22, increase the amount by $180,000,000.

On page 17, line 23, increase the amount by $180,000,000.

On page 24, line 17, increase the amount by $320,000,000.

On page 24, line 18, increase the amount by $48,000,000.

On page 25, line 1, increase the amount by $171,000,000.

On page 25, line 9, increase the amount by $99,000,000.

On page 25, line 17, increase the amount by $2,000,000.

On page 26, line 8, increase the amount by $400,000,000.

On page 26, line 9, increase the amount by $180,000,000.

On page 26, line 16, increase the amount by $178,000,000.

On page 26, line 23, increase the amount by $42,000,000.

On page 30, line 20, increase the amount by $100,000,000.

On page 30, line 21, increase the amount by $91,000,000.

On page 31, line 3, increase the amount by $9,000,000.

On page 41, line 11, decrease the amount by $1,000,000,000.

On page 41, line 12, decrease the amount by $499,000,000.

On page 41, line 19, decrease the amount by $358,000,000.

On page 42, line 1, decrease the amount by $141,000,000.

On page 42, line 8, decrease the amount by $2,000,000.

LOTT AMENDMENT NO. 1563

Mr. LOTT proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 63, supra; as follows:

Notwithstanding any other provision of this resolution, the language beginning on page 5, line 1, through page 72, line 23, is null, void, and of no effect and the following shall apply:

Fiscal year 1995: $1,247,700,000,000.
Fiscal year 1996: $1,307,900,000,000.
Fiscal year 1997: $1,373,900,000,000.
Fiscal year 1998: $1,447,300,000,000.
Fiscal year 1999: $1,508,700,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund), the appropriate levels of total new budget authority are as follows:

Fiscal year 1995: $1,149,200,000,000.
Fiscal year 1996: $1,202,300,000,000.
Fiscal year 1997: $1,257,000,000,000.
Fiscal year 1998: $1,315,000,000,000.
Fiscal year 1999: $1,372,300,000,000.

(3) BUDGET OUTLAYS.—(A) For purposes of comparison with the maximum deficit amount under sections 601(a)(1) and 606 of the Congressional Budget Act of 1974 and for purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 1995: $1,217,900,000,000.
Fiscal year 1996: $1,288,500,000,000.
Fiscal year 1997: $1,356,700,000,000.
Fiscal year 1998: $1,413,700,000,000.
Fiscal year 1999: $1,472,300,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund), the appropriate levels of total budget outlays are as follows:

Fiscal year 1995: $1,124,000,000,000.
Fiscal year 1996: $1,188,600,000,000.
Fiscal year 1997: $1,247,300,000,000.
Fiscal year 1998: $1,295,400,000,000.
Fiscal year 1999: $1,344,800,000,000.

(4) DEFICITS.—(A) For purposes of comparison with the maximum deficit amount under sections 601(a)(1) and 606 of the Congressional Budget Act of 1974 and for purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 1995: $240,200,000,000.
Fiscal year 1996: $257,300,000,000.
Fiscal year 1997: $277,000,000,000.
Fiscal year 1998: $277,300,000,000.
Fiscal year 1999: $282,100,000,000.

(B) For purposes of section 710 of the Social Security Act (excluding the receipts and disbursements of the Hospital Insurance Trust Fund), the amounts of the deficits are as follows:

Fiscal year 1995: $248,200,000,000.
Fiscal year 1996: $263,700,000,000.
Fiscal year 1997: $279,500,000,000.
Fiscal year 1998: $276,800,000,000.
Fiscal year 1999: $278,300,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 1995: $4,965,200,000,000.
Fiscal year 1996: $5,285,700,000,000.
Fiscal year 1997: $5,622,300,000,000.
Fiscal year 1998: $5,958,200,000,000.
Fiscal year 1999: $6,289,700,000,000.

(6) DIRECT LOAN OBLIGATIONS.—The appropriate levels of total new direct loan obligations are as follows:

Fiscal year 1995: $26,700,000,000.
Fiscal year 1996: $32,100,000,000.
Fiscal year 1997: $33,800,000,000.
Fiscal year 1998: $35,700,000,000.
Fiscal year 1999: $37,800,000,000.

(7) PRIMARY LOAN GUARANTEE COMMITMENTS.—The appropriate levels of new primary loan guarantee commitments are as follows:

Fiscal year 1995: $199,700,000,000.
Fiscal year 1996: $174,400,000,000.
Fiscal year 1997: $164,600,000,000.
Fiscal year 1998: $164,100,000,000.
Fiscal year 1999: $163,500,000,000.

SEC. 3. DEBT INCREASE AS A MEASURE OF DEFICIT.

The amounts of the increase in the public debt subject to limitation are as follows:

Fiscal year 1995: $308,300,000,000.
Fiscal year 1996: $320,500,000,000.
Fiscal year 1997: $336,600,000,000.
Fiscal year 1998: $335,900,000,000.
Fiscal year 1999: $331,400,000,000.

SEC. 4. DISPLAY OF FEDERAL RETIREMENT TRUST FUND BALANCES.

The balances of the Federal retirement trust funds are as follows:

Fiscal year 1995: $1,161,100,000,000.
Fiscal year 1996: $1,275,200,000,000.
Fiscal year 1997: $1,396,900,000,000.
Fiscal year 1998: $1,524,200,000,000.
Fiscal year 1999: $1,651,300,000,000.

SEC. 5. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 1995: $360,500,000,000.
Fiscal year 1996: $379,600,000,000.
Fiscal year 1997: $399,000,000,000.
Fiscal year 1998: $419,500,000,000.
Fiscal year 1999: $439,800,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 1995: $287,600,000,000.
Fiscal year 1996: $301,300,000,000.
Fiscal year 1997: $312,300,000,000.
Fiscal year 1998: $324,400,000,000.
Fiscal year 1999: $337,000,000,000.

SEC. 6. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 1995 through 1999 for each major functional category are:

(1) National Defense (050):

Fiscal year 1995:
(A) New budget authority, $263,800,000,000.
(B) Outlays, $270,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1996:
(A) New budget authority, $255,300,000,000.
(B) Outlays, $261,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1997:
(A) New budget authority, $252,000,000,000.
(B) Outlays, $256,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:
(A) New budget authority, $258,700,000,000.
(B) Outlays, $256,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1999:
(A) New budget authority, $265,100,000,000.
(B) Outlays, $257,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

(2) International Affairs (150):

Fiscal year 1995:
(A) New budget authority, $19,300,000,000.
(B) Outlays, $18,100,000,000.
(C) New direct loan obligations, $3,200,000,000.
(D) New primary loan guarantee commitments, $18,000,000,000.

Fiscal year 1996:
(A) New budget authority, $17,200,000,000.
(B) Outlays, $17,300,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $18,500,000,000.

Fiscal year 1997:
(A) New budget authority, $17,000,000,000.
(B) Outlays, $17,300,000,000.
(C) New direct loan obligations, $2,600,000,000.
(D) New primary loan guarantee commitments, $18,500,000,000.

Fiscal year 1998:
(A) New budget authority, $16,800,000,000.
(B) Outlays, $17,600,000,000.
(C) New direct loan obligations, $2,400,000,000.
(D) New primary loan guarantee commitments, $18,500,000,000.

Fiscal year 1999:
(A) New budget authority, $17,000,000,000.
(B) Outlays, $17,500,000,000.
(C) New direct loan obligations, $2,400,000,000.
(D) New primary loan guarantee commitments, $16,500,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 1995:
(A) New budget authority, $17,300,000,000.
(B) Outlays, $17,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1996:
(A) New budget authority, $17,200,000,000.
(B) Outlays, $17,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1997:
(A) New budget authority, $17,300,000,000.
(B) Outlays, $17,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:
(A) New budget authority, $17,400,000,000.
(B) Outlays, $17,300,000,000.
(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $17,600,000,000.
(B) Outlays, $17,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(4) Energy (270):
Fiscal year 1995:
(A) New budget authority, $6,300,000,000.
(B) Outlays, $5,000,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,200,000,000.
(C) New direct loan obligations, $1,500,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,000,000,000.
(C) New direct loan obligations, $1,500,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $6,100,000,000.
(B) Outlays, $4,700,000,000.
(C) New direct loan obligations, $1,500,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $3,900,000,000.
(C) New direct loan obligations, $1,500,000,000.
(D) New primary loan guarantee commitments, $0.
(5) Natural Resources and Environment (300):
Fiscal year 1995:
(A) New budget authority, $21,700,000,000.
(B) Outlays, $21,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $22,200,000,000.
(B) Outlays, $21,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $22,100,000,000.
(B) Outlays, $21,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $22,000,000,000.
(B) Outlays, $21,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $21,600,000,000.
(B) Outlays, $21,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(6) Agriculture (350):
Fiscal year 1995:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $11,600,000,000.
(C) New direct loan obligations, $10,100,000,000.
(D) New primary loan guarantee commitments, $7,400,000,000.
Fiscal year 1996:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $11,400,000,000.
(C) New direct loan obligations, $9,700,000,000.
(D) New primary loan guarantee commitments, $7,400,000,000.
Fiscal year 1997:
(A) New budget authority, $13,000,000,000.
(B) Outlays, $11,700,000,000.
(C) New direct loan obligations, $9,700,000,000.
(D) New primary loan guarantee commitments, $7,400,000,000.
Fiscal year 1998:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $12,000,000,000.
(C) New direct loan obligations, $9,800,000,000.
(D) New primary loan guarantee commitments, $7,400,000,000.
Fiscal year 1999:
(A) New budget authority, $13,700,000,000.
(B) Outlays, $12,500,000,000.
(C) New direct loan obligations, $9,900,000,000.
(D) New primary loan guarantee commitments, $7,400,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1995:
(A) New budget authority, $7,700,000,000.
(B) Outlays, −$8,300,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $117,900,000,000.
Fiscal year 1996:
(A) New budget authority, $5,300,000,000.
(B) Outlays, −$10,800,000,000.
(C) New direct loan obligations, $3,000,000,000.
(D) New primary loan guarantee commitments, $103,200,000,000.
Fiscal year 1997:
(A) New budget authority, $5,100,000,000.
(B) Outlays, −$3,400,000,000.
(C) New direct loan obligations, $3,100,000,000.
(D) New primary loan guarantee commitments, $95,900,000,000.
Fiscal year 1998:
(A) New budget authority, $5,200,000,000.
(B) Outlays, −$2,900,000,000.
(C) New direct loan obligations, $3,200,000,000.
(D) New primary loan guarantee commitments, $96,600,000,000.
Fiscal year 1999:
(A) New budget authority, $6,200,000,000.
(B) Outlays, −$900,000,000.
(C) New direct loan obligations, $3,400,000,000.
(D) New primary loan guarantee commitments, $99,500,000,000.
(8) Transportation (400):
Fiscal year 1995:
(A) New budget authority, $42,900,000,000.
(B) Outlays, $38,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $500,000,000.
Fiscal year 1996:
(A) New budget authority, $41,800,000,000.
(B) Outlays, $39,600,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $43,200,000,000.
(B) Outlays, $40,100,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $44,000,000,000.
(B) Outlays, $40,300,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $44,500,000,000.
(B) Outlays, $40,400,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(9) Community and Regional Development (450):
Fiscal year 1995:
(A) New budget authority, $9,500,000,000.
(B) Outlays, $9,300,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $3,600,000,000.
Fiscal year 1996:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $8,900,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $3,600,000,000.
Fiscal year 1997:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $9,000,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $3,600,000,000.
Fiscal year 1998:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $9,100,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $3,600,000,000.
Fiscal year 1999:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $9,000,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $3,600,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1995:
(A) New budget authority, $57,600,000,000.
(B) Outlays, $53,600,000,000.
(C) New direct loan obligations, $5,500,000,000.
(D) New primary loan guarantee commitments, $19,000,000,000.
Fiscal year 1996:
(A) New budget authority, $58,200,000,000.
(B) Outlays, $55,500,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New primary loan guarantee commitments, $14,000,000,000.
Fiscal year 1997:
(A) New budget authority, $59,900,000,000.
(B) Outlays, $58,100,000,000.
(C) New direct loan obligations, $13,200,000,000.
(D) New primary loan guarantee commitments, $13,200,000,000.
Fiscal year 1998:
(A) New budget authority, $61,700,000,000.
(B) Outlays, $60,600,000,000.
(C) New direct loan obligations, $15,100,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
Fiscal year 1999:

(A) New budget authority, $63,200,000,000.
(B) Outlays, $62,200,000,000.
(C) New direct loan obligations, $16,800,000,000.
(D) New primary loan guarantee commitments, $11,200,000,000.
(11) Health (550):
Fiscal year 1995:
(A) New budget authority, $123,800,000,000.
(B) Outlays, $122,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $400,000,000.
Fiscal year 1996:
(A) New budget authority, $136,600,000,000.
(B) Outlays, $135,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $300,000,000.
Fiscal year 1997:
(A) New budget authority, $150,900,000,000.
(B) Outlays, $149,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $200,000,000.
Fiscal year 1998:
(A) New budget authority, $166,600,000,000.
(B) Outlays, $165,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 1999:
(A) New budget authority, $184,100,000,000.
(B) Outlays, $182,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(12) Medicare (570):
Fiscal year 1995:
(A) New budget authority, $162,400,000,000.
(B) Outlays, $160,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $180,500,000,000.
(B) Outlays, $177,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $198,500,000,000.
(B) Outlays, $194,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $217,700,000,000.
(B) Outlays, $210,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $242,300,000,000.
(B) Outlays, $227,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(13) For purposes of section 710 of the Social Security Act, Federal Supplementary Medical Insurance Trust Fund:
Fiscal year 1995:
(A) New budget authority, $56,000,000,000.
(B) Outlays, $55,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $65,200,000,000.
(B) Outlays, $64,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $73,300,000,000.
(B) Outlays, $71,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $81,300,000,000.
(B) Outlays, $78,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $92,200,000,000.
(B) Outlays, $87,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(14) Income Security (600):
Fiscal year 1995:
(A) New budget authority, $219,900,000,000.
(B) Outlays, $220,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $234,500,000,000.
(B) Outlays, $229,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $249,100,000,000.
(B) Outlays, $242,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $261,000,000,000.
(B) Outlays, $253,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $272,600,000,000.
(B) Outlays, $264,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(15) Social Security (650):
Fiscal year 1995:
(A) New budget authority, $6,800,000,000.
(B) Outlays, $9,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $6,300,000,000.
(B) Outlays, $9,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $13,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(16) Veterans Benefits and Services (700):
Fiscal year 1995:
(A) New budget authority, $37,200,000,000.
(B) Outlays, $36,600,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $32,900,000,000.
Fiscal year 1996:
(A) New budget authority, $37,600,000,000.
(B) Outlays, $36,600,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $27,400,000,000.
Fiscal year 1997:
(A) New budget authority, $38,500,000,000.
(B) Outlays, $38,300,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $25,800,000,000.
Fiscal year 1998:
(A) New budget authority, $38,600,000,000.
(B) Outlays, $38,500,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $25,600,000,000.
Fiscal year 1999:
(A) New budget authority, $39,200,000,000.
(B) Outlays, $39,100,000,000.
(C) New direct loan obligations, $1,500,000,000.
(D) New primary loan guarantee commitments, $25,300,000,000.
(17) Administration of Justice (750):
Fiscal year 1995:
(A) New budget authority, $18,300,000,000.
(B) Outlays, $17,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $20,800,000,000.
(B) Outlays, $19,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $21,600,000,000.
(B) Outlays, $20,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $22,700,000,000.
(B) Outlays, $22,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $22,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(18) General Government (800):
Fiscal year 1995:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $13,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $14,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $13,400,000,000.
(B) Outlays, $13,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $13,100,000,000.
(B) Outlays, $13,400,000,000.
(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $13,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(19) Net Interest (900):
Fiscal year 1995:
(A) New budget authority, $247,100,000,000.
(B) Outlays, $247,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $267,300,000,000.
(B) Outlays, $267,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $283,000,000,000.
(B) Outlays, $283,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $298,600,000,000.
(B) Outlays, $298,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $315,000,000,000.
(B) Outlays, $315,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(20) For purposes of section 710 of the Social Security Act, Net Interest (900):
Fiscal year 1995:
(A) New budget authority, $257,600,000,000.
(B) Outlays, $257,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, $278,000,000,000.
(B) Outlays, $278,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $293,800,000,000.
(B) Outlays, $293,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $309,200,000,000.
(B) Outlays, $309,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $324,800,000,000.
(B) Outlays, $324,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(21) The corresponding levels of gross interest on the public debt are as follows:
Fiscal year 1995: $311,800,000,000.
Fiscal year 1996: $331,300,000,000.
Fiscal year 1997: $347,900,000,000.
Fiscal year 1998: $365,300,000,000.
Fiscal year 1999: $383,600,000,000.
(22) Allowances (920):
Fiscal year 1995:
(A) New budget authority, −$4,100,000,000.
(B) Outlays, −$10,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, −$3,500,000,000.
(B) Outlays, −$2,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, −$3,600,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$2,900,000,000.
(B) Outlays, −$5,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$23,200,000,000.
(B) Outlays, −$14,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(23) Undistributed Offsetting Receipts (950):
Fiscal year 1995:
(A) New budget authority, −$36,100,000,000.
(B) Outlays, −$36,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, −$30,300,000,000.
(B) Outlays, −$30,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, −$30,300,000,000.
(B) Outlays, −$30,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$31,200,000,000.
(B) Outlays, −$31,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$31,600,000,000.
(B) Outlays, −$31,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(24) For purposes of section 710 of the Social Security Act, Undistributed Offsetting Receipts (950):
Fiscal year 1995:
(A) New budget authority, −$33,500,000,000.
(B) Outlays, −$33,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1996:
(A) New budget authority, −$27,100,000,000.
(B) Outlays, −$27,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, −$27,600,000,000.
(B) Outlays, −$27,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$28,300,000,000.
(B) Outlays, −$28,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$28,500,000,000.
(B) Outlays, −$28,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

TITLE II—BUDGETARY PROCEDURES

SEC. 21. SALE OF GOVERNMENT ASSETS.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) from time to time the United States Government should sell assets; and

(2) the amounts realized from such asset sales will not recur on an annual basis and do not reduce the demand for credit.

(b) FINDING.—The Congress finds that every budget resolution since that for fiscal year 1988 has included language prohibiting counting in the budget process the amounts realized from asset sales (other than loan assets).

(c) BUDGETARY TREATMENT.—For purposes of points of order under this concurrent resolution and the Congressional Budget and Impoundment Control Act of 1974, the amounts realized from sales of assets (other than loan assets) shall not be scored with respect to the level of budget authority, outlays, or revenues.

(d) DEFINITIONS.—For purposes of this section—

(1) the term "sale of an asset" shall have the same meaning as under section 250(c)(21) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by the Budget Enforcement Act of 1990); and

(2) the term shall not include asset sales mandated by law before September 18, 1987, and routine, ongoing asset sales at levels consistent with agency operations in fiscal year 1986.

(e) SUNSET.—Subsections (a) through (d) of this section shall expire September 30, 1998.

(f) CONFORMING AMENDMENT.—Section 8 of House Concurrent Resolution 64 (103d Congress), section 8 of House Concurrent Resolution 287 (102d Congress), section 7 of House Concurrent Resolution 121 (102d Congress), section 5 of House Concurrent Resolution 310 (101st Congress), section 6 of House Concurrent Resolution 106 (101st Congress), section 4 of House Concurrent Resolution 268 (100th Congress), and sections 7 and 8 of House Concurrent Resolution 93 (100th Congress) are repealed.

SEC. 22. SOCIAL SECURITY FIRE WALL POINT OF ORDER IN THE SENATE.

(a) FINDING.—The Senate finds that the concurrent resolutions on the budget for fiscal years 1993 and 1994 have prohibited subsequent concurrent resolutions on the budget from decreasing the balances of the social security trust fund.

(b) APPLICATION OF SECTION 301(i).—Notwithstanding any other rule of the Senate, in the Senate, the point of order established under section 301(i) of the Congressional Budget Act of 1974 shall apply to any concurrent resolution on the budget for any fiscal year (as reported and as amended), amendments thereto, or any conference report thereon.

(c) CONFORMING AMENDMENT.—Section 10(b) of House Concurrent Resolution 64 (103d Congress) and section 12(b) of House Concurrent Resolution 287 (102d Congress) are repealed.

SEC. 23. ENFORCING PAY-AS-YOU-GO.

(a) PURPOSE.—The Senate declares that it is essential to—

(1) ensure continued compliance with the deficit reduction embodied in the Omnibus Budget Reconciliation Act of 1993; and

(2) continue the pay-as-you-go enforcement system.

(b) FINDING.—The Senate finds that section 12(c) of the concurrent resolution on the

budget for fiscal year 1994 created a point of order prohibiting legislation that would increase the deficit through fiscal year 2003.

(c) ENFORCEMENT.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or receipts legislation (including any such bill, joint resolution, amendment, motion, or conference report) that would—

(A) increase the deficit for the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

(B) increase the deficit for the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

(C) increase the deficit to a significant degree for the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget;

when taken individually (as a bill, joint resolution, amendment, motion, or conference report, as the case may be), and when taken together with all direct spending and receipts legislation enacted after the date of enactment of the Omnibus Budget Reconciliation Act of 1993.

(2) DIRECT SPENDING AND RECEIPTS LEGISLATION.—For purposes of this subsection, direct spending and receipts legislation shall—

(A) exclude full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990;

(B) exclude emergency provisions so designated under section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985;

(C) include the estimated amount of savings in direct spending programs applicable to that fiscal year resulting from the prior year's sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985, if any (except for any amounts sequestered as a result of a net deficit increase in the fiscal year immediately preceding the prior fiscal year); and

(D) except as otherwise provided in this subsection, include all direct spending legislation as that term is defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(e) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(f) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and receipts for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(g) CONFORMING AMENDMENT.—Section 12(c) of House Concurrent Resolution 64 (103d Congress) is repealed.

(h) TECHNICAL CORRECTION.—Notwithstanding section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by sections 13112(b) and 13208(b)(3) of the Budget Enforcement Act of 1990), the second sentence of section 904(c) of the Congressional Budget Act of 1974 (except insofar as it relates to section 313 of that Act) and the final sentence of section 904(d) of that Act (except insofar as it relates to section 313 of that Act) shall continue to have effect as a rule of the Senate through (but no later than) September 30, 1998.

(i) SUNSET.—Subsections (a) through (f) of this section shall expire September 30, 1998.

SEC. 24. DEFICIT-NEUTRAL RESERVE FUND IN THE SENATE.

(a) INITIATIVES TO IMPROVE THE WELL-BEING OF FAMILIES THROUGH WELFARE OR OTHER REFORMS, TO PROVIDE FOR SERVICES TO SUPPORT OR PROTECT CHILDREN, OR TO IMPROVE THE HEALTH, NUTRITION, OR CARE OF CHILDREN.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees and the revenue aggregates may be reduced for legislation to improve the well-being of families through welfare or other reforms (including promoting self-sufficiency through improvements in job training or employment programs), to provide for services to support or protect children (including assuring increased parental support for children through improvements in the child support enforcement program), or to improve the health, nutrition, or care of children, within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(b) INITIATIVES TO PROVIDE COMPREHENSIVE TRAINING OR JOB SEARCH ASSISTANCE OR TO REFORM UNEMPLOYMENT COMPENSATION.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for legislation that increases funding to provide comprehensive training or job search assistance (including reemployment or job training programs or dislocated worker programs), or to reform unemployment compensation, or to provide for other related programs, within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(c) CONTINUING IMPROVEMENTS IN ONGOING HEALTH CARE PROGRAMS OR COMPREHENSIVE HEALTH CARE REFORM.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for legislation that increases funding to make continuing improvements in ongoing health care programs, to provide for comprehensive health care reform, to control health care costs, or to accomplish other health care reforms within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(4) ADJUSTMENTS FOR AMENDMENTS.—(A) If the Chairman of the Committee on the Budget makes an adjustment for legislation pursuant to this subsection, upon the offering of an amendment to such legislation, the Chairman shall file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates

if the enactment of such legislation (as proposed to be amended) will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(i) fiscal year 1995; or

(ii) the period of fiscal years 1995 through 1999.

(B) These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution on the budget.

(C) The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(5) LIMITING THE GROWTH IN MANDATORY SPENDING—Notwithstanding any other provision of this subsection, the Chairman of the Committee on the Budget shall not file revised allocations, functional levels, and aggregates unless the legislation as reported or the conference report as submitted will reduce (by virtue of either contemporaneous or previously passed legislation) outlays by $19,600,000,000 for the period of fiscal years 1995 through 1999.

(d) INITIATIVES TO PRESERVE AND REBUILD THE UNITED STATES MARITIME INDUSTRY.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for direct spending legislation that increases funding to preserve and rebuild the United States maritime industry within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; and

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. Such revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(e) INITIATIVES TO REFORM THE FINANCING OF FEDERAL ELECTIONS.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for direct spending legislation that increases funding to reform the financing of Federal elections within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(f) TRADE-RELATED LEGISLATION.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees and the revenue aggregates may be reduced for trade-related legislation (including legislation to implement the Uruguay Round of the General Agreement on Tariffs and Trade or to extend the Generalized System of Preferences) within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(g) REFORMS RELATING TO THE PENSION BENEFIT GUARANTY CORPORATION.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees and the revenue aggregates may be reduced for reforms relating to the Pension Benefit Guaranty Corporation (including legislation to improve the funding of government-insured pension plans, to protect plan participants, or to limit growth in exposure of the Pension Benefit Guaranty Corporation) or other employee benefit-related legislation within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(h) REFORMS RELATING TO EMPLOYMENT TAXES ON DOMESTIC SERVICES.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees and the revenue aggregates may be reduced for reforms relating to providing for simplified collection of employment taxes on domestic services within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(i) INITIATIVES TO REFORM THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees for direct spending legislation that increases funding to reform the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(j) REFORMS TO CONSOLIDATE THE SUPERVISION OF DEPOSITORY INSTITUTIONS INSURED UNDER THE FEDERAL DEPOSIT INSURANCE ACT.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees and the revenue aggregates may be reduced for reforms to consolidate the supervision of depository institutions insured under the Federal Deposit Insurance Act within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(k) INITIATIVES TO PRESERVE ENERGY SECURITY.—

(1) IN GENERAL.—Budget authority and outlays may be allocated to a committee or committees and the revenue aggregates may be reduced for initiatives to preserve United States energy security within such a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase (by virtue of either contemporaneous or previously passed deficit reduction) the deficit in this resolution for—

(A) fiscal year 1995; or

(B) the period of fiscal years 1995 through 1999.

(2) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to paragraph (1), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this subsection. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(3) REPORTING REVISED ALLOCATIONS.—The appropriate committee may report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this subsection.

SEC. 25. ENFORCEMENT PROCEDURES.

(a) DISCRETIONARY SPENDING LIMITS.—

(1) DEFINITION.—As used in this section, for the discretionary category, for the purposes of congressional enforcement of this resolution, reduce the discretionary spending limit in section 601 of the Congressional Budget Act of 1974 by the following amounts—

(A) with respect to fiscal year 1996, $4,200,000,000 in non-defense budget authority and $5,400,000,000 in non-defense outlays;

(B) with respect to fiscal year 1997, $4,800,000,000 in non-defense budget authority and $5,600,000,000 in non-defense outlays; and

(C) with respect to fiscal year 1998, $8,700,000,000 in non-defense budget authority and $5,300,000,000 in non-defense outlays.

(2) POINT OF ORDER IN THE SENATE.—(A) Except as provided in subparagraph (B), it shall not be in order in the Senate to consider any concurrent resolution on the budget for fiscal years 1996, 1997, or 1998 (or amendment, motion, or conference report on such a resolution) that would exceed any of the discretionary spending limits in this section.

(B) This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate or the Committee on the Budget of the House of Representatives, as the case may be.

SEC. 26. EXERCISE OF RULE-MAKING POWERS.

The Congress adopts the provisions of this title—

(1) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

Provided further, That all increases or decreases in discretionary accounts assumed on pages 3 through 69 of this amendment shall be considered nugatory and all overall totals be adjusted accordingly.

DORGAN (AND OTHERS) AMENDMENT NO. 1564

Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, and Mr. LEVIN) proposed an amendment to the concurrent resolution S. Con. Res. 63, supra; as follows:

At the end of the resolution, insert the following new section:

SEC. . CLOSING OF LOOPHOLES IN FOREIGN TAX PROVISIONS.

(a) FINDINGS.—The Senate finds that—

(1) foreign-controlled corporations doing business in the United States do not pay their fair share of taxes;

(2) up to 72 percent of foreign-controlled corporations doing business in the United States pay no Federal income tax;

(3) the Internal Revenue Service has limited its own ability to enforce Federal tax laws against foreign-controlled corporations, to the detriment of domestic taxpayers;

(4) the Internal Revenue Service has been using antiquated accounting concepts to deal with sophisticated multinational corporations;

(5) billions of dollars of Federal revenues are lost annually due to the inability of the Internal Revenue Service to enforce the "arm's length" transaction rule—not even counting the costs of bureaucracy and litigation; and

(6) the Federal income tax laws encourage domestic taxpayers to relocate abroad by granting them deferral of United States taxes on income earned abroad.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that deficit reduction should be achieved, in part, by ending loopholes and enforcement breakdowns that now enable

foreign-controlled corporations operating in the United States to pay no taxes and that subsidize the flight of domestic businesses and jobs out of the United States, including—

(1) a more streamlined and efficient method of enforcing Federal tax laws involving multinational corporations, especially those based abroad, in particular, the use of a formula approach by the Treasury Department where the "arm's length" transaction rule does not work; and

(2) a repeal of tax subsidies for domestic businesses that move jobs to tax havens abroad and then ship their products back into the United States.

SPECTER AMENDMENT NO. 1565

Mr. SPECTER proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 63, supra; as follows:

On page 41, decrease the amount on line 11 by $435,000,000.

On page 41, decrease the amount on line 12 by $326,000,000.

On page 41, decrease the amount on line 18 by $452,000,000.

On page 41, decrease the amount on line 19 by $339,000,000.

On page 41, decrease the amount on line 25 by $465,000,000.

On page 42, decrease the amount on line 1 by $349,000,000.

On page 42, decrease the amount on line 7 by $475,000,000.

On page 42, decrease the amount on line 8 by $357,000,000.

On page 42, decrease the amount on line 14 by $488,000,000.

On page 42, decrease the amount on line 15 by $366,000,000.

On page 26, increase the amount on line 8 by $100,000,000.

On page 26, increase the amount on line 9 by $50,000,000.

On page 26, increase the amount on line 15 by $103,000,000.

On page 26, increase the amount on line 16 by $52,000,000.

On page 26, increase the amount on line 22 by $106,000,000.

On page 26, increase the amount on line 23 by $53,000,000.

On page 27, increase the amount on line 5 by $109,000,000.

On page 27, increase the amount on line 6 by $53,000,000.

On page 27, increase the amount on line 12 by $112,000,000.

On page 27, increase the amount on line 13 by $56,000,000.

On page 30, increase the amount on line 20 by $225,000,000.

On page 30, increase the amount on line 21 by $214,000,000.

On page 31, increase the amount on line 2 by $232,000,000.

On page 31, increase the amount on line 3 by $221,000,000.

On page 31, increase the amount on line 9 by $239,000,000.

On page 31, increase the amount on line 10 by $228,000,000.

On page 31, increase the amount on line 16 by $246,000,000.

On page 31, increase the amount on line 17 by $234,000,000.

On page 31, increase the amount on line 23 by $253,000,000.

On page 31, increase the amount on line 24 by $240,000,000.

On page 35, increase the amount on line 8 by $100,000,000.

On page 35, increase the amount on line 9 by $62,000,000.

On page 35, increase the amount on line 15 by $103,000,000.

On page 35 increase the amount on line 16 by $65,000,000.

On page 35, increase the amount on line 22 by $106,000,000.

On page 35, increase the amount on line 23 by $66,000,000.

On page 36, increase the amount on line 5 by $109,000,000.

On page 36, increase the amount on line 6 by $68,000,000.

On page 36, increase the amount on line 12 by $112,000,000.

On page 36, increase the amount on line 13 by $70,000,000.

DOLE AMENDMENT NO. 1566

Mr. DOLE proposed an amendment to amendment No. 1565 proposed by Mr. SPECTER to the concurrent resolution, Senate Concurrent Resolution 63, supra; as follows:

As the appropriate place, add the following: "The Budget of the U.S. Government for Fiscal Year 1995".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to conduct a hearing on the competitiveness of the U.S. Biotechnology Industry, on March 23, 1994, beginning at 2:30 p.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., March 23, 1994, to consider pending calendar business.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate, on Wednesday, March 23, at 9:30 a.m., to conduct a business meeting to consider S. 1547, the Safe Drinking Water Act of 1993.

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, March 23, 1994, at 10 a.m., to hear testimony on the subject of the Uruguay round of the GATT.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Wednesday, March 23, 1994, at 10 a.m. to hold a hearing on United States policy toward Russia.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee for authority to meet on Wednesday, March 23, at 10 a.m. for a markup on H.R. 3400, the Government Reform and Savings Act, and the nomination of Rafael Diaz, to be associate judge, Superior Court of the District of Columbia.

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 Wednesday, March 23, 1994, beginning at 9:30 a.m., in 485 Russell Senate Office Building on S. 1021, the Native American Free Exercise of Religion Act.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on National Science Foundation reauthorization, during the session of the Senate on March 23, 1994, at 10 a.m.

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

SUBCOMMITTEE ON CONSTITUTION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Wednesday, March 23, 1994, at 9:30 a.m., to hold a hearing on the Gun Violence Prevention Act: Public Health and Child Safety.

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

SUBCOMMITTEE ON HOUSING

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, March 23, 1994, beginning at 10 a.m. to conduct a hearing on Federal Transit Authority budgets.

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, 2 p.m., March 23, 1994, to

receive testimony on the following bills: S. 1270, to establish the Cache La Poudre River National Water Heritage Area in the State of Colorado; S. 1324, to authorize the Secretary of the Interior to exchange certain lands of the Columbia Basin Federal Reclamation Project, Washington, and for other purposes; S. 1402, to convey a certain parcel of public land to the County of Twin Falls, ID, for use as a landfill, and for other purposes; S. 1703, to expand the boundaries of the Piscataway National Park, and for other purposes; and H.R. 194, to withdraw and reserve certain public lands and minerals within the State of Colorado for military uses, and for other purposes.

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

ADDITIONAL STATEMENTS

TRIBUTE TO MS. JEF CONNER LOUISVILLIAN HELPS OTHERS THROUGH TRAGIC TIMES

• Mr. McCONNELL. Mr. President, too often in our lives we see tragic events and chose to ignore them. I understand that there isn't any one of us who can change the world singlehandedly. However, if we all followed the example of my dear friend Jef Conner, the world would be a much more pleasant place to live.

Jef Conner is a doer Mr. President. Thirteen years ago she was forced to deal with a personal tragedy. Her daughter, Christine, was diagnosed with a form of cancer affecting her nervous system. During her treatment at Louisville's Kosair Children's Hospital. Jef saw firsthand the horrors that a family with a sick child must endure.

Mr. President, Kentucky is a largely rural State and therefore many families are forced to travel great distances to get the specialized medical care they may require. This imposes even greater burdens upon those already dealing with the fear of losing their precious children.

Jef Conner, as is emblematic of her "can do" personality, has done something about this problem. In 1984, with the help of her daughter's doctor, Dr. Sal Bertolone, and over one-thousand volunteers, a Ronald McDonald House was founded in Louisville. Here families of ill children being treated at Kosair can stay while their loved ones are being cared for. The facility provides housing at only $7 a day very near the Children's Hospital.

Since its opening the Ronald McDonald House has served 20,338 people from 8,190 families and 105 of Kentucky's 120 counties. Jef Conner deserves much of the credit for these figures. Early on she and her two sons served as weekend managers of the facility. She still serves meals there on holidays as well as serving on the board of many Kentucky charitable organizations. I am also proud to announce that Jef's daughter Christine is now healthy and helps her mother volunteer at the house.

Mr. President, Jef Conner serves as a wonderful example to us all as someone who does the necessary things to help her community become a better place to live. When she sees a problem she does what she can to alleviate it and we are all grateful to her for her continued efforts.

Mr. President, I ask my colleagues to join me in honoring my friend Jef and a true point of light in the Louisville community. In addition, I request that an article from the March 21, 1994 Courier Journal be placed in the RECORD following my remarks.

The article follows:

[From the Louisville Courier Journal, March 21, 1994]

HOME AWAY FROM HOME—JEF CONNER HAS WORKED TO BUILD A CARING ATMOSPHERE FOR FAMILIES OF ILL CHILDREN

(By Bill Wolfe)

The difference between a stack of dry wood and a blazing fire is one tiny spark.

The difference between a pile of good intentions and the glowing success of the 9-year-old Louisville Ronald McDonald House was Jef Conner.

For years, Dr. Sal Bertolone had wanted a house for families of ill children being treated in Louisville. But the idea never seemed to catch fire.

"We didn't have the spark to ignite it," the pediatric hematologist and oncologist said.

The spark came after a crisis touched the lives of Conner and then-husband Hunt Rounsavall. Their daughter, Christine, was diagnosed with a rare form of cancer that affects the nervous system soon after she was born May 17, 1981.

Christine spent weeks in Kosair Children's Hospital, undergoing surgery and beginning radiation therapy. Despite their fears and grief, Conner and Rounsavall were touched by the plight of out-of-town parents who brought their children to Louisville for medical care.

After reading a Reader's Digest article about Ronald McDonald Houses springing up around the world, Conner contacted the McDonald's Corp. "Even though I didn't know if Christine would ever even make it, I knew I had to do something" for the other parents, said Conner, 46, who lives in eastern Jefferson County.

"They wrote me back a letter and said, "You know, there's a doctor in your community that really wants this. His name is Dr. Bertolone,' " Conner recalled.

She was surprised. Bertolone was Christine's doctor, but he had never spoken to Conner about a Ronald McDonald House. Soon, however, the two were meeting on her back porch making plans for the house.

"It just snowballed," Conner said. "I called few people. People wrote me out of the blue. People I didn't even know started calling me."

Before long "we had close to 1,000 volunteers," said Conner, president of the group—called Kentuckiana Children's House—from 1981 from 1986.

In its first two years, the group raised $1.8 million to lease and renovate the first two floors of the University of Louisville's old medical school annex at 550 S. First St.

"I knew we could do it. And all the volunteers, the people that I met, they all felt the same way," Conner said.

The Louisville Ronald McDonald House opened Sept. 10, 1984. It had served 20,338 people from 8,190 families as of last Oct. 31, when the numbers were last calculated. They have come from 105 of Kentucky's 120 counties and from 24 other states.

The 17,000-square-foot house contains 20 bedrooms, two living rooms, two dining rooms, 11 bathrooms, five common kitchen areas, a game room, a library and play areas inside and out.

Residents pay $7 a night per room (though the fee can be waived) and can stay in the house up to nine months.

Conner and her two sons, Hunt and Gibbs, occasionally managed the house on weekends for the first year it was open. While the House now has paid managers, Conner continues to help out on holidays, cooking and decorating with help from her second husband, Stewart Conner, and Christine, now a healthy and active 12-year-old.

And Jef Conner has expanded her efforts locally and nationally.

In 1987, the international advisory board for Ronald McDonald Houses asked her to join the board. There she helped other communities begin houses, including one in Utrecht in the Netherlands.

She also served on the Ronald McDonald Children's Charities Board, the grant-making foundation for McDonald's Corp., and is now a board member of the National Committee to Prevent Child Abuse.

Locally, she is on the boards of a half-dozen charities and agencies, and she volunteers in a program that searches for bone-marrow donors for cancer patients.

The common bond between the activities is a concern for children, she said.

"When you see sick kids and abused children, you cannot step away or look away. You have to—you just have to do whatever you can to make a difference," Conner said.

Those who know her say Conner's strength as a leader stems from her passion, vision and ability to unite diverse people.

"She's able to bring people together, and she's able to see the long-term goals," said Mitchell Charney, immediate past president of Kentuckiana Children's House.

"She got me involved in the Ronald McDonald House, and I wound up being president," said Charney, a law partner with Goldberg and Simpson. "She's a 110-percenter," Bertolone said.

"She sees a problem and she's going to solve it. She's not going to turn around and say, 'I've got too much on my plate.' "

Conner simply says that "volunteering is a wonderful thing. It's an opportunity to give back. And in my case, I have a great debt to the community. Everything was in the right place at the right time for my child. And I want it to be that way for the child that's going to be born tomorrow."

JEF CONNER, LOUISVILLE RONALD MCDONALD HOUSE

Founder, board member, past president.

Job: Community volunteer.

Years performing the service: 12.

Mission: To provide a home away from home for families while children receive medical treatment.

Source of funds: $150,000 through private contributions.•

NATIONAL MENTAL HEALTH COUNSELING WEEK

• Mr. HEFLIN. Mr. President, I rise today to acknowledge the importance of mental health to individuals' and society's well-being and to recognize counseling as a vital aid in achieving and maintaining good mental health.

Mental health counseling is provided along a full continuum of care, from developmental and preventive services, to diagnosis and treatment of mental illness, to long-term services. It assists individuals and groups with problem-solving, personal and social development, decisionmaking, and self-understanding.

Mental health counseling is provided in community mental health agencies, private practice, psychiatric hospitals, college campuses, and rehabilitation centers. It is provided in collaboration with other mental health professionals, including psychiatrists, psychologists, social workers, psychiatric nurses, and marriage and family therapists, to assure the most appropriate counseling for each client. It is provided by professionals with master's or doctoral degrees in counseling or similar disciplines, practicing within the scope of their training and experience, licensed in 40 States and the District of Columbia.

I congratulate the American Mental Health Counselors Association on their designation of May 1 to 7, 1994, as "National Mental Health Counseling Week," and urge every American to seek the assistance of a qualified mental health counselor, when needed.•

HANFORD B-REACTOR—50-YEAR ANNIVERSARY

• Mr. GORTON. Mr. President, this year we commemorate the 50th anniversary of the construction of the Hanford B-reactor; the world's first full-sized nuclear reactor. Given the profound impact that the B-reactor and its successors have had on our Nation's history, I would like to take a moment to recognize the tremendous contributions and sacrifices made by the Hanford community during the early days of the Manhattan project.

As many of my colleagues know, the first controlled nuclear reaction took place in a squash court beneath the University of Chicago football stadium on December 2, 1942. From then on the Army moved with remarkable speed to select a full-scale plutonium production site. E.I. du Pont de Nemours drafted site selection criteria for the Army just 2 weeks later, and Army scouts set out to look for a site that was isolated from population centers, had a plentiful water supply, and had access to ample electricity. Hanford fit this description to the letter, and the site was selected just 1 month after the Chicago experiment on January 2, 1943.

The Army used its authority under the War Powers Act to purchase 625 square miles of land for $5.1 million. The purchased lands included the townsite of Hanford and White Bluffs and some 50,000 acres of productive farmland. More than 1,300 people were uprooted, many of whom were forced to move within 30 days. Despite the fact that property valuations were less than generous, most residents viewed the disruption as another noble sacrifice for the war effort.

Once the Hanford area was secured by the Army, the influx of workers began. Recruiting pamphlets were circulated nationally proclaiming,

> There's a job for you at Hanford. It's not a short job and it's not a small job. We can't tell you much about it because it's an important war job, but we can tell you it's new heavy industrial plant construction.

Thousands heeded the call looking for a good job, a better life, and a chance to be part of a new, growing community. The Hanford camp was built to provide housing and services for the newcomers, eventually growing to over 1,100 buildings including a bank, a hospital, an auditorium, taverns, and other amenities. The camp quickly grew large enough to feed, house, and entertain some 51,000 workers and 8 mess halls each served 2,700 meals 3 times per day. The taverns sold 12,000 gallons of beer a week and the camp soon became the largest general delivery post office in the world.

In just over a year, the residents of Hanford camp managed to construct the world's first full-sized nuclear reactor—despite the fact that almost none of the workers knew what it was they were building. This remarkable achievement has been recognized by the American Society of Mechanical Engineers and the American Nuclear Society, and will receive additional attention this Saturday when the B-reactor is designated as a civil engineering landmark by the Society of Civil Engineers. The B-reactor has also been entered into the National Park Service's Register of Historic Places.

B-reactor went crucial just after midnight on the evening of September 26, 1944, and eventually produced the plutonium used in one of the bombs that ended World War II. It is difficult legacy for many of those who worked on the B-reactor, but it is clear that those people have reason to be tremendously proud of what they accomplished.

Although the Hanford camp was dismantled 3 years after its construction, a more permanent community emerged as Hanford settled into its role as a cold war production site. Richland, Pasco, and Kennewick, known collectively as the Tri-Cities, have since endured a long series of boom and bust cycles as defense production needs have changed. Through it all the community has maintained its steadfast dedication to the Hanford mission.

The Tri-Cities now claim well over 150,000 residents, and have become one of the State's fastest growing regions. The agriculture, food processing, and high-technology industries have all thrived in recent years, and the region's pleasant climate, well-educated population, and access to transportation will make it attractive to industry for many years to come.

Despite this recent growth in non-Hanford related industry, the economy of the Tri-Cities is still largely dependent on Hanford. More than 15,000 people are currently employed at Hanford, and thousands more jobs depend directly upon site activities. The vast majority of Hanford activity is now related to site cleanup.

As it is widely recognized that the site's environmental restoration mission cannot sustain current employment levels indefinitely, Tri-Cities leaders have been pursuing economic diversification with a vigor and sense of purpose reminiscent of the early days of the Manhattan project. In many ways, the challenge is equally daunting.

Mr. President, the Tri-Cities area has come a long way since the construction of the B-reactor. As we celebrate the 50th anniversary of the birth of Hanford, I hope my colleagues will take a moment to consider the enormous contributions to national security made by Hanford workers over this period. I also hope they will be sympathetic to the needs of the community as it pursues its cleanup mission and strives to diversify its economy. We owe it to these people to be as supportive as we possibly can.•

REEMPLOYMENT AND RETRAINING ACT

Mr. MITCHELL. Mr. President, I understand that S. 1964, the Reemployment and Retraining Act introduced earlier today by Senator METZENBAUM is at the desk.

The PRESIDING OFFICER. The majority leader is correct.

Mr. MITCHELL. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

> A bill (S. 1964) entitled the Reemployment and Retraining Act.

Mr. MITCHELL. Mr. President, I now ask for its second reading, and I understand that the Republican leader will object.

Mr. DOLE. I object.

The PRESIDING OFFICER. The objection is heard.

The bill will lay over and have its second reading on the next legislative day.

RECESS UNTIL THURSDAY, MARCH 24, 1994, AT 9:30 A.M.

Mr. MITCHELL. Mr. President, I now ask unanimous consent that the Sen-

ate stand in recess until 9:30 a.m. today.

There being no objection, the Senate, at 3 a.m., recessed until Thursday, March 24, 1994, at 9:30 a.m.

EXTENSIONS OF REMARKS

DISTRICT OF COLUMBIA BUILDING HEIGHTS ACT OF 1994

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. STARK. Mr. Speaker, among the most attractive features of our Nation's Capital is its skyline. Unlike most other major cities of the world, the scenic vistas of Washington, DC, are not interrupted by high-rise commercial buildings and residential complexes. That unique aesthetic is no accident, but the consequence of centuries of conscious public policy. President George Washington promulgated the first building regulations on this subject in 1791.

Congress enacted building height limit legislation in 1899. In 1910, the limits were refined and enforcement features added to the Height Limits Act.

The 1910 act ties the height of buildings to the streets on which they front. The District of Columbia is also authorized to approved "spires, towers, domes, minarets, pinnacles, penthouses over elevator shafts," and similar structures, provided that such "penthouses * * * shall be set back from the exterior walls distances equal to their respective heights above the adjacent roof."

Since its enactment in 1910, the Height Limits Act has been assaulted frequently. A proposed George Washington University–WETA telecommunications facility at 21st and H Streets NW., is the most recent assault. The proposed building would be topped by a penthouse that, contrary to the clear wording of the Height Limits Act, would not be set back from two of the building's exterior walls.

Congress has often acted to protect the historical integrity of the National Capital. For example, when Washington, DC, was granted home rule in 1973, Congress expressly prohibited the city from raising the height limit. In 1991, Congress acted to prevent a waiver of the height limit for a proposed Pennsylvania Avenue Development Corporation building.

Creeping administrative actions—whether in the form of zoning decisions, regulatory interpretations, or minor violations ignored by enforcing authorities—threaten to chip away, inch by inch, at the height restrictions. Accordingly, I am today introducing the District of Columbia Building Heights Act of 1994.

My bill would confirm the clear meaning of the 1910 act and the intent of Congress that it be strictly construed. The bill would do the following:

Clarify that an exterior wall is any outside wall of a building.

Significantly increase the penalty for violating the Height Limits Act to $10,000 per day—up from $100 per day. In the case of violation of a court injunction, the penalty could be $100,000—up from $500.

Give the National Capital Planning Commission and its Commissioners a more authoritative role in applying and enforcing the Height Limits Act.

Mr. Speaker, I do not regard lightly Federal intervention in local matters. Such action should only occur when local action violates the U.S. Constitution, violates the Home Rule Act, or violates the Federal interest. Clearly it is in the Federal interest to defend the height limits and preserve the character of our Capital City.

TRIBUTE TO TERRY GRAYBOYES

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. BORSKI. Mr. Speaker, I rise today to honor my good friend, Ms. Terry Grayboyes, who was recently honored at the Philadelphia Chamber Association of Small Enterprises [CHASE] Annual Awards Extravaganza.

Ms. Grayboyes has received the CHASE Person of the Year Award as a tribute to her small business success story. She is the president of the Grayboyes Commercial Window Co., a prominent, small business in the Philadelphia area. Ms. Grayboyes was able to aggressively manage her company during the recession of the early 1990's and yield substantial growth at a time when many businesses could not compete.

The Chamber Association of Small Enterprises pays tribute to the small businesses of the Philadelphia area. Nominations for these awards come from the regional business community. Winners are chosen by a panel of small business owners and advisors based on the nominees' demonstrated commitment to the business community.

I had the honor of working with Ms. Grayboyes many years ago when I was a representative in the Pennsylvania State House. At that time, as well as today, Ms. Grayboyes proved to be a talented and successful businesswoman capable of almost anything. I would like to thank her for her undying dedication to success during times of economic troubles. I feel that she is a positive example for other business owners in the Third Congressional District of Pennsylvania, as well as the entire country to exemplify.

Mr. Speaker, I thank you for this opportunity to bring to the attention of the House the accomplishments of Ms. Grayboyes, a woman who has shown that with dedication and hard work, one can be successful in even the most difficult of times. I would like to commend Ms. Grayboyes for these achievements.

TRIBUTE TO JED JOSEPH JOHNSON

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Ms. KAPTUR. Mr. Speaker, I would like to take this opportunity to pay tribute to one of our former colleagues who recently passed away, Jed Joseph Johnson of Oklahoma. Since 1974, he served as executive director of the U.S. Association of Former Members of Congress and devoted most of his energy and intellect to building better international understanding of the Congress. Although he only served one term as a Member of Congress, much of Jed Johnson's life revolved around this U.S. House of Representatives. His father served as a Congressman from Oklahoma and Jed graduated from Capitol Page School in 1957.

Jed Johnson truly loved this institution. As executive director of the U.S. Association of Former Members of Congress, he worked tirelessly on behalf of those who have served in the U.S. House of Representatives. Jed Johnson was always our goodwill ambassador—working to bring foreign leaders to the Congress and teaching, always teaching, about representative government and democracy. I for one am deeply grateful for his efforts and will miss his quick smile and endless energy.

Please let me extend deepest sympathies to his wife Sydney; their two daughters Alice and Sydney; and his many friends from all corners of the globe. He was a remarkable man who brought the world closer to us and always believed in the best instincts of people.

CURRICULUM VITAE

Johnson, Jed Joseph, Jr., son of the late Congressman and Mrs. Jed Johnson, Sr., was born in Washington, D.C., December 27, 1939. He attended the public schools in Chickasha, Oklahoma, and Friends Seminary in New York City, served as a Congressional page and graduated from the Capitol Page School in Washington, D.C. in 1957; graduated from the University of Oklahoma in 1961, where he was student government president and a member of Phi Eta Sigma, Pi Sigma Alpha, Omicron Delta Kappa, Pe-et (top ten senior men) and recipient of the Letzsier Medal (top three senior men); graduate studies in international relations at the Johns Hopkins School of Advanced International Studies. Recipient of the Lasker Foundation Fellowship to serve as national field director of the Collegiate Council for the United Nations in 1961; delegate to the International Student Movement for the United Nations Conference at Lund, Sweden in 1961; president of the United States Youth Council 1962–64; United States representative to the Indian Youth Congress at Tirupathi, India in 1962; U.S. delegate to the World Assembly of Youth in Aarhus, Denmark, 1962; led a United States Youth Council delegation to West Africa in 1963; member of the United States National

Commission for UNESCO; served three years as nongovernmental observer at the United Nations.

Elected at age twenty-four (the youngest Congressman since 1797) as a Democrat from Oklahoma to the Eighty-ninth Congress (January 3, 1965–January 3, 1967); special assistant to the Director, Office of Economic Opportunity, 1967–68; Equal Employment Opportunity Commission, 1968–72; Consultant, Select Committee on Presidential Campaign Activities, 1973.

Executive Director, U.S. Association of Former Members of Congress, 1974 to present; guest of the Japanese Foreign Ministry on a study tour of Japan, October 1976; participant in the 6th annual meeting of the Standing Conference of Atlantic Organizations, June 1978, Wilton Park, United Kingdom; member of a Congressional alumni study tour of China, fall 1979; participant in Pacific Parliamentary Seminars at the East-West Center, Honolulu, Hawaii, 1978, 1979, 1980, 1981, 1983; participant at Aspen Institute Seminar in Berlin, Germany, spring 1980 and fall 1982. Participated in the German-American conference at the Konrad Adenauer Stiftung at Cadenabbia, Italy in November 1981; participant in Parliamentary meetings in Israel and Egypt in the spring of 1981 and 1982; in New Zealand and Australia with parliamentarians in summer of 1982; participant in German Bundestag meetings and conference in Freudenberg, Germany, hosted by the Friedrich Ebert Foundation, September 1982; meetings with the Bermuda Parliament, November 1982; Salzburg seminars with German Bundestag spring 1983 and 1984; German Bundestag-U.S. Congress Comparative Study at "Wingspread" Conference Center fall 1985; meetings with German Bundestag at Konigswinter, Germany, as guest of the Friedrich Naumann Foundation in fall 1986 and spring 1990; on the U.S. delegation to an International Human Rights Conference at DeBurght, the Netherlands, January 1988; seminar with German Bundestag at Villa Borsig, Berlin, Germany in spring 1989; observer of Hungarian elections in March 1990; and observer of Czechoslovakian elections in June 1990. Recipient of the Officer's Cross of the Order of Merit of the Federal Republic of Germany presented by the German Ambassador on October 24, 1988. Participant in the 40th Anniversary of the Atlantik Bruecke in Hamburg, Germany in May, 1992.

Mr. Johnson is married to the former Sydney Herlong and is the father of two daughters, Alice, age 25, and Sydney, age 23. He is a member of the Federal City Club, the Mid-Atlantic Club, the Washington Institute of Foreign Affairs and affiliated with the ecumenical Church of the Saviour.

TRIBUTES TO HONDA POWER EQUIPMENT AND JIM ANDERSON

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. COBLE. Mr. Speaker, on Friday, March 4, 1994, I had the honor of attending a ceremony celebrating the production of the one millionth walk-behind lawnmower made in the Sixth District of North Carolina. The 1 million lawnmowers have been manufactured by Honda Power Equipment [HPE] in Swepsonville, NC.

Not only did I attend the ceremony, but I participated in it. I pulled the starter on the 1 millionth mower and said "ship it" just like Clara Johnson did in the well-known Honda lawnmower commercials. Not only did I meet the real Clara Johnson—Ruby Cagle—but I met many other dedicated associates at HPE. We are proud to be the home of HPE in the United States, and we are delighted that Honda has become such an outstanding corporate citizen in our district.

Just prior to the ceremony, it was announced that one Honda associate had received national recognition for his racing prowess. Jim Anderson, who is an industrial engineer at the HPE plant, is also an avid Sports Car Club of America [SCCA] racer. Jim was mentioned in the February 28, 1994, edition of AutoWeek magazine for winning an SCCA Pro Rally production class race in a Honda Prelude. The Sand Hills/Sand Blast Pro Rally was held on roads through the Sand Hills State Forest near Patrick, SC. We offer our congratulations to Jim for this outstanding achievement.

To everyone at HPE in Swepsonville, NC, we offer our congratulations for manufacturing the first 1 million walk-behind lawnmowers. Best wishes for millions of additional mowers in the years ahead. We hope there will be millions of occasions to say "ship it."

CONGRATULATIONS TO THE DEPARTMENT OF CONSUMER SCIENCE AT THE UNIVERSITY OF WISCONSIN-MADISON FOR COMPLETING THEIR STUDY ON WOMEN AND TELECOMMUNICATIONS

HON. SCOTT L. KLUG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. KLUG. Mr. Speaker, I rise today to congratulate the Department of Consumer Science at the University of Wisconsin-Madison on the successful completion of their study on women and telecommunications.

The time is rapidly approaching when we will have to make important decisions about the development of the information superhighway. We have been hearing for some time how advances in telecommunications technology will affect American jobs, health care, education and other aspects of society. The UW study, which appears below, affords us a glimpse into how widespread an impact America's Information Age is likely to have on women. I am delighted to be able to share this information with my colleagues.

SURVEY FINDINGS

The University of Wisconsin set out to survey women leaders nationwide on the importance of telecommunications services to their organizations, businesses and families, and to determine their views on national telecommunications policy issues being decided in Washington. The following is a summary of our findings and a sense of the comments offered.

Seventy-one percent of women surveyed said telecommunications service are extremely important to them today.

Many women view basic telecommunications services, such as telephone, FAX, and voice mail services, as critical to their success and the success of their organizations. These technologies provide flexibility and aid women in all aspects of their personal and professional lives.

Eighty-nine percent of women said telecommunications services will be extremely important to them by the year 2000.

Citing their increased reliance on the most basic telephone enhancements such as modems and electronic mail, they look forward to new equipment and information services they can access that will make their organizations more productive in the future.

An overwhelming majority (ninety-four percent) said working women will benefit from advanced telecommunications technology.

The vast majority agreed that women will gain substantially from advanced telecommunications services such as telecommuting and remote educational and health services, and that these services will aid women struggling to balance career and family responsibilities. "Telecommuting will make a world of difference for working mothers" was the sentiment echoed by most respondents.

Sixty-two percent said increased competition among telecommunications service providers will produce lower prices and more choices for customers of long distance service.

Most respondents expressed frustration over the long distance service market and their lack of confidence that they had selected the least expensive service for their needs. They felt that allowing local Bell Companies to immediately compete with other long distance service providers would produce lower costs and more choices for consumers.

Sixty-seven percent support increased competition for cable service.

An even greater number of respondents expressed support for increased competition in the cable service market. Citing high costs and lack of options, they favored allowing local Bell Companies to compete with cable companies now.

A large majority of respondents (sixty-nine percent) believe that all telecommunications markets should be opened to competition on a fair and reciprocal basis.

Respondents agreed that if long distance and cable companies are allowed to compete in providing local phone service, local Bell Companies should be allowed to compete in providing long distance and cable services.

IN TRIBUTE TO ADELE GUTTENBERG

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mrs. ROUKEMA . Mr. Speaker, our communities and our country have always relied on the contributions of individuals who rise above and beyond the call of duty to make a difference in the lives of others. I pause today to join the Bergen County Business and Professional Women as they pay tribute to one of the true heroes in their community, Mrs. Adele Guttenberg.

It has been said that the future of our society lies in the hands of individuals. And radiating out from him or her is the family, the community, the county, the State, and the Nation.

But in the end, it all depends on the individual to make a difference. Adele Guttenberg has made that difference in New Jersey.

As a young mother, Adele Guttenberg was faced with the challenge of raising two severely handicapped children at a time when support from local, county, and State agencies did not exist. Being one to gain strength in the face of adversity, Adele Guttenberg rose to the occasion and pioneered the establishment of public support for the disabled and their families.

Adele Guttenberg successfully lobbied the Bergen County Board of Chosen Freeholders to provide education and training for disabled persons older than 18 years of age. She then turned her sights on the New Jersey State government to provide housing and educational opportunities for the developmentally disabled. She is also a cotrustee of the Guttenberg Foundation, where she directs annual grants to provide services to the disabled.

Mr. Speaker, I have seen firsthand the results of Adele Guttenberg's efforts. The Spectrum for Living, an organization which Adele cofounded, provides housing, day care, workshops, and quality of life opportunities for 250 clients. It is clearly an effective source of dignity and hope for the people it serves.

Adele Guttenberg and her husband, Bill, are also longtime benefactors of the New Jersey Institute of Technology. The Guttenbergs have made repeated donations to the school that have allowed the removal of architectural barriers that had prevented physically handicapped persons from utilizing the school's facilities. Finally, the Guttenbergs sponsor a 4-year scholarship at the school for a disabled resident from the northern New Jersey region.

Mr. Speaker, Adele Guttenberg's years of tireless effort have made an immeasurable difference in the lives of countless disabled persons throughout northern New Jersey. Her dedication and commitment has set an example for all to follow. I ask my colleagues in the House to join with me in saying a heartfelt thank you and congratulations to Adele Guttenberg as she receives this fitting recognition as "Woman of the Year."

EXECUTIVE 2000 COUNCIL—THE VOLUNTEER SPIRIT AT WORK

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. CALVERT. Mr. Speaker, one of the things that has made America the great country that it is, is the spirit of voluntarism that is so much a part of our Nation's fabric. This spirit is exhibited daily in both large and small ways throughout the cities, small towns, and rural areas of our land. And, I am proud to say, it is a spirit which is found in abundance in my community of Riverside, CA.

One of the many organizations in my community that typifies this American spirit of voluntarism is the Executive 2000 Council. This unique business support group, which is now over 300 companies strong, was created in September 1990 in order to raise funds to help purchase equipment for Riverside Community Hospital.

Organized as a purely voluntary annual membership program, Executive 2000, a major component of the Riverside County Hospital Foundation, has already raised more than $300,000 for the hospital, and is making a significant impact on cost-effective quality health care in the greater Riverside area.

At a time when Congress, the President and, indeed, the entire Nation are engaged in a crucial debate about the future of American's health care delivery system, it is encouraging to know that there are organizations such as Executive 2000 which have not waited for government to solve the problem, but have done what Americans have always done—pitched in to get the job done themselves. While others discuss, they work. While others study, they contribute their own time and resources.

Already, their contributions have enabled Riverside Hospital to purchase a COR radio system for the emergency department and an emergency preparedness site, across from the hospital, which will be used by the community during emergencies such as earthquakes. And this year, the council's contributions will enable the hospital to purchase a birthing bed, oximetry modules, a ventilator and a printer to complete the COR radio system.

In just over 3 years, the Executive 2000 Council has shown that voluntarism does work. They have demonstrated that individuals working together make a difference. On behalf of the people of the 43rd Congressional District in western Riverside County, I wish to extend my heartfelt thanks and congratulations to the Executive 2000 Council on a job will done, and encourage this wonderful organization to keep up the good work.

A TRIBUTE TO GARY TICKLES

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. JOHNSON of South Dakota. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Gary Tickles of Nemo, SD. Gary, who has demonstrated a remarkable dedication to the needs of many of our Nations troubled youth for over 26 years, will be honored on Saturday, March 26, 1994, as he leaves his position as Center Director of the Boxelder Job Corps Center.

Gary is highly respected by both the staff and the corpsmembers at the Center and the Black Hills National Forest. He also has an excellent relationship with the Community Relations Council at Boxelder Job Corps Center and with the people living close to the Center. Because of his active leadership, Boxelder Job Corps Center is now considered one of the best Job Corps Centers in the Nation. His contributions have not only resulted in raising Boxelder Job Corps rating but improving and touching the lives of hundreds of disadvantaged youths.

Throughout Gary's career, he has served on several regional and national committees striving to improve the Job Corps program throughout the United States.

Gary graduated from Clinch Valley College, WV, with a B.A. degree in education in 1986.

Gary has worked at the following Job Corps Centers throughout his career.

1967, Flatwoods Job Corps Center, Coeburn, VA, as a group leader.

1970, Jacobs Creek Job Corps Center, Bristol, TN, as recreation assistant.

1973, Cass Job Corps Center in Cass, AR, as recreation specialist.

1973, moved to the Branchville Job Corps Center in Branchville, IN, as assistant corpsmember supervisor.

1974, Blackwell Job Corps Center, Laona, WI, as recreation specialist.

1976, Timberlake Job Corps Center, Wauconoa, WA, as supervisory social services assistant.

1990, Harpers Ferry Job Corps, Harpers Ferry, WV, as Assistant Center Director.

In 1992, Gary was awarded the Rocky Mountain Region's Outstanding Ranger of the Year by Regional Forester Elizabeth Estill.

Gary will continue his service to America's youth when he begins his new assignment as Center Director of Joliet Corps Center at Joliet, IN later this month.

Mr. Speaker, I ask that you join me, our colleagues, and his many friends in honoring this outstanding individual for his extensive and dedicated service. Over the years, Gary has touched the lives of many people in South Dakota and other States where he has served our young men and women, and it is most fitting that the House recognize him today.

TRIBUTE TO JOHN H. WEBSTER ELEMENTARY SCHOOL

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. BORSKI. Mr. Speaker, I rise today in recognition of the 100th anniversary of the John H. Webster Elementary School. I wish to extend my congratulations and commendations to the John H. Webster School, its principal, Dr. Barbara Porges, and its staff for their perpetuation of devotion to excellence in education.

Named after John Hambleton Webster, an earnest abolitionist and devoted champion of human freedom, this school has provided its students and community with a quality education since opening in 1894. Throughout the last 100 years, it has provided a warm and nurturing environment as well as an educationally rich atmosphere as it facilitated the assimilation of the best cultural traditions of the diverse student body.

Currently, the John Webster School serves children from many parts of our city who represent every racial and ethnic group. It has been a microcosm of the ideal qualities and aspirations that our society seeks to foster.

Mr. Speaker, I join the alumni of the John H. Webster School, whose ages span the decades of this century in this celebration. I congratulate and commend the school, its principal, Dr. Barbara Porges, staff, students, parents, and community on the occasion of the school's 100th anniversary.

LITHUANIA'S INDEPENDENCE

HON. PETER BLUTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. BLUTE. Mr. Speaker, when the cold war came to an end with the dissolution of the Soviet Union, the Baltic State of Lithuania embarked on its journey toward sovereignty. Russia has made progress in the removal of its troops, but the situation remains tense as new nationalistic rumblings have appeared in Russia. Obviously, Vladimir Zhirinovsky's imperialistic proclamations do not bode well for the security of States such as Lithuania.

The United States should recognize this risk to Lithuania's independence by strongly supporting nation building efforts and strengthening economic ties. We should not fail to seize this opportunity to assist Lithuania.

Furthermore, I would like to enclose for the RECORD the attached resolution of the Worcester Area Council of Lithuanian Organizations. This important group has been in the forefront of advocacy for Lithuanian issues.

RESOLUTION

Whereas the people of Lithuania survived a 51-year foreign occupation which resulted from the infamous Nazi-Soviet Pact of 1939;

Whereas the people of Lithuania courageously resisted the imposed communist dictatorship and cultural genocide of this foreign occupation;

Whereas the people of Lithuania were able to mobilize and sustain a non-violent movement for social and political change which came to be known as "Sajudis";

Whereas on March 11, 1990, the democratically-elected Lithuanian parliament, fulfilling its election mandate from the people of Lithuania, declared the restoration of Lithuania's independence and the establishment of a democratic state;

Whereas the people of Lithuania, the elected leaders and the civil servants of the government of Lithuania persevered in the building of democratic and independent institutions under conditions of economic blockade and armed assaults over 17 months including a bloody assault on January 12-13, 1991 by foreign troops;

Whereas Lithuania's successful restoration of democracy and independence is remarkable for its use of non-violent resistance to an oppressive regime;

Whereas the continued illegal presence of Russian army units in Latvia and Estonia poses a significant threat to the independence of Lithuania;

Whereas the government of the Russian Federal has adopted an aggressive military doctrine asserting the right to intervene in the affairs of neighboring states including Lithuania;

Whereas the massive concentration of Russian military forces in the Kaliningrad region, currently under the control of the Russian Federation, threatens the peace and security of Lithuania;

Whereas the Congress of the United States has continued to restrict United States foreign aid to Russia until the military forces of the Russian Federation are removed from the territory of Latvia and Estonia;

Therefore, be it *Resolved* That:

1. We commend the people of Lithuania for their commitment to democratic institutions and principles during this difficult period of transition to a free market economy and join with them as they celebrate their independence:

2. We urge President Yeltsin to complete the withdrawal of Russia's armed forces from Latvia and Estonia without further delays, to demilitarize the Kaliningrad region and to renounce his government's neo-imperialist policy of asserting a right to militarily intervene in the affairs of neighboring states;

3. We urge our representatives in the U.S. Congress to support Lithuania's transition to a free market economy through humanitarian, technical and financial assistance and urge President Clinton to end the long delay in appointing the Board of Directors of the Baltic American Enterprise Fund:

4. We urge President Clinton and the U.S. Congress to continue to assist Russia in withdrawing its troops from Latvia and Estonia;

5. We urge President Clinton to oppose the Russian government's new military doctrine which asserts a right to intervene in the affairs of neighboring states, including Lithuania;

Having adopted this resolution by unanimous vote of all assembled, the Chair of this assembly is instructed to send copies of this resolution to our elected representatives in Congress and to the President of the U.S. and to the government of Lithuania.

DARKER SIDE OF WHITEWATER?

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. ROHRABACHER. Mr. Speaker, as the saga of the Whitewater Affair continues to captivate the attention of the media, it is important to remember that a journalist's job often requires him to persevere in exotic and dangerous locations where bullets fly and planes fall inexplicably from the sky. It seems that in 1994, the top hazardous duty post for journalists is none other than Little Rock, AR.

As a former member of the fourth estate, I commend these journalists and their sources who daily face the high risks of exposing the truth about the financial and social activities of Bill and Hillary Clinton.

The time has come for this Congress to investigate the allegations and protect the lives of those who know the truth about Whitewater, Madison Savings, the death of Vince Foster.

What follows is a compilation of facts concerning the darker side of Whitewater reported in the March 23, 1994, American Political Hotline. I commend it to the attention of all who doubt that something's rotten in Arkansas.

DARKER SIDE OF WHITEWATER?

Under header, "Are attacks linked to Whitewater?," Deroy Murdock reports Harper's contributing editor L.J. Davis, who was in Little Rock doing research for his just published New Republic piece on AR's "rich tapestry of interwoven financial and political deals" was assaulted. "His encounter seems to be part of an alarming—and largely unexplored—pattern of violence and intimidation that has ensnared some individuals associated" with the Clintons, the McDougals and reporters covering these matters. After spending a week reviewing financial documents and interviewing people in Little Rock, Davis went to his hotel room at around 6:30 p.m. on 2/14. Davis: "The last thing I remember is unlocking the door of Room 502 to go in. The next thing I remember, four hours later, at 10:30 at night, was waking up on the floor of the foyer of my hotel room, partially paralyzed with a lump the size of a darning egg over my left ear." Davis said his doctor "found his injury inconsistent with a fall" and that he "was struck a powerful blow above the left ear." Davis is taking medication to dissolve a blood clot in his brain. Davis "doubts he was the victim of a robbery gone awry": "My watch was still on my wrist and my wallet still contained a couple of hundred bucks." He said he did discover that "about four pages of my notebook in a very significant portion were half torn out." Davis says he regrets not heeding warnings "from the office of high government official" in DC: "The exact phrase they used was, 'You've gotten into a red zone.'" He says his contact urged him: "Work your ass off and get out of there as fast as possible." On 3/8, about three hours after sending the New Republic a "partial draft" of his story my modem, Davis said his phone rang. Davis, quoting the male voice on the other end: "What you're doing makes Lawrence Walsh look like a rank amateur." Davis replied: "Who is this?" The male voice: "Seems to me you've gotten your bell rung too many times. But did you hear what I just said?" Davis: "Yes, I did. Is this—" The voice hung up. The conservation "puzzles" Davis: "Somebody seems to be reading by computer transmissions. Whoever called me knew what I'd just sent to the New Republic. There are only three of us who know what was in that transmission" (N.Y. Post, 3/23). A.W.S. Journal editorial describes the Davis incident as well as another allegation by Sally Perdue, the former Miss Arkansas and TV reporter who said she had an affair with Clinton. Perdue said staring 1/93, she has been threatened in exchange for his silence: "The state seems to be a congenitally violent place, and full of colorful characters with stories to tell, axes to grind and secrets of their own to protect" (3/23). Murdock describes five other mysterious incidents. One involves a break-in of the offices of the American Spectator, one involving a fire at the HQs of the Worthen Bank, which loaned money to the Clinton pres. compaign. The other three involve deaths. Jerry Parks, whose company had provided security guards to Clinton's pres. campaign, was shot at close range 10 times from a 9mm semi-automatic pistol. Parks' son, Gary Parks, told the London Telegraph his father had been "working on Clinton's infidelities for about six years." Parks' son and wife note the elder Parks kept a file on Clinton hidden in their home. It was discovered missing after a break-in before Parks death. The other two deaths involve plane crashes: A leading AR lawyer and a AR dentist who was to meet a British reporter with supposed information on Whitewater (3/23).

TRIBUTE TO AMBASSADOR CHARLES PROVIDENCE GOMIS

HON. HARRY JOHNSTON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. JOHNSTON of Florida. Mr. Speaker, as Chairman of the Subcommittee on Africa, it is my privilege to rise today to pay tribute to one of the leading members of the diplomatic

corps in Washington, Ambassador Charles Providence Gomis from the Côte D'Ivoire. Ambassador Gomis, the dean of the African diplomatic corps, has served both his country and the continent of Africa admirably for the better part of the last 8 years.

Having first served in Washington in the mid-1960's, under Henri Bedié, Ambassador Gomis returns to Abidjan to serve as special advisory to the same Henri Bedié, now the successor as President to the late President Houphouet-Boigny. I applaud the Côte D'Ivoire for its peaceful transition of power, and offer it my support, and that of my colleagues, in facing the many challenges that lie ahead not only for the Côte D'Ivoire, but for the entire continent of Africa. I also applaud President Bedié's wise choice of Ambassador Charles Gomis as one of his close advisors, and I am confident that Ambassador Gomis will continue to serve his country with distinction from his new position, as he has done from Washington.

Finally, I would like to express my gratitude to Ambassador Gomis for his efforts to organize the African diplomatic corps in Washington into a more effective and cohesive group in order to secure greater interest in and commitment to Africa's unique challenges and opportunities among policymakers in Washington. Ambassador Gomis' role in founding the African Diplomatic Outreach Program, and his role in the historic African-African-American Summits have put him at the forefront of efforts to increase cooperation between Africa and the United States. As I seek to increase the profile of Africa and an understanding of its challenges among my colleagues in the Congress, I am thankful that Ambassador Charles Gomis has been, and remains, a partner in these efforts.

CONGRATULATIONS TO EAGLE SCOUT JAMIE OETERS

HON. DAVID MANN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. MANN. Mr. Speaker, I want to take this opportunity to recognize Jamie Oeters on his accomplishment of earning the rank of Eagle Scout. This is a substantial achievement demonstrating Jamie's perseverance, as only 2 percent of all Scouts ever attain the Eagle rank.

Jamie Oeters began his Scouting odyssey in 1983 as a Cub Scout in Pack 275. Jamie earned the ranks of Bobcat, Wolf and Bear, 12 activity badges, and the Arrow of Light.

In 1986, Jamie joined Boy Scout Troop 880, sponsored by Heritage United Methodist Church. In 1993, he completed his Eagle Scout requirements. His community service project involved the installation of a new sign for Mt. Healthy South Junior High School, including suitable landscaping.

While blazing the trail to Eagle Scout, Jamie held several leadership positions, starting with patrol leader and culminating with Junior Assistant Scoutmaster. Furthermore, Jamie was a member of the honor corps and attended a high adventure trip to Ely, MN.

Jamie Oeters also has been quite active outside of Scouting. He is a senior at Mt. Healthy High School where he has demonstrated that he is mentally awake as a member of the National Honor Society. Jamie has proven himself physically fit, as a member of the varsity soccer and baseball teams and a lifter for the cheerleaders. In addition, he is a member of the marching and concert bands.

I extend my heartiest congratulations to Jamie who should be justifiably proud of his accomplishments. I also extend my congratulations to his parents, Gary and Donna Oeters, and his adult Scout leaders whose support and encouragement helped make his goal a reality.

VFW VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM IDAHO WINNER

HON. MICHAEL D. CRAPO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. CRAPO. Mr. Speaker, I bring to my colleagues' attention the following VFW Voice of Democracy Scholarship Program Idaho winner:

"MY COMMITMENT TO AMERICA"

By Amy Bice, Idaho Winner

Dear Journal: July 18, 1993: I am standing on granite steps in Arlington Cemetery, one face in a crowd of many, witnessing the changing of the guard at the Tomb of the Unknown Soldier. Due to fortunate circumstances, it will soon be my turn to participate in the ceremony as a member of an Honor Guard assigned to lay a wreath on the tomb. The flag waves overhead while a bugler plays taps. As the wreath is placed, a voice deep within tells me how blessed I am to live in the United States of America.

July 19, 1993: Today I stand before a long black wall, helping a friend find the inscription of her father's name. Suddenly a war that took place long ago in the far-off country of Vietnam becomes a reality and surfaces as tears. I say a silent prayer of gratitude for all who have died and lived to defend my country.

July 20, 1993: This can't really be happening!! Here I am, a girl from small town USA, sitting in the Rose Garden of the White House! Hold on, here he comes! Now he's shaking my hand. A light flashes as the President of the United States and I are captured on film for posterity. I nervously babble, "It's a pleasure for you to meet me, Mr. President."

So reads my journal describing the most incredible week of my life, all of it made possible through the voluntary service of a national women's group. These women freely gave their time, money and effort, to provide young people like me the opportunity to experience government first hand and gain appreciation for this country. Their selfless service changed the course of my life. Now I am determined to contribute all that I can to assist and uplift others—because I know that by serving one another, America will be strenthened.

Evidence of service is all around us. Every day citizens assist others by providing food for the homeless, visiting nursing homes or reading to the blind. In addition, service is our heritage. Betsy Ross was, after all, an ordinary woman who could sew; Paul Revere a talented silversmith. Both simply gave service to causes in which they believed.

Although I am only one young woman, there is much I can do to carry on the tradition of assisting those around me. Service is not only a goal for the future, but an action I must take now—in the present, because the future is built on the actions of today. But where does one young person begin? The obvious place to start is within the circle of my own influence—within my school and community.

Dear Journal: August 14, 1993: I volunteer as a youth worker for a Gubernatorial candidate. By distributing flyers and hanging banners. I feel I am serving other youth and motivating them to play an active role in government.

October 12, 1993: I continue tutoring Special Education students. Last week I arranged for dates, flowers, and dinners so that two Down Syndrome teenagers could experience a formal high school dance. After a night of laughter and dancing, the excitement in the eyes of the kids said it all.

Such are the journal entries that reveal my continuing commitment to strengthen America. I may never hold public office or determine public policy, but I know I can contribute significantly to the country I love.

I can only envision an entry in the journal of my future.

May 2, 2011: I continue acting on the wise counsel once given by Edward Hale. I first heard it way back in 1993: "* * * because I cannot do everything, I will not refuse to do the something that I can do." That something for me is service * * * my commitment to America.

CSCE ECONOMIC FORUM

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. HOYER. Mr. Speaker, I rise today to commend the contribution of the U.S. delegation to the work of the second Economic Forum of the Conference on Security and Cooperation in Europe [CSCE] which was held last week in Prague. Under the able leadership of Ambassador Stuart Eizenstat, U.S. Representative to the European Union, the delegation played a prominent role in this important meeting designed to give further impetus to economic reform in those countries in transition among the 53 CSCE participating states. David R. Cohan, CEO of Intercontinental Trading Corp. and Prof. Tom Volgy of the University of Arizona were active participants as public members on the delegation. They added a unique and refreshing perspective to the discussions in Prague, drawing from their considerable experience in business and academia. I am also very pleased to note the active and knowledgeable participation by the commission's staff as well.

Forty-one CSCE countries were represented at the Forum. The United States provided grants which enabled Albania, Belarus, Georgia, and Moldova to send delegates to the meeting. Algeria, Egypt, Israel, Morocco, and Tunisia attended as nonparticipating Mediterranean states. Japan was also present. Representatives of nearly a dozen inter-

national organizations, including the U.N. Economic Commission for Europe [ECE], the International Monetary Fund [IMF], the Council of Europe, and the Commonwealth of Independent States [CIS] contributed to the work of the Forum. The CSCE Parliamentary Assembly was also represented. Italy, in its capacity as chair-in-office, presided over the proceedings.

The discussions were organized around broad topics related to the transition to free markets—elements of a favorable business climate, favorable conditions for trade and investment, infrastructures, and cooperation in the area of science and technology. Many of the delegations present at the Forum used the occasion to report on the status of economic reform in their countries. Only a handful or so included representatives of the business community and private sector. On the positive side, those who did make it to Prague were able to exchange views and experiences through informal contacts on the margins of the Forum.

The U.S. delegation was among the most active, contributing to the general debate as well as circulating various proposals for additional work within the framework of the Economic Forum. A proposal on tourism, drafted by Helsinki Commission staff, was well received as a valuable means of bridging the human and economic dimensions of the CSCE. Romania offered to host the seminar on tourism in late 1994. Slovenia expressed its willingness to serve as the venue for a seminar on public support for the reform process, another idea floated by the United States.

Ambassador Eizenstat offered a number of concrete suggestions to stimulate a freer exchange of views and encouraged other delegations to include representatives from the private sector at future meetings. He specifically called for more informal sessions, a more focused agenda, and a concerted effort to encourage participation by all participating states in future sessions. He also suggested that the Economic Forum take fuller advantage of the expertise of relevant international organizations. Eizenstat offered a number of topics which might be taken up by the Forum, including taxation, marketing, infrastructure, privatization/restitution, banking, energy, and education.

The United States delegation successfully headed off efforts in Prague to diminish the importance of the Forum which was established in 1992 to serve as a catalyst during the transition to free-market economies, particularly in the emerging democracies of Central and Eastern Europe and the New Independent States of the former Soviet Union. The inaugural meeting of the Economic Forum was held in the Czech capital in 1993. A number of West European countries have expressed reservations about the Forum fearing that it might in some way subvert the work of the 12-nation European Union. The United States, the main architect of the Forum, has urged that the CSCE remain involved in the economic sphere as part of an integrated approach covering human rights and military security as well as economic matters. It was agreed that the third Economic Forum will be held in Prague, June 7–9, 1995.

THE DEDICATION OF HARVEY FIELD IN TRIBUTE TO HARVEY SCHLENKER

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. CALVERT. Mr. Speaker, we hear a lot these days—in fact, too much—about people who excel in their professions, but fail miserably as human beings. We are disgusted by the greed and pettiness which seem to permeate professional sports and the entertainment industry. And, we are appalled by the poor example which so many athletes and other celebrities set for our youth.

We live in an era when people seek gain without pain; an era when the worth of a person is too often based on the car he drives or the clothes he wears; an era in which our young people are sorely lacking in positive role models.

Fortunately for all of us, there are still a few genuine heroes.

They are not wealthy. They are not powerful. They are not part of the Jet Set.

But, they all have something special. They have a keen sense of honor. They have guts. And, they have a quality which I can't describe in any other way except to say that they have heart.

One such hero from my community of Riverside, CA, was Mr. Harold Schlenker.

Until his death earlier this year at age 29, Mr. Schlenker suffered from a rare form of diabetes that led to problems with high cholesterol and poor blood circulation. In spite of his ailment, which eventually led to the amputation of both legs, Harold—also known as Harvey—was a true winner.

Never complaining, Harvey spent much of his high school years in hospitals. Later, in spite of his disabilities, he vowed to coach, even if he had to lean on crutches or sit in a wheelchair. And coach, he did.

For 6 years, Coach Schlenker was a mainstay of the Glen Avon Little League. He was an excellent coach, and led his girls' softball team to the 1990 championship. He inspired his team, not only by his love of baseball, but by the size of his heart.

On March 28, 1994, the Jurupa Area Recreation and Park District will rename one of its baseball fields in Mr. Schlenker's honor. Henceforth, it will be called Harvey Field.

Mr. Speaker, this generation desperately needs more heroes like Harvey Schlenker. I am proud that he coached in my district, and I hope that the thousands of young people who play on Harvey Field in the years ahead will strive to emulate the characteristics that made Harvey so unique. To his players, he was a magnet of friendship and a tower of strength. To all who knew him, he was a genuine American hero.

TRIBUTE TO DR. DAVID J. MATA

HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. KOPETSKI. Mr. Speaker, I am pleased to rise today to honor a great humanitarian and outstanding community leader, Dr. David Joseph Mata. Dr. Mata's exceptional career reflects the remarkable accomplishments of his life's dream and deep dedication to people.

Upon arrival at Salud Medical Center in Woodburn, OR, Dr. Mata began his current work as a strong innovative medical director and physician of the clinic that ministers to a predominately poor clientele, 80 percent of whom are migrant farmworkers from Mexico and may have never sought medical attention. As the new medical director at Salud, he began addressing innovative programs to help migrant farmworkers in the surrounding four-county area. He was instrumental in starting a unique midwifery obstetrical service at Silverton Hospital for migrant and low-income pregnant women by using family physicians in collaboration, this is a historic first in the State of Oregon. Dr. Mata developed a revolutionary hospital and clinic practice that is culturally sensitive and maintains continuity of care. He is known nationally as a noted speaker and educator in the area of cross cultural medicine.

Dr. Mata is not a typical physician who will follow a regular practice with a six figure wage. He is a man who will provide medical service to 33,000 patients per year in an underserved area, make hours or camp calls, accept phone calls at 2 a.m., or travel in extreme weather just to make sure one more person will live a day longer. He is that rare individual who keeps his faith regardless of the challenge or obstacles thrown his way.

However, Mr. Speaker, I would most like to commend Dr. David Joseph Mata on his most recent award as The Outstanding Young Person of the World. The TOYP program of Junior Chamber International serves to recognize 10 individuals between the ages of 18 and 40 who exemplify in 10 specific categories the best attributes of the world's young people. Dr. Mata was the only one chosen from the United States. Last year he was named 1 of the top 10 young Americans by the U.S. Junior Chamber of Commerce. I ask my colleagues to join me in saluting Dr. Mata's services to his community.

TRIBUTE TO REV. A. DOUGLAS THOMAS

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. DIXON. Mr. Speaker, I rise today to pay special tribute to the distinguished Reverend A. Douglas Thomas who recently retired as pastor of the Lincoln Avenue Baptist Church after 28 years of dedicated service and spiritual leadership.

Born in Shreveport, LA, Reverend Thomas was educated by the Shreveport public school

system and later attended the University of California and the American Baptist Seminary. He also worked toward a masters of arts degree at the Fuller Theological Seminary.

Upon arriving in Pasadena, CA, Reverend Thomas ministered at the Metropolitan Baptist Church. In 1962, he became the pastor of St. Matthew Baptist Church in Merced, CA, and continued in that position for 4 years. In 1966, Reverend Thomas answered the call of the board of deacons of the Lincoln Avenue Baptist Church, to become the church's seventh pastor.

Under his leadership and spiritual guidance, the Lincoln Avenue Baptist Church flourished and grew from a small church to a congregation of over 1,100 members. In little more than 10 years, a new church building was constructed and the Lincoln Avenue Education Center was established. Through this center, Reverend Thomas created the first tutorial program in Pasadena. In testimony to his inspiring achievements, Reverend Thomas became affectionately known as the builder pastor. While continuing his diligent work at Lincoln Avenue Baptist Church, Reverend Thomas also served as president of the Interdenominational Ministers' Alliance from 1969 through 1971.

With remarkable dedication, Reverend Thomas has been a powerful force for spiritual development throughout the years. Mr. Speaker, I ask my colleagues in the House of Representatives to join me in commending Rev. A. Douglas Thomas on his commitment to the parishioners of the Lincoln Avenue Baptist Church and to the Pasadena community.

TRIBUTE TO DOYLE DELOVIO

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Doyle Delovio of Troop 17 in Crompton, RI, and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. This young man has distinguished himself in accordance with these criteria.

For his Eagle Scout project, Doyle washed the cinder block walls in St. Mary's Church.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Doyle Delovio. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Doyle Delovio will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

WOMEN IN GOVERNMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, March 23, 1994, into the CONGRESSIONAL RECORD:

The year of 1993 has been called the "Year of the Woman" in American government. They now serve in record numbers in the U.S. Senate (7) and the U.S. House of Representatives (48), fill 20% of state legislatures, and occupy numerous statewide elected offices, including key governorships in Texas and New Jersey. President Clinton has appointed women to six cabinet posts, and women account for 45% of his government appointments. First Lady Hillary Clinton has spearheaded the administration's efforts on health care reform. Women are having a growing impact on government. Women bring a different set of life experiences to the public policy process. Many of them, for example, have personal experience in fighting breast cancer, discrimination and sexual harassment, and are eager to see these and other issues addressed in the legislative process. My sense is that women's influence in government and politics will continue to grow, and that the country stands to gain from their involvement.

WOMEN IN GOVERNMENT

The number of women in government has increased dramatically in the last decade, although they are still not represented in government at a level proportionate to their numbers in the general population. Women now hold 22% of statewide offices, up from 10% in 1975. Four of the nation's governors are women. Three women hold prominent positions in Indiana's state government: Attorney General Pamela Carter, State Treasurer Marjorie O'Laughlin and Auditor Ann Devore. In 1993 there were 1,517 women serving as state legislators, more than twice the number of women who served in state legislatures ten years ago. The Washington State legislature has the highest percentage of women, at 38%. More women are also serving in local government. They now comprise 18% of the nation's mayors, up from just 1% in 1971.

WOMEN'S IMPACT

Clearly, women are having an impact on the legislative process. A recent survey of state legislatures found that women legislators introduce and vote for bills aimed at improving the welfare of women and children at a far greater rate than their male counterparts. They are also more attentive to the impact that existing government programs have on women—whether that means extending Medicare coverage to mammograms or seeking gender equity in education.

The 103rd Congress, with its 55 female members, approved more legislation concerned with the particular interests of women in its first session than any preceding Congress. Thirty bills on women's issues were enacted last year, six times as many as were passed in the last five sessions, and dozens more have been introduced. Congress passed the Family and Medical Leave Act and increased funding for Head Start, child care grants and child support enforcement. Women in Congress have led efforts to improve the health care system for women and families, including an increase in women's health research at the National Institutes of Health and the creation of a Women's Health Research Center. Congress is also working on a variety of other legislation of special interest to women, including the Violence Against Women Act and the Equal Remedies Act, which would remove the cap on damages allowed victims of intentional gender discrimination.

Differences between men and women in politics can be overemphasized. Female politicians, like their male counterparts, come from both the Republican and Democratic parties and represent diverse constituencies with varying concerns and priorities. Many men care deeply about social issues too, and it can be argued that White House leadership was critical to passage of the Family and Medical Leave Act and other programs. Women in government do not agree on every issue, nor do they spend all their time working on "women's issues." Even so, women are becoming a powerful force for change, particularly on social issues. They are helping to set legislative and spending priorities, and their proposals are receiving increased attention.

CHALLENGES FOR WOMEN

Women in government continue to face many challenges. First, women still do not occupy many positions of power. Part of the problem is seniority. In general, women have entered office more recently than their male counterparts, and have yet to work their way into leadership positions. For example, no women chair committees in the House of Representatives although a few women serve in leadership positions in both parties. Second, partisan and ideological differences as well as home district concerns frequently create obstacles to unity and the formation of an effective voting bloc. Some suggest that women need to be more unified and organized if they want to become more effective. Third, women in government still encounter sexism and discrimination in the workplace. While many voters have shown at the ballot box that they support women as politicians, there are people, including those in government, who resist the idea of women in government, particularly when women are in leadership positions. This attitude can serve to limit the effectiveness of women politicians, although my experience has been that the situation is improving. I am impressed by the savvy and tenacity of many of my female colleagues in Congress.

CONCLUSION

Women have made tremendous gains in politics and government over the last twenty years, but they still have a ways to go before their presence in politics reflects their presence in society. If current voting trends continue, women will eventually achieve what many call a "critical mass" of 25-30% of the representation in Congress and in state and

local governments around the country—when their number will constitute a powerful political force in the legislatures.

Women continue to face resistance as they scale bastions of power. The power structure in this country still remains overwhelmingly male. No woman in the United States has yet become a spokesman for her party in the same way that Margaret Thatcher did in Great Britain and no woman has yet achieved a national constituency. The intriguing question is what difference does it make that more American women are coming into politics. In a sense women have been preoccupied with participation and we have not yet seen enough women in office to make a judgment about their overall impact.

As more women serve in government, their influence in all areas of public policy, including finance, foreign affairs, and economic development, will grow, and the country will benefit. In the meantime, women representatives continue moving up the ranks in local, state and federal government.

MENTAL HEALTH CARE PROVIDERS BOUNTY PREVENTION ACT

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. BRYANT. Mr. Speaker, I have become increasingly concerned about the abuse and mistreatment visited upon psychiatric patients by so-called bounty hunters.

Therefore, today I am introducing legislation to prohibit the intentional solicitation or offers for payment for patient referrals to mental health facilities. The legislation does not prohibit the legitimate referrals—only those unscrupulous ones which simultaneously violate patient needs and taxpayer pocketbooks.

Since I started looking into this matter in the fall of 1991, I have been amazed at both the lengths to which some of those in the health care industry are willing to go and the perversity of the schemes, driven by a commitment to greed, rather than the Hippocratic oath.

My limited investigation leads me to believe that a private, for-profit psychiatric hospital can be a very dangerous thing. Reportedly, hundreds, possibly thousands, of patients may have been subjected to expensive and unnecessary treatment at private for-profit psychiatric hospitals. In their zeal to compete for diminishing insurance dollars, some of those institutions apparently have been involved in a win-at-any cost war for patients.

Law enforcement officials in several States have investigated and continue to investigate private for-profit psychiatric hospital chains based on allegations that they systematically kidnap patients to increase profits from insurance claims. Across the country, State attorneys general have uncovered elaborate, aggressive, creative, deceptive, immoral and illegal schemes being used to fill empty for-profit psychiatric hospital beds. What was once thought to be an isolated problem occurring at just a few institutions in a few States is, in actuality, a national scandal.

More than 200 complaints charge that among other abuses, private for-profit psychiatric hospitals hire bounty hunters who kidnap patients with medical insurance whether or not hospitalization is needed.

Some of these hospitals have set up employee-incentive programs to stir up new business. The hospitals are even offering kickbacks and bounties to employee assistance programs [EAP]. Some institutions have set up their own EAP's and are referring patients to themselves.

At least one former private for-profit psychiatric hospital administrator testified that bounties are often paid through a third party to launder or disguise the money. The payment often cities a fake or contrived treatment, such as patient aftercare, which often is not performed following treatment.

International brokers have brought thousands of Canadian patients to the United States for treatment. Plagued by empty beds, private for-profit psychiatric have paid bounties ranging from $1,500 to $4,000 per Canadian patient. Claims from U.S. hospitals for Ontario patients alone increased from $5.4 million in 1988 to $51.3 million just 2 years later.

One man is referred to as the "half million dollar man." He reportedly received over 20 months of treatment in five different Houston hospitals and returned to Canada a cocaine addict. According to the Ontario Ministry of Health, recruiters targeted Toronto's down-and-out and promised them stays in Florida or California.

One hospital chain was getting such high numbers of Canadian patients that the chain negotiated discounts with American and Northwest airlines. Many of those sent to U.S. institutions for substance abuse therapy did not need to be in those U.S. facilities or did not get appropriate care.

Recent disclosures indicate that some private for-profit hospitals go to great lengths to find and admit children. The most infamous of these cases, and the one that really started the latest overall investigation, involves an adolescent boy who was apprehended at his grandparents' home by two employees of a private security firm. The two were not even certified peace officers, even though they flashed large police-like badges.

Their firm was being paid between $150 to $450 for each patient delivered to certain private for-profit psychiatric hospitals in the area. The family was told that if the 14-year-old did not cooperate, a warrant would be obtained and the child would be detained for 28 days. Officials discovered that the boy had been ordered detained by a hospital staff doctor based on a report by his 12-year-old brother.

School officials have testified that private for-profit psychiatric hospitals really pursue referrals from public schools. Indeed, investigation has even found that financial relationships have existed between hospitals and school personnel. State authorities are looking into complaints that some chains offer school counselors free office furniture or other rewards in exchange for referrals.

Hospital have lent their own employees to schools to help guidance departments evaluate psychiatric and substance abuse problems. While these actions are not illegal, they could create an atmosphere that pushes students into institutional care they did not need. Estimates put the level of fraud perpetrated by certain actors in the health care industry at $70 billion dollars. The GAO estimates the fraud could reach $100 billion by 1995.

This figure dwarfs the estimated $5 billion lost through criminal fraud in the entire savings and loan debacle. Most authorities estimate that health care fraud and abuse encompasses 5 to 15 percent of this nation's overall medical costs—this at a time when health insurance premiums have skyrocketed out of reach for a significant portion of our citizens.

These private psychiatric corporations are listed on our country's major stock exchanges and motivated by profit because shareholders demand high investment returns—apparently with little management regard for the fact that mistreatment of human beings can be the cornerstone for generating even greater profits. This bottom line crunch is forcing many for-profit psychiatric hospitals to engage in aggressive, and what should be illegal, recruitment and referral practices that totally ignore the needs of the young people and others they pretend to serve.

For-profit psychiatric facility patients have been bought and sold through a plethora of cleverly designed schemes—each scheme more diabolical than the last. I am particularly outraged about the situation in which one psychiatric hospital marketing director was on the local school board which dealt with troubled children.

In many cases, children have been transported out of State for treatment, a practice which increases reimbursement payments and evades the regulation of any government entity. As one advocate put it: "The Department of Agriculture keeps tabs on every single chicken sent out of State, but nobody can tell you how many kids have been sent to psychiatric facilities out of State."

Current Federal laws have not curbed the abuses wrought by those who do not fall within the purview of the Medicaid and Medicare illegal remuneration statutes. That is why in the past I have introduced legislation to prohibit for-profit patient referrals. Patients referrals should be dictated by patient need and nothing else.

To enslave troubled young people out of greed, fueled by our tax dollars, as has so often happened in recent years in my home State of Texas and elsewhere, is an abomination. Those who do so are nothing less than sick criminals.

The bill I offer is a cost containment measure to protect our children from unconscionable abuse. This measure is meant to cover all forms of payment for referral—not merely traditional methods of referral payment.

It further provides for criminal penalties; and violations are punishable by fines in excess of $250,000 and imprisonment of up to 5 years.

Section 1 provides that the short title of the bill shall be the "Mental Health Care Providers Bounty Prevention Act."

Section 2 creates a new offense at section 1822 of title 18, United States Code, imposing a fine and up to 5 years imprisonment upon any mental health care provider who knowingly and willfully offers or pays remuneration for mental health patients or any person who solicits or receives remuneration for referring mental health patients.

The bill maintains the safe harbors for conduct precluded from being a violation under the Social Security Act. Such conduct would not be a violation under this bill.

The term "mental health care provider" means any provider of goods or services for the diagnosis and treatment of mental illness, if the provider operates in or affects interstate or foreign commerce.

I urge my colleagues to join me as a cosponsor of this important and humane legislation.

H.R. —

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 "Mental Health Care Providers Bounty Prevention Act of 1994".

SEC. 2. TITLE 18 AMENDMENT.

(a) IN GENERAL.—Chapter 89 of title 18, United States Code, is amended by adding at the end the following:

"§ 1822. Mental health care provider bounties prohibited

"(a) Whoever knowingly and willfully solicits or receives any remuneration (including any kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind—

"(1) in return for referring an individual to a mental health care provider for the furnishing or arranging for the furnishing of any item or service; or

"(2) in return for purchasing leasing, ordering, or arranging for or recommending purchasing, leasing, or ordering any good, facility, or service, or item from a mental health care provider;

shall be fined under this title or imprisoned not more than 5 years, or both.

"(b) Whoever knowingly and willfully offers or pays any remuneration (including any kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind—

"(1) to refer an individual to a mental health care provider for the furnishing or arranging for the furnishing of any item or service; or

"(2) to purchase, lease, order, or arrange for or recommend purchasing, leasing, or ordering any good, facility, or service, or item from a mental health care provider;

shall be fined under this title or imprisoned not more than 5 years, or both.

"(c) Any conduct which under section 1128B(b)(3) of the Social Security Act is precluded from being a violation of that section is not a violation of this section.

"(d) As used in this section, the term 'mental health care provider' means any provider of goods or services for the diagnosis and treatment of mental illness, if the provider operates in or affects interstate or foreign commerce.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 89 of title 18, United States Code, is amending by adding at the end the following:

"1822. Mental health care provider bounties prohibited.".

THE 25TH ANNIVERSARY OF THE MINORITY STUDENT PROGRAM AT RUTGERS LAW SCHOOL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. MENENDEZ. Mr. Speaker, I rise today to celebrate the 25th anniversary of the Minority Student Program at Rutgers law school in Newark, NJ. The program has grown into one of the most successful in the Nation. I'd like to share with my colleagues a passage or two from an article entitled, "Unlocking the Doors to Legal Education: Rutgers-Newark Law School's Minority Student Program." The article, written by law school dean Janice Robinson, is one of the best descriptions of the remarkable history and success of the program.

Since 1968, the law school has committed itself to increasing the number of minorities and disadvantaged whites in the legal profession through its Minority Student Program, widely known as the MSP. The MSP, an admissions process and support services program, has made Rutgers-Newark a nationally recognized leader in providing legal education for minorities and disadvantaged persons.

The MSP arose from the flames of the Newark rebellion in 1967. The unrest and frustration felt by minorities forced the law school to reexamine its commitment and its mission. In 1968, there were fewer than 100 African-American lawyers among the 8,000 attorneys in New Jersey. There were even fewer Latino and Asian-American lawyers. Between 1960 and 1967, only 12 nonwhite students had graduated from the law school.

What sets the Rutgers MSP apart from other affirmative action programs which were created during that era is the manner in which it was implemented. While most schools were increasing their recruitment efforts among prospective minority students who met traditional admissions standards, Rutgers-Newark had the vision to broaden the standards themselves. As Dean Robinson explained, "It was obvious to those creating the MSP that traditional standards excluded minorities and disadvantaged persons, as evidenced by the low number of minorities admitted to and graduated from law schools at that time."

Approximately 30 percent of each first-year class at Rutgers-Newark is admitted through the MSP. But the MSP is about more than just increasing the number of minority students. The success of the program is due in large part to the support services which are an integral part of the MSP. Admitted students participate in a summer orientation program, and are eligible for first-year tutorial, summer internship, and Federal judicial internship programs, which not only lend academic support, but open doors of career opportunity for the students once they graduate.

Since 1971, the MSP has graduated over 900 students, who in turn share their knowledge and expertise with the community at-large, serving as judges, partners in private law firms, public interest attorneys, presidential appointees, members of the New Jersey State Senate and Assembly, mayors, agency commissioners, police and fire directors, as well as professors and administrations at law schools around the country.

Mr. Speaker, the Rutgers-Newark Law School MSP is a model of how the vision of equal educational opportunity for all can be made a reality. I know that there is not one here among us in the House who does not recognize the value of a program such as this, which methodically destroys the barriers that have traditionally prevented the disadvantaged from availing themselves of the benefits of higher education. I, therefore, ask my colleagues to join me in celebrating the 25 years of success that the Rutgers-Newark Law School Minority Student Program has enjoyed, and in working to ensure that that success continues in the future.

REPRESENTATIVE CARRIE MEEK HONORS DADE COUNTY'S OUTSTANDING WOMEN

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mrs. MEEK of Florida. Mr. Speaker, as Women's History Month comes to a close, it is my great pleasure to join with the Dade County Board of Commissioners in recognizing the achievements of 13 talented women who are among Dade's most outstanding leaders.

On Friday, March 25, 1994, the county will host the sixth annual in the Company of Women Awards Program at Vizcaya Museum and Gardens in Miami.

A special award will be dedicated to U.S. Attorney General Janet Reno, Dade County's first woman State's attorney and our Nation's first woman Attorney General.

Three remarkable women will be recognized as pioneers who have led the way and opened new paths for women. This year's pioneers are:

Ann-Marie Adker, the unofficial "Mayor of Overtown," a tireless worker for civil rights issues, a spokesperson for the poorest people in our community, and a passionate supporter of community development in her beloved Overtown.

Judge Mattie Bell Davis, senior judge of the Dade County Court and the first woman elected a Dade County court judge. Judge Davis is universally respected as a person of integrity who is committed to equality and professionalism.

Mercy Diaz-Miranda, an executive for the Miami Herald and a committed volunteer whose activities on behalf of Jackson Memorial Hospital, Cuban Women's Club, United Way, and many other organizations have made a huge impact on our community.

This year's honorees are:

Bonnie Askowitz, artist, businesswoman, teacher, and activitist;

Dade County Commissioner Betty Ferguson, public servant, educator, and community leader;

Bea Hines, journalist, ground-breaking reporter for the Miami Herald and very active in community service organizations;

Barbara Lbarra, Citibank executive, trustee of Miami-Dade Community College and former president of YWCA of Greater Miami;

Bonnie Rippingille, attorney, chairperson of the Women's Park Founders' Committee and the Coral Gables Senior Citizens Advisory Board who has also picked up a hammer in her work for Habitat for Humanity;

Marie Rodriguez, who directs a work force of almost 6,000 women as a regional director for Avon who has used her talents to improve opportunities for women in her corporate structure and in our community;

Kathleen Ruggiero, North Miami Police Department's Officer of the Year who was among the first women troopers in the Florida Highway Patrol and whose work helping people in need—particularly children—is universally admired;

Miriam Singer, executive director of the Metro-Dade Department of Justice Assistance who is active in YWCA of Greater Miami, Coalition of Hispanic American Women, and the League of Women Voters, among many organizations; and

Frederica Wilson, Dade County school board member, educator, principal, and Head Start coordinator who is personally involved in helping at-risk youth through violence prevention and role models programs.

Mr. Speaker, this event is a celebration of unity in diversity and provides an opportunity for women in Dade County from all generations, racial and ethnic groups, socioeconomic levels and occupations to get together, exchange ideas, and share their vision and experience.

I am happy to join with our entire community in recognizing this year's honorees.

GETTING WHITEWATER BEHIND US

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mrs. MALONEY. Mr. Speaker, I am in full agreement with the action taken yesterday by the House in calling for appropriate hearings in the Whitewater matter. I was keeping important commitments in my district at the time the vote was taken yesterday, but I had earlier expressed my support publicly for the hearings proposal, and I take this opportunity to reiterate it.

Let me be perfectly clear: I don't believe there has been wrongdoing by the President or Mrs. Clinton. Nevertheless, there are too many lingering questions—some caused by rumor and innuendo—that must be answered. Therefore, I support a thorough congressional inquiry into the Whitewater matter.

These hearings should be scheduled and constructed in such a way as not to interfere with the ongoing inquiry by Special Counsel Robert Fiske, and without granting immunity to any witnesses. Within those parameters, Congress has a vital role to play in resolving the public's questions about Whitewater. I fully expect that these hearings will reveal that there is no wrongdoing at the core of this entire matter.

I hope that the House and Senate will work together to develop a consistent approach in deciding the appropriate forum for these hearings.

I am also hopeful that such hearings will help us to put Whitewater behind us so we focus without distraction on the urgent issues facing our country, such as health care reform, crime control, and promoting economic growth.

HONORING JAMES R. TILLING FOR EXEMPLARY SERVICE TO THE OHIO SENATE

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. GILLMOR. Mr. Speaker, I rise today to pay tribute to a special friend and outstanding citizen of Ohio. This April, James Tilling will leave his post as chief executive officer of the Ohio Senate to become vice president for corporate affairs for Banc One Corp.

Mr. Speaker, I had the privilege of working with Jim for many years while I was a member of the Ohio State Senate. In 1979, Jim was appointed chief of staff for the Republican caucus. Jim's aggressive recruiting, fund-raising, and targeting efforts were crucial in Republicans gaining control of the Senate in 1980.

While Jim may be leaving his official duties at the Ohio Senate, I know he will continue to contribute to the Ohio political system. A former political science professor at Ohio University, Jim Tilling is respected as a brilliant political strategist and continues to serve as an adjunct professor at the university. In addition, he is a member of the American Political Science Association, the Midwest Political Science Association, the American Academy of Political and Social Sciences, and the American Society of Legislative Clerks and Secretaries, and he serves as staff Chair of the reapportionment task force of the National Conference of State Legislatures, as cochair of the Ohio General Assembly's Legislative Task Force on Reapportionment, Redistricting and Demographic Research, and as a member of the executive committee of the leadership staff section on NCSL.

Throughout his distinguished tenure with the Ohio Senate, Jim has demonstrated his deep faith in, and dedication to, upholding the principles of American democracy. The status of the Republican Party in the Ohio Senate today has secured Jim's reputation as a political wizard. Yet, he consistently deflects personal praise, focusing instead on the team effort involved in election campaigns.

Mr. Speaker, we have often heard that America works because of the unselfish contributions of her citizens. I know Ohio is a much better place to live because of the dedication and countless hours of service given over the years by Jim.

I ask my colleagues to join me in paying a special tribute to Jim Tilling's record of personal accomplishments and wishing him all the best in his new position.

A FREE SPEECH QUESTION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. TOWNS. Mr. Speaker, I want to clarify any misunderstandings about my position and beliefs because of the recent vote in Congress on a resolution to condemn Khalid Abdul Muhammad's deplorable speech at Kean College in New Jersey. I found Mr. Muhammad's speech completely offensive. His remarks were obviously racist, antisemitic, bigoted, and represented an obscene and ugly attack on decency.

I have dedicated my entire life to fighting bigotry, racism, discrimination, and antisemitism. During my public service career, I have fought against all forms of prejudice and injustice. As a human being and as an individual Member of Congress, I condemn bigotry and hatred on all levels. My public record on Muhammad's speech is clear. I have stated both in my comments to the press as well as my public statements that I found Mr. Muhammad's remarks to be contrary to the principles upon which our country was founded.

Despite my strong opposition to Mr. Muhammad's reprehensible remarks, I felt a resolution condemning the Kean College speech would make the Congress into an official ratings board. Mr. Muhammad is not an elected official, associated with Government, or even a prominent individual—he is a private citizen. At the time of the vote I felt we would be crossing a constitutional line if we were to vote official, congressional disapproval of that specific speech. Since we officially condemned that speech, how can we not condemn others? Never before has Congress condemned the words of one person. I believe that no right is more basic, and no freedom more greatly protected than free speech, no matter how abhorrent. I have sworn to uphold this right, even when the exercise of one's constitutional rights offends me deeply.

If the job of Congress is to condemn irresponsible speeches in America, then we have taken on a monumental task. Let us spend our time attacking the causes of all bigotry in America and not attacking words of hatred in the House of Representatives.

ECONOMIC OPPORTUNITIES FOR THE SILETZ TRIBE

HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. KOPETSKI. Mr. Speaker, the Siletz tribe in the State of Oregon was terminated by the United States in 1954. When the tribe was reinstated in 1977, it was given 3,600 acres of land on which to sustain itself. Today, the tribe has 3,800 acres of land. Unfortunately, the land given to the tribe is almost all timberland which has been held unproductive by the court system and inaction by the Federal Government.

I am introducing legislation today that gives the remaining Bureau of Land Management timberland in Lincoln County, OR to the Siletz tribe. This will bring the tribe's land base up to 14,000 acres. The remaining BLM timberland in Lincoln County is fragmented and scattered, which presents management difficulties for the Bureau. The tribe has requested this land as a way to gain revenues and a land base that are essential to the tribe's effort of obtaining self-sufficiency. The future productivity of the

land is not known at this time. However, the Siletz have agreed to abide by any management decisions made by the courts and the Federal Government. This legislation relieves the BLM of their management difficulties while providing important revenue opportunities to the Siletz.

Mr. Speaker, the U.S. Government has granted the Siletz tribe their independence without giving them the economic opportunities essential to self-governance. This legislation takes a step in the right direction by providing the Siletz with those economic opportunities.

TRIBUTE TO LOKAHI DELOVIO

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Lokahi Delovio of Troop 17 in Crompton, RI and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 Merit Badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and First Aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. This young man has distinguished himself in accordance with these criteria.

For his Eagle Scout project, Lokahi washed and painted the walls in his parish church hall.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Lokahi Delovio. In turn, we must duly recognize the Boy Scout of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Lokahi Delovio will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

CLINTON ADMINISTRATION COUNTERTERRORISM POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues correspondence I have had with the Department of State regarding administration counterterrorism policy. Attached in my letter to the Department of State of January 21, 1994, expressing concern about a Wall Street Journal article of January 14, 1994, by a former coordinator for counterterrorism which questions the Clinton administration's counterterrorism policy. The Department of State's reply of March 16, 1994, is attached, as well as a letter to Senator JOHN KERRY signed by four former coordinators for counterterrorism. Their letter describes how the Department of State should be organized to deal with counterterrorism.

The correspondence and editorial follow:

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 21, 1994.

Hon. WARREN CHRISTOPHER,
Secretary of State, Department of State, Washington, DC.

DEAR MR. SECRETARY: I write to ask for your comments on an article which appeared in the Wall Street Journal on January 14, 1994. This article, written by L. Paul Bremer, a former Ambassador-at-Large for Counterterrorism, raises questions about this Administration's commitment to effective counterterrorism policies and programs.

Specifically, Ambassador Bremer focuses on the Department's proposed reorganization which merges the Office of Counterterrorism into a new Bureau for Narcotics, Terrorism, and Crime, and on U.S. policy towards Syria, Libya, and Iran. Ambassador Bremer's article questions the President's commitment to a strong U.S. counterterrorism policy and specifically alleges that the State Department's office responsible for counterterrorism policy has been downgraded and reduced in size by 40 percent.

I appreciate your consideration of this matter and look forward to hearing from you on this issue.

With best regards,
Sincerely,

LEE H. HAMILTON,
Chairman.

Enclosure.

[From the Wall Street Journal, Jan. 14, 1994]

WITH ASSAD, TALK ABOUT TERRORISM

(By L. Paul Bremer III)

When he meets with Syrian President Hafez Assad on Sunday in Geneva, President Clinton will have a lot to talk about. The temptation will be for him to concentrate on the Middle East peace process. That will be Mr. Assad's preference. But global terrorism should be high on Mr. Clinton's list. For a while there has been a relative decline in anti-American terrorism, the world-wide terrorist infrastructure, supported by States such as Syria, Libya and Iran, is alive and well.

The Clinton administration has neglected the terrorist threat, with our public officials paying only lip service to the problem. The State Department office charged with conducting counterterrorist policy has been downgraded and gutted. It has lost 40% of its staff—a curious phenomenon when last year's bombing of the World Trade Center underscored the threat of Mideast terrorism. For many of us who have been involved in the struggle against terrorism, this is ominous. In the past, progress in the fight against terrorism depended on vigorous, visible and courageous U.S. leadership. Without such leadership now, we will soon lose more American lives.

The meeting with Mr. Assad provides Mr. Clinton an opportunity to talk straight and tough to one of the most visible terrorist leaders—the only one with whom we have diplomatic relations. That would signal to Mr. Assad and the world that the U.S. is once again serious about the fight.

Syria continues to play congenial host to numerous radical terrorist groups. More than a dozen terrorist training camps, complete with shooting ranges, obstacle courses and dummy houses for bombing practice, still operate freely in Lebanon under the protective eye of the Syrian Army. Our government knows they are there: the Syrian government knows they are there. Yet despite repeated requests by previous American administrations, Mr. Assad does nothing.

Nor has Libya mended its ways. In December, Col. Moammar Gadhafi hosted an international terrorist gathering attended by radical Palestinian and other outlaw groups. Not since Joseph Stalin's last cabinet meeting has there been such a gathering of unsavory characters. Dozens of terrorist groups still have large modern training camps throughout Libya. Years of diplomatic efforts and flaccid economic sanctions have failed to get the Libyan leader to turn over the Pan Am Flight 103 bombing suspects.

Meanwhile, under its so-called moderate president, Ali Akbar Hashemi Rafsanjani, Iran murders its opponents wherever it can hunt them down. The government recently reconfirmed its death sentence against author Salman Rushdie. Iran continues to support the extremist terrorist movement Hezboliah, responsible for kidnapping Americans in Lebanon, and also backs radical groups in Sudan and Algeria.

Our allies prop up and appease Iran's extremist theocracy. Over the past five years, Germany's exports to Iran have quintupled and Japan's have more than tripled. Two weeks ago, the French government returned to Iran two Iranian terrorists arrested for murdering a regime opponent in Switzerland, callously breaking Paris's promise to extradite the suspects to Switzerland.

In all three cases—Syria, Libya and Iran—strong American leadership against terrorist networks is urgently needed.

Mr. Assad probably calculates that America is eager to involve Syria in the peace process that it will ignore his support of terrorism. But Mr. Clinton is in a stronger negotiating position than previous U.S. presidents who have tried to wrestle with Mr. Assad. The weakened Assad government, no longer under Soviet sponsorship, needs Western credits and economic assistance.

Mr. Clinton should insist that Syria will never enjoy normal relations with Washington until Damascus clearly and publicly renounces terrorism. Moreover, Mr. Clinton should demand that Syria begin expelling the terrorists living in Syria and closing down terrorist training camps.

The Syrian leader may assert that Damascus hasn't directly engaged in terrorism for several years and that it has helped restrain the activities of the groups under its control.

Mr. Clinton should remind him that at least two of these Damascus-based groups have publicly acknowledged responsibility for terrorist attacks killing Israeli civilians in the past three months—the Popular Front for the Liberation of Palestine and the Popular Front for the Liberation of Palestine-General Command.

With respect to Libya, the U.S. should move to expand international sanctions against Tripoli. Here, too, our objectives should be bold—a formal reunification of terrorism by Col. Qadhafi, the extradition of the Pan Am suspects, and the expulsion of all terrorist groups from Libya. We must get action, not promises, from him.

Ninety-eight percent of Libya's foreign exchange comes from oil, with Germany, Italy and Spain purchasing two-thirds of it. Now would be a good time to impose a complete oil embargo on Libya, since the market is in a glut. Sales lost by Libya could be made up by friendly nations such as Saudi Arabia. Kuwait and Venezuela.

If a complete embargo against Libya is politically unfeasible, our government should insist that the U.N. Security Council impose on Libya a system similar to that imposed on Iraq. All proceeds from Libyan oil sales could be put into a U.N. administered escrow account, to be used to pay families of terrorism victims and to repay Libyan debts.

Concerning Iran, we must tell our Western allies that we abhor their financial dealings with the murderous regime in Tehran. The timing is good because Iran's economy is a shambles. It cannot pay its debts and, without the support of West European credit agencies, it faces default. The West holds the key to the financial relief of Iran. That support should not be forthcoming.

These are hard messages and hard measures, but such language is the only language terrorists understand. Our experience over the past decade makes clear that without a resolute push from top U.S. officials, counterterrorist policies will not be effective.

U.S. DEPARTMENT OF STATE,
Washington, DC, March 16, 1994.

Hon. LEE H. HAMILTON,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter to the Secretary regarding an article that appeared in the Wall Street Journal which concerned the Administration's counter-terrorism policy. We appreciate knowing of your interest in this issue.

Contrary to Ambassador Bremer's claims in his article, this Administration has not neglected the threat posed by international terrorism. In fact, it remains one of the Department's highest priority global issues. We have taken a number of actions against state-sponsored terrorism in the past year:

The Administration added Sudan to the list of terrorist-supporting states last August after Sudan persisted in allowing Iranian and other terrorists to use its territory as a safe-haven and training ground.

We fought for and obtained tighter mandatory UN sanction resolutions against Libya because of the country's involvement in the tragic bombing of Pan Am Flight 103 and Libya's continued refusal to abide by relevant UN security council resolutions. We are vigorously enforcing these sanctions. We were successful in disrupting Libya's international banking network when, at our urging, the government of Bahrian blocked nearly $100 million in Libyan government assets.

When it became clear that Iraq was behind the plot to assassinate former President Bush, the United States used military force to a send an unequivocal signal to Saddam Hussein that we will not tolerate such outrageous acts of terrorism.

We were instrumental in obtaining the rendition of the terrorist Mohammed Ali Rezaq and his return to the United States for trial for his role in the highjacking of an Egyptian airliner in which an American citizen was murdered.

This Administration is determined that the perpetrators of acts of terrorism are brought to justice. The families of the victims in the Pan Am 103 bombing and other Americans victimized by acts of terrorism deserve nothing less. To this end, we continue to work closely with our friends and allies. In addition, we continue to urge Congress to pass during this session pending legislation to implement important international terrorism conventions which deal with attacks on civilian aviation and passenger ships.

We also believe that the State Department's reorganization plan does not downgrade our commitment to combat international terrorism. On the contrary, our reorganization plan is designed to strengthen the role and resources of the Coordinator for Counter-terrorism. We want to provide this office with the combined financial and personnel resources of our counter-narcotics and international criminal functions. Toward this end, we endorse a provision in the Senate's version of the State Department Authorization bill which would formally designate an Assistant Secretary as the Coordinator for Counter-terrorism and agree that the Deputy Assistant Secretary who will manage counter-terrorism on a daily basis will hold the rank of Ambassador, subject to Senate confirmation. (For your information, we have enclosed a letter to Senator John Kerry from four previous Coordinators for Counter-terrorism regarding this issue.)

Contrary to Ambassador Bremer's assertion, there will not be a forty percent reduction in the counter-terrorism office's staff. There will be some consolidation of functional and support staff in the proposed new Bureau of Narcotics, Terrorism and Crime, but the number of officers working on counter-terrorism will remain approximately the same.

In order to facilitate closer coordination, the Anti-Terrorism Assistance program, which has been in the Bureau of Diplomatic Security, is being consolidated into the reorganized counter-terrorism office. As you know, the U.S. offers specialized anti-terrorism training through the ATA program to certain foreign countries that face terrorism threats. We also conduct an active terrorism information rewards program, and manage an impressive research and development program to utilize modern technology against terrorist threats.

We hope that his response addresses your concerns. If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary,
Legislative Affairs.

Enclosure.

THE COUNSELOR,
DEPARTMENT OF STATE,
Washington, DC, January 28, 1994.

Hon. JOHN F. KERRY,
Chairman, Subcommittee on Terrorism, Narcotics and International Operations, U.S. Senate, Washington, DC.

DEAR SENATOR KERRY: As former Coordinators for Counter-terrorism at the Department of State, we are writing to express our support for your initiative which would designate the Assistant Secretary for Narcotics, Terrorism and Crime as the Department's Coordinator for Counter-terrorism.

We believe that this approach would strengthen the Department's abilities to combat international terrorism. It would place the Coordinator in the direct chain of command, not in an adjunct office with fewer resources. The Coordinator would have at least the same access to the Secretary of State, senior policy makers, senior leaders in our law enforcement and defense communities, and foreign government officials that previous Coordinators have enjoyed. Given the close ties between drug trafficking, international terrorism and other international criminal issues, it will be more effective to bring the Department's resources on these important issues into one bureau under a single senior manager. In addition, the Coordinator will have a strong advocate in the Undersecretary for Global Affairs (as proposed in the reorganization plan), Tim Wirth, who meets with the Secretary of State every day. We believe that counter-terrorism will receive more, not less, attention under your proposal.

Moreover, we have high confidence in our colleague, Ambassador Robert Gelbard, who is currently Assistant Secretary for International Narcotics Matters, and who would become the Coordinator for Counter-terrorism under your proposal. Ambassador Gelbard is a distinguished career diplomat with 27 years in the Foreign Service. He is an expert in counter-terrorism and narcotics issues, and we believe he will bring enormous experience and energy to combatting terrorism around the world.

The Clinton Administration has placed a high priority on combatting international terrorism and the threat it poses to the American people. We are convinced that designating the Assistant Secretary for Narcotics, Terrorism and Crime as the Coordinator for Counter-terrorism is sound policy and will strengthen the Administration's commitment to maintaining an effective international counter-terrorism policy.

Sincerely yours,

ANTHONY C.E. QUAINTON.
THOMAS E. MCNAMARA.
ROBERT B. OAKLEY.
A. PETER BURLEIGH.

CELEBRATING THE DEDICATION OF OLD ALVARADO—CESAR CHAVEZ PARK IN UNION CITY, CA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. STARK. Mr. Speaker, today, I would like to join my constituents in the dedication of Old Alvarado—Cesar Chavez Park in Union City, CA.

Shortly after the death of Cesar Chavez, leaders within this community quickly mobi-

lized to pay tribute to this great human rights leader. Last year, the Labor Council for Latin American Advancement of Alameda County proposed to the Union City Council to rename Alvarado Park to Old Alvarado—Cesar Chavez Park, so that we could continuously remember the spirit of Chavez. The renaming of the park was not solely supported by the labor and city councils; the culturally rich community of Union City shared a universal appreciation for the life of Cesar. They recognized Chavez' efforts on behalf of all the lives he changed—not just the farmworkers he represented through the United Farm Workers of America, but all who fought the daily struggle or suffered from any social hardship or injustice.

With their tribute, Union City shares its recognition with friends like the late Senator Robert Kennedy who praised Chavez back in 1968 as "one of the heroic figures of our times." It is also appropriate that Union City is one of the first to honor his life, because it is a community that reflects the message that Chavez espoused. Cesar once described his work with farm laborers as an effort to raise their consciousness and create brotherhood through nonviolent means: There is a decree whole-heartedly embraced by this culturally rich community. It has always been a home to the working people from all walks of life.

Therefore, Mr. Speaker, I come before you today celebrating with my constituents the memory of Cesar Chavez. I hope you and my colleagues will also join me in congratulating the community of Union City for their tribute to this great American.

STATEMENT UPON INTRODUCTION OF KOSOVA PEACE AND DEMOCRACY ACT

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. ENGEL. Mr. Speaker, today, I rise to introduce, along with Ms. MOLINARI, Mr. SERRANO, Mr. KING, Mrs. LOWEY, and Mr. OLVER the Kosova Peace and Democracy Act of 1994. For too long, ethnic Albanian citizens of Kosova, who comprise 90 percent of its population, have been dominated and repressed by Serbia. With this bill, Congress can finally take action to protect and assist the people of Kosova.

Kosovars voted overwhelmingly for the independence of their state in September 1990. They have subsequently chosen Ibrahim Rugova to be the first President of the newly declared Republic of Kosova and Bujar Bukoshi, who is visiting Congress today, to be its first Prime Minister. Serbia, however, has not seen fit to recognize these valid and legitimate acts of self-determination. Belgrade has prevented the new government from meeting in the Kosova capital of Pristina and strictly controls all media and public expressions of political views.

Today, the human rights situation in Kosova is grave. With the expulsion of CSCE monitors in July 1993, the humanitarian conditions have grown even worse. Ethnic Albanians are denied access to education and health care solely on the basis of their ethnicity. More are dismissed from their jobs simply due to their Albanian heritage. Indeed, some have faced prison terms—and even torture—by Serbian authorities simply for the expression of political opinions. During the last 2 months, the Serbs unilaterally closed the respected Academy of Sciences and Arts of Kosova and the Institute for Albanology. I strongly believe that the United States must demand the return of international observers and speak out more vociferously against the silent extension of "ethnic cleansing" to Kosova.

The security situation in Kosova is also very troubling. As the conflict between Bosnian Moslems and Croats is brought to a close, and the situation throughout Bosnia appears ready to improve, I fear that Belgrade will turn its attention toward Kosova. If Serbia escalates its aggressive behavior in Kosova, the Balkan conflict may expand into Macedonia, drawing in Albania, Bulgaria, Greece, and possibly Turkey. I support statements by the United States Government threatening the use of American military force "in the event of conflict in Kosova caused by Serbian action" and believe that the administration should reiterate these warnings.

But, the situation requires more than statements. The aggressors must be keenly aware that their actions in Kosova have consequences. The legislation I introduce today will send just that message. It will condition the lifting of sanctions on Serbia and Montenegro upon improvements in Kosova. In particular, this bill will prevent the lifting of sanctions until:

There is substantial progress toward restoration of Kosova's independent identity and autonomy;

There is substantial improvement in the human rights situation in Kosova;

International observers return; and

The elected Government in Kosova is permitted to meet.

The bill also provides for Radio Free Europe programming in the Albanian language in Kosova and other areas of the former Yugoslavia with significant numbers of Albanian-speaking people.

As the ranking member of the Subcommittee on Europe and the Middle East and cochair of the congressional Albanian Issues Caucus, I believe that greater emphasis must be placed on the situation in Kosova. The tragic human rights abuses experienced by ethnic Albanians and the significant international security implications of Serbian military moves in Kosova demand action and a high degree of attention by our Government. The bill I am introducing today will provide for a real response to the brutality which the citizens of Kosova face every day. I urge my colleagues to join me in cosponsoring this legislation.

COMMEMORATING A GREAT RESIDENT OF FAYETTEVILLE, AR, W.E. "TED" DAVIDSON, ON HIS 75TH BIRTHDAY

HON. Y. TIM HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. HUTCHINSON. Mr. Speaker, on the occasion of his 75th birthday, I want to recognize a native Arkansan, Weir E. "Ted" Davidson, for his dedication and service to the community of Fayetteville, AR.

Born in Black Rock, AR, on March 10, 1919, to Eddie Davidson and Rosa Davidson-Thompson, Ted joined the U.S. Navy during WWII, and served aboard a small landing craft [LST], as a chief motor machinist.

After the war, he returned to Winslow, AR, where he was an active member of the Winslow United Methodist Church. He served as secretary of the board for 5 years.

He also worked a noteworthy 39 years as service manager for the Oldsmobile Co. in Fayetteville, from where he retired in 1984. Since his retirement, he has been active in the volunteer work at the VA Medical Center in Fayetteville and has accumulated approximately 8,100 hours of volunteer service in the pharmacy and in the ambulatory care unit. He has also served two terms on the Veteran's Administration Volunteer Service Executive Board of the Veterans Hospital and was chairman of the board for one term.

While living in Winslow, he joined the masonic lodge and currently serves as the representative for Free and Accepted Masons of the Grand Lodge of Arkansas. In fact, during the past 48 years, he has continued to work diligently for the Masons through instruction to numerous young men in the work of Free and Accepted Masons.

He has held a host of posts in civic organizations, including worshipful master of Summit Lodge No. 530, district deputy, 37th district, 1972–74, executive board, United Commercial Travelers of America, 4th precinct captain and many, many more.

In addition to all of this, in 1986, he was selected Man of the Year of the Fayetteville Rotary Club. Prior to that, in December 1993, he was awarded the Rose Medallion Award by the Grand Chapter of the Order of the Eastern Star.

I urge all of my colleagues to join me in commending this dedicated community servant.

GUAM HONORS RETIRING JUDGE RAMON DIAZ

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. UNDERWOOD. Mr. Speaker, next month, Guam will lose one of its most distinguished local judges. After 15 years of government service, Judge Ramon V. Diaz will retire on April 11.

Judge Diaz is the first judge of Filipino descent to be appointed in 1980 to serve as a

judge for the Superior Court of Guam. He is currently the family court judge, presiding primarily over juvenile cases, but also heard matters in the courts of general jurisdiction.

On the occasion of Judge Diaz' announced retirement, the presiding judge of the Superior Court—Judge Alberto C. Lamorena—had these remarks:

Judge Diaz leaves behind a distinguished career and his wisdom will be definitely missed. He was a conscientious and outspoken advocate of justice who had a positive impact on this community. We at the courts wish him well in what will be a new beginning in his life. On behalf of the people of Guam and the Judiciary, we extend our deepest gratitude for his service to our island.

Judge Diaz is married to Josefina de la Concepcion with whom he has 10 children. He studied at the University of Santo Tomas in Manila, and did his graduate studies at the University of Michigan at Ann Arbor. He is licensed to practice law in the Philippines, Guam and Micronesia.

The judge's distinguished legal career follows an enviably military career. He is a World War II veteran, serving in the Philippines as an infantry line officer. He later served as an officer in the Judge Advocate General's Service. In 1950, he resigned as a captain. This military officer turned judge is a survivor of the Bataan Death March and the Capas POW Camp. He is the recipient of various campaign ribbons and awards, including the United States and Philippine Presidential Unit Citation and the Philippine Presidential Military Merit Medal.

I join the people of Guam in honoring Judge Ramon Diaz. We will sorely miss him—he is a man of courage, a man of conviction, and a man of compassion.

Si Yu'os Ma'ase for your service to our island. May God bless you and your family.

TRIBUTE TO THE LATE ARNOLD BOLLE

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. WILLIAMS. Mr. Speaker, a few days ago Montana lost a wonderful and valued friend with the passing of Arnold Bolle, the former dean of the School of Forestry at the University of Montana and one of the constant, bright, and guiding lights of Montana's and America's conservation ethic.

Arnold Bolle's remarkable career spanned more than 40 years, first with the Soil and Conservation Service, then as a faculty member of the UM forestry school and later as its distinguished dean. His advice and expertise on public lands management was widely sought from the Department of the Interior to the Congress.

Most of all, he loved Montana and especially Montana's forests. Their magic and mystery never dimmed for him. He understood and taught us all the wisdom and practicality of careful stewardship of our lands, not just for our generation but for those that will follow us. He imparted that knowledge to students and citizens alike, and we all benefited from his tireless efforts. Mr. Speaker, Montana and the Nation will miss Arnold Bolle.

TRIBUTE TO THE PITT-LOS CLUB

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. DIXON. Mr. Speaker, I am pleased to pay tribute to the Pitt-Los Club of Los Angeles. On Sunday, March 27, 1994, members of this benevolent and social organization will gather to celebrate their 51st anniversary at the Pitt-Los Annual Palm Sunday Brunch. Conceived initially as a vehicle to bring together former residents of Pittsburgh, PA, who had relocated to Los Angeles, the Pitt-Los Club has expanded its outreach to include active participation in the community through educational scholarships for college-bound students and financial support to numerous organizations.

When founded in September 1942 by Mrs. Laura Clay Roulk, the Pitt-Los Club's membership included both men and women. Today, however, the organization is exclusively a women's club. The clubs roster includes two of the organization's original members.

Inspired by the leadership of club member Mrs. Lucia Rickmond who believed that the club should invest in the surrounding community through its financial support of charitable organizations, on March 10, 1951, the Pitt-Los Club was granted a charter as a nonprofit, social, and charitable club by the State of California.

In the ensuing years, the Pitt-Los Club has provided financial support to a number of organizations, including the Spastic Children's Foundation; East 28th Street YMCA—for its refurbishing program; United Negro College Fund; Outdoor Life and Health Association; and the Stovall Foundation. In memory of Ms. Wilma F. Bailey, one of the organization's honorary members who passed away on August 30, 1985, the Pitt-Los Club provided financial support to the Los Angeles Cancer Society. A similar bequeath was made to the Los Angeles High School Memorial Fund, established in honor of Robert Ballou, the grandson of Pitt-Los member Dorothy Walker Lee. In addition, the Pitt-Los Club holds a life membership in the Los Angeles Chapter of the NAACP.

In 1986, Pitt-Los members initiated a scholarship program at my alma mater, Dorsey Senior High School, providing over $3,000 in scholarships to deserving college bound graduates. Club members keep track of, and serve as mentors to, the scholarship recipients throughout his or her undergraduate education, continuously offering encouragement and support to the meritorious students.

Two years ago, Pitt-Los members expanded their educational outreach to include California State University, Black Support Group, Los Angeles. Their efforts have resulted in the establishment of the Pitt-Los Scholarship at the University, which thus far has awarded three scholarships to deserving students. The Pitt-Los Club is also a member of the University's Golden Circle.

As further evidence of its commitment to the United Negro College Fund [UNCF], which supports our Nation's historically black colleges and universities [HBCU's], this year, members of the Pitt-Los Club have donated $1,500 to the UNCF telethon.

In the future, the Pitt-Los Club will concentrate its efforts on increasing club membership, and expanding the organization's scholarship base to assist a wider berth of deserving Los Angeles high school seniors seeking a college education.

Mr. Speaker, I am proud to recognize the outstanding service of the Pitt-Los Club to the Los Angeles community, particularly the contribution its members have made to the educational enrichment of our youth. I ask my colleagues to join me in extending to the many distinguished and dedicated women of the Pitt-Los Club, continued success as they embark on their next 50 years dedicated to assisting deserving students and charitable organizations in Los Angeles.

COULD WE MAKE ALL THE VOTES COUNT?

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. JACOBS. Mr. Speaker, Mark Sirkin slammed one home with this column which appeared in the Indianapolis Topics newspapers.

Mr. Sirkin is the news editor of the Washington Township Topics newspapers.

[From the Indianapolis Topics]

COULD WE MAKE ALL THE VOTES COUNT?

(By Marc Sirkin)

Can you imagine what would happen in Indiana if the electoral college was trashed? Half the votes would count again.

I have never been satisfied voting for president. My vote never counts. Instead of voting for the president the first Tuesday in November, what we actually vote for are the electors of the electoral college.

The electoral college is way too complex to fully explain in such a short space. But basically, each state has an allotment of electoral votes determined by the size of its congressional delegation. On election day voters choose the electors who will vote for the president and vice president. The winning electors then go and vote for the president the first Monday after the second Wednesday during election years.

For example, Indiana has 12 electoral college votes. If a candidate wins the state by one popular vote, that candidate wins all 12 electoral college votes. The other candidate gets nothing.

What upsets me the most about this system is that it gives me absolutely no vote in the race for the presidency.

"Of course you have a vote." I can hear people screaming. "Everybody has a vote!"

In the literal sense, I guess. I do have a vote for president. I go to the polls. I sign my name, close the curtain and mark my choice. Being the obvious liberal that I am, my choices in the last two presidential elections (the only two presidential elections in which I have been eligible to vote) I voted for the Democratic Party candidates.

Now here's the part where I get screwed.

The last election saw almost a third of the votes cast for U.S. House candidate Michael Bailey—a candidate who built his platform on videos of aborted fetuses. Needless to say, my vote for Bill Clinton registered with the minority.

I have no problem with being in the minority. It's the price I pay for being an individual. But I do have a problem with the electoral college deep sixing my vote because I dared to vote against the majority. My vote gets turned into a vote for truth, justice and the American way of a thousand points of family-value light.

So even though Clinton won the election, it was without any help from me or my Indiana. As a matter of fact, Indiana's electoral college votes have not gone toward a Democrat since 1964 when Lyndon Johnson beat Barry Goldwater.

I wasn't even alive then to enjoy the satisfaction of knowing I voted for a winner.

This stinks. Just because I happen to live where I am in the minority shouldn't mean that my vote has no bearing on an election's outcome.

If the presidency was decided by a popular vote, on the other hand, my vote would have counted the same as someone's vote in California, Georgia, New York, Ohio, Vermont, Nebraska, Colorado or even Indiana.

As the system stands now, my vote isn't worth diddly, and in a system in which supposedly everyone has a voice, that is wrong.

If presidents were elected by having to win a true popular vote, neither Rutherford B. Hayes nor Benjamin Harrison would have been elected. Hayes won the election in 1876 without winning the popular vote as did Harrison in 1888.

The electoral college has to go the way of the dinosaurs. Get rid of it.

As a matter of fact, under the present system, it is even possible that the choice of president and vice president get thrown to the House of Representatives and Senate respectively. If a third-party candidate enters the race and prevents the electoral college from awarding any candidate a clear majority (over 50 percent), the election for president moves to Congress.

However unlikely that scenario seems, it is possible. If Ross Perot hadn't done anything stupid to take him out of the most recent presidential race, it probably would have happened in 1992.

In 1824 it actually did happen. Andrew Jackson was elected by the House of Representatives because he didn't win a majority of the electoral college vote.

That's a scary thought, isn't it? If Congress can't decide in a timely manner to put a waiting period on the purchase of handguns, how can we expect it to be able to competently elect the leaders of the free world? Hmm.

Under that same system, it is also possible to have a president and vice president from two different parties. Can you imagine President Clinton and Vice President Stockdale? It sounds stupid, but it could've—and still could—happen unless the system of how we elect our president is changed.

So what can be done?

There are a number of things, but the most obvious is to remove the electoral college completely and elect the president by the popular vote.

That sounds simple and logical, but some people say it would prevent any candidate from receiving a clear majority and would threaten the two-party system by allowing too many fringe candidates into the political fray.

But would losing the two-party system be such a terrible thing? Many people, including myself, are sick and tired of having to choose between two out-of-touch politicians. Fringe candidates would force mainstream candidates to focus on real issues instead of party bashing.

TRIBUTE TO BELARUSAN INDEPENDENCE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 23, 1994

Mr. PALLONE. Mr. Speaker, on Sunday, March 27, 1994, the Belarusan American Association, Inc., and the Belarusan American Youth Organization will commemorate the 76th anniversary of the proclamation of Belarusan independence with a banquet and concert at the Hyatt Regency in New Brunswick, NJ. Preceding the banquet will be a Divine Liturgy at St. Mary of Zyrovicy in Highland Park, NJ. It will be a great honor and a privilege for me to participate in this important event.

Mr. Speaker, it is actually on March 25 that Belarusans throughout the world salute the sacrifices and bravery of the members of the Council of the Belarusan Democratic Republic, who in 1918 liberated their country from the harsh and oppressive Czarist and Soviet rule. Representatives of the United Councils of the First Belarusan Convention, meeting in the capital city of Miensk, issued a proclamation of independence of the Belarusan National Republic, adopted a national flag with three horizontal stripes—white, red, and white—and received widespread international recognition. For the first time since 1795, the Belarusan Nation reemerged as an independent State. Despite the hardships from the First World War and the revolutionary turmoil in neighboring Russia, the Belarusan language, culture, and national identity flourished.

Unfortunately, the freedom and independence of the Belarusan Nation did not last long. In 1921, Russia's Bolshevik regime invaded and conquered the New Independent State and renamed it the Byelorussian Soviet Socialist Republic. For the next 70 years, the Belarusan people endured a totalitarian Communist regime, denied the most basic civil and political rights. Millions of Belarusan nationals were exterminated. Although the Byelorussian SSR was officially considered a member of the United Nations since 1945, the country was in fact politically and militarily dominated by Moscow, with the Belarusans' aspirations for self-government and independence completed subverted.

This long national nightmare finally came to an end in 1991. The Belarusan Parliament had already declared its independence back in July 1990. Following the attempted coup against Soviet President Gorbachev in August 1991, the Speaker of the Belarusan Supreme Council, Stanislav Shuskevich invited Russian President Boris Yeltsin and Ukrainian President Leonid Kravchuk to Belarus in December 1991, to finally bury the moribund Soviet Union. In its place was established the Commonwealth of Independent States [CIS] with Miensk as its administrative seat. Although the Belarusan Parliament, as with many other emerging East European democracies, was dominated by former Communists, protections for Belarusan culture, as well as basic human rights, were enacted.

Recent events, such as this January's ouster of Mr. Shushkevich, have raised concerns that the reform process may be slowing down. Still, I am confident that the Belarusans have made the important transition to independence and democracy. President Clinton recognized this during his recent visit to Miensk. I believe that we should do all in our power to encourage the reform movement to continue, to promote democracy and free markets, and make it clear to the Russians—particularly some of the destabilizing opposition forces in Moscow—that the United States will not tolerate any reassertion of Russian authority over the sovereign Nation of Belarus.

Mr. Speaker, the Belarusan Nation has particular significance for me on a personal level. My wife Sarah is part Belarusan, and through her I have learned a great deal about this proud people, their enduring culture, and their brave stand against foreign dominance and oppression. The Belarusan-American community has made great contributions to the State of New Jersey and in many other regions of the United States. Now that the Soviet Union is a thing of the past, the American people are finally learning about the many distinct nations who spend much of this century under the Soviet yoke. I hope that the coming years will see a continued emergency of both the Nation of Belarus and of the Belarusan-American community, as well as the recognition and respect they deserve from the people of the United States.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 24, 1994, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 25

10:00 a.m.

Judiciary

To hold hearings on the nominations of Fortunato P. Benavides, of Texas, to be

United States Circuit Judge for the Fifth Circuit, Ruben Castillo, to be United States District Judge for the Northern District of Illinois, and Audrey B. Collins, to be United States District Judge for the Central District of California.

SD–226

Labor and Human Resources

To hold joint hearings with the Committee on Indian Affairs to examine headstart programs serving Native Americans.

SR–485

Indian Affairs

To hold joint hearings with the Committee on Labor and Human Resources to examine headstart programs serving Native Americans.

SR–485

10:15 a.m.

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Office of Management and Budget, and the Executive Office of the President.

SD–116

APRIL 11

2:00 p.m.

Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for Marketing and Inspection Services, Animal and Plant Health Inspection Service, Food Safety and Inspection Service, and Agricultural Marketing Service, all of the Department of Agriculture.

SD–138

APRIL 12

10:00 a.m.

Appropriations

Defense Subcommittee

To hold closed hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on classified programs.

S–407, Capitol

Appropriations

Commerce, Justice, State, and Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the National Oceanic and Atmospheric Administration, Department of Commerce.

S–146, Capitol

2:30 p.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for foreign assistance programs, focusing on national security interests.

SD–138

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings to examine Federal agency roles in addressing the contemporary needs and management of the Newlands Project in Nevada.

SD–366

APRIL 13

9:30 a.m.

Indian Affairs

Business meeting, to mark up S. 1216, to resolve the 107th Meridian boundary dispute between the Crow Indian Tribe, the Northern Cheyenne Indian Tribe, and the United States and various other issues pertaining to the Crow Indian Reservation, S. 1526, to improve the management of Indian fish and wildlife and gathering resources, and S. 720, to clean up open dumps on Indian lands; to be followed by a hearing on proposed budget estimates for fiscal year 1995 for the Bureau of Indian Affairs.

SR–485

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Energy, focusing on fossil energy and clean coal programs.

SD–116

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the United States Coast Guard, Department of Transportation.

SD–138

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the United States Postal Service.

SD–192

Veterans' Affairs

To hold oversight hearings on dangerous exposures in the Persian Gulf War.

SH–216

APRIL 14

9:30 a.m.

Energy and Natural Resources

To hold hearings on the operating and economic environment of the domestic natural gas and oil industry.

SD–366

10:00 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on health services and infrastructure.

SD–192

Appropriations

Commerce, Justice, State, and Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Federal Bureau of Investigation, and the Drug Enforcement Administration, both of the Department of Justice.

S–146, Capitol

2:00 p.m.

Armed Services

Nuclear Deterrence, Arms Control, and Defense Intelligence Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1995 for the Department of Defense, and the future years defense program, focusing on chemical demilitarization.

SR–222

3:00 p.m.

Agriculture, Nutrition, and Forestry

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To hold hearings on issues relating to ecosystem management.

SR–332

APRIL 18

2:00 p.m.

Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for Science and Education, Agricultural Research Service, Cooperative State Research Service, Extension Service, and Alternative Agricultural Research and Commercialization, all of the Department of Agriculture.

SD–138

APRIL 19

9:30 a.m.

Rules and Administration

To resume hearings on S. 1824, to improve the operations of the legislative branch of the Federal Branch, focusing on Subtitle A, Parts I and II of Title III, relating to Congressional biennial budgeting and additional budget process changes.

SR–301

10:00 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on strategic programs.

SD–192

2:30 p.m.

Armed Services

Nuclear Deterrence, Arms Control, and Defense Intelligence Subcommittee

To resume hearings on proposed legislation authorizing funds for fiscal year 1995 for the Department of Defense, and the future years defense program, focusing on the Department of Energy's environmental restoration and waste management programs.

SR–222

Veterans' Affairs

To hold hearings to examine proposals to finance veterans health care reform.

SR–418

APRIL 20

9:30 a.m.

Indian Affairs

To hold oversight hearings on the regulation of Indian gaming.

SR–485

10:00 a.m.

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of the Treasury.

SD–116

APRIL 21

10:00 a.m.

Appropriations

Defense Subcommittee

To hold closed hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on intelligence programs.

S–407, Capitol

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Housing and Urban Development.

SD–106

Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the United States Fish and Wildlife Service, Department of the Interior.
S-128, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Securities and Exchange Commission, and the Federal Communications Commission.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Federal Aviation Administration, Department of Transportation.
SD-138

APRIL 25

2:00 p.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for International Affairs and Commodity Programs, Natural Resources and Environment, Agricultural Stabilization and Conservation Service, Foreign Agriculture Service, Soil Conservation Service, and Federal Crop Insurance Corporation, all of the Department of Agriculture.
SD-138

APRIL 26

10:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on National Foreign Intelligence Programs (NFIP) and Tactical Intelligence and Related Activities (TIARA).
S-407, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Office of Justice Programs, and the Immigration and Naturalization Service, both of the Department of Justice.
S-146, Capitol

APRIL 27

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Federal Transit Administration, Department of Transportation, and the Washington Metro Transit Authority.
SD-138

APRIL 28

9:30 a.m.
Rules and Administration
To resume hearings on S. 1824, to improve the operations of the legislative branch of the Federal Branch, focusing on Subtitle A, Parts I and II of Title III, relating to Congressional biennial budgeting and additional budget process changes.
SR-301

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Environmental Protection Agency, and the Council on Environmental Quality.
SD-106

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the United States Information Agency.
S-146, Capitol

2:30 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Bureau of Indian Affairs, Department of the Interior.
SD-116

MAY 3

9:30 a.m.
Energy and Natural Resources
To hold hearings on Boron-Neutron Cancer Therapy.
SD-366

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for Food and Consumer Services, Food and Nutrition Service, and Human Nutrition Information Service, all of the Department of Agriculture.
SD-138

Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on defense conversion programs.
SD-192

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings to review the implementation of the Central Valley Project Improvement Act (Title 34 of P.L. 102-575) and the coordination of the program with other Federal protection and restoration efforts in the San Francisco Bay/Sacramento-San Joaquin Delta.
SD-366

MAY 5

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Legal Services Corporation.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the National Transportation Safety Board, and the National Highway Traffic Safety Administration, Department of Transportation.
SD-138

MAY 10

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Commodity Futures Trading Commission, the Farm Credit Administration, and the Food and Drug Administration, Department of Health and Human Services.
SD-138

MAY 11

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the National Park Service, Department of the Interior.
S-128, Capitol

MAY 12

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Corporation for National and Community Service.
SD-106

MAY 17

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on the Pacific Rim, NATO, and peacekeeping programs.
SD-192

MAY 19

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense.
SD-192

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Veteran's Affairs, and the Selective Service System.
SD-106

MAY 20

9:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Departments of Veteran's Affairs and Housing and Urban Development, and independent agencies.
SD-138

MAY 25

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of the Interior.
S-128, Capitol

MAY 26

10:00 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1995 for the National Aeronautics and Space Administration.

SD–106

JUNE 8

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings proposed budget estimates for fiscal year 1995 for the Department of Energy.

S–128, Capitol

JULY 19

10:00 a.m.

Appropriations

Defense Subcommittee

Business meeting, to mark up proposed legislation authorizing funds for fiscal year 1995 for the Department of Defense.

SD–192

POSTPONEMENTS

MARCH 24

11:30 a.m.

Labor and Human Resources

To hold joint hearings with the Committee on Labor and Human Resources' Subcommittee on Children, Family, Drugs and Alcoholism to examine proposals for preventing youth violence.

SH–216