

HOUSE OF REPRESENTATIVES—Wednesday, May 11, 1994

The House met at 2 p.m.

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

From the rising of the Sun until the going down of the same, Your word, O gracious God, is a beacon of hope, a light to dispel the darkness, and a signal to point to a better day. May we, each one, heed the voice that calls us to contrition and repentance and at the same time encourages and inspires us to deeds of justice and acts of mercy. May we use the time and the day appointed for us in which to live, so we are devoted in the tasks before us and be faithful with the gifts You have freely given. In Your name, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas [Mr. HUTCHINSON] come forward and lead the House in the Pledge of Allegiance.

Mr. HUTCHINSON 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

MESSAGE FROM THE SENATE

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

S. 2100. An act to provide for rural development, multiple-use management, expenditures under the Knutson-Vandenberg Act of 1930, and ecosystem-based management of certain forest lands, and for other purposes.

SHOULD FELONS PROTECT THE PUBLIC?

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

Mr. MARTINEZ. Mr. Speaker, I ask today the question, should felons protect the public?

How many Members of this House would vote to allow a convicted felon to don a uniform and badge, and perhaps even be given a firearm, and placed in a position to guard a shopping mall or elementary school?

Not many.

Yet, 333 Members of the House voted to do just that by opposing my amendment to the crime bill, legislation that would require employers of guards to check job applicants through State agencies for criminal backgrounds.

As a result, it is virtually impossible to provide the public assurance that the person they see guarding a school or shopping mall is not a convicted felon.

CNN recently reported finding felons who were working as private security officers in California.

H.R. 1534 adopts a program that, at no net cost to the State or Federal Government, would expedite national criminal background checks and provide information to State regulators of the private security industry.

Earlier this year, Congress voted in favor of similar nationwide background checks for child care workers, including volunteers.

We can do no less for private security guards, some of whom carry lethal weapons.

CLINTON HEALTH CARE PLAN WOULD BENEFIT SMALL BUSINESSES AND SELF-EMPLOYED

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

Ms. DELAURO. Mr. Speaker, the National Federation of Independent Businesses is in Washington this week to lobby against President Clinton's health care reform bill. But, by opposing health care reform, the NFIB hurts the very same small businesses they claim to represent. What they fail to take into account is what small businesses are facing today.

Today, health care costs for small businesses are rising at a rate of 20 to 50 percent per year. The President's plan will offer small business discounts and institute premium caps to control costs.

Today, many small business owners can only afford bare-bones insurance coverage for their employees. The Clinton plan will offer small businesses a comprehensive benefit package.

Today, small businesses are susceptible to insurance company abuses, such as occupational redlining and pre-existing condition exclusions. The Clinton plan will outlaw these abuses.

Today, the self-employed are only allowed a 25-percent deduction on health care costs while everybody else is entitled a 100-percent deduction. That is unfair. Under the Clinton plan the self-employed will get the full 100 percent deduction.

Our current health care system is bad for small business. But, we need to reform it, not rebuild it. That is why the President put together a plan that builds on our current system of shared responsibility between employer and employee. It is a system that will help small businesses control costs and cover employees.

□ 1410

DEMOCRATIC TAX INCREASES

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

Mr. GINGRICH. Mr. Speaker, I noticed in this morning's newspaper that the Democratic chairman of the Ways and Means Committee now believes we are going to need a tax increase for all Americans of up to \$40 billion to pay for the Clinton health plan.

Mr. Speaker, that is a lot of money. That comes to something on the order of about \$650 a year for a family of four out of their pocket to the Federal Government. This is a new tax increase proposal by the Democrats' chairman after his proposal 2 weeks ago to raise the Social Security tax by 31 percent on every business, every worker in America, to pay for another problem he perceives.

Mr. Speaker, we believe on our side that Government is too big and spends too much, and I do not think most working Americans or most American families are very excited by the prospect of the Democratic chairman of the Committee on Ways and Means making two major tax increase proposals in the last 2 weeks.

THE EXECUTION OF JOHN WAYNE GACY

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

Mr. TRAFICANT. Mr. Speaker, for all those bleeding hearts who say that John Wayne Gacy experienced cruel and unusual punishment, check this out. Gacy executed 33 young men, bur-

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

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

ied most of them in a crawl space underneath his kitchen. One victim who escaped said he begged Gacy to kill him rather than to torture him.

Ladies and gentlemen, those who say that Gacy should be put in jail for life are part of the problem in America. John Wayne Gacy deserved to be executed. It should have been 10 years ago. Congress should be saying today, "Good night, sweet prince, you earned it."

For everybody concerned about John Wayne Gacy and cruel and unusual punishment, what about the 33 victims, Congress? What about those 33 victims?

A RISING TIDE

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

Ms. PRYCE. Mr. Speaker, President, Kennedy once said, "A rising tide lifts all ships."

Well, Mr. Speaker, a rising tide just went through Oklahoma, and sank the Democrat candidate for Congress.

It's a rising tide of rejection and repudiation of the Clinton form of Government.

It wasn't only Republicans who created this tidal wave. In fact, the Sixth District of Oklahoma has far more registered Democrats than Republicans.

But even most Democrats are growing weary of the scandal-ridden Clinton administration, the broken promises, the higher taxes, and the wavering and wobbly foreign policy.

The people want more Republicans in the House to protect their interests in health, to push through reform, and to probe into the corruption that eats away at our government.

Mr. Speaker, a rising tide may lift all ships, but this rising tide is sinking the Democrat's philosophy of Government.

HEALTH CARE COST CONTROLS

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

Mr. GENE GREEN of Texas. Mr. Speaker, as we continue the process of passing a comprehensive health care plan for all Americans we find ourselves stumbling over issues such as how to control the growing costs of our health care system. The skyrocketing cost of obtaining health care coverage has driven the call for reform. How best to control these costs however is a primary component of the President's plan and the version of that plan that our committee's are considering.

When we look at cost control mechanisms, establishing limits on the future growth of costs are the answer. This mechanism is effective and it also has the benefit of predictability and provides for a more stable market.

There are those who view these types of cost controls as ineffective and who are seeking to eliminate them from the plan, however the result of that would be merely the continuation of the status quo.

First, people would continue to pay skyrocketing costs and there would be no incentive to control costs.

Second, small business and families would continue to be the big losers.

Anyone who has ever tried to put together a long-term economic strategy for a business or even a government budget can tell you that the unknown future costs relating to health care are the most frustrating and often budget busting factors in the plan. Our own Federal budget is busting at the seams due to the rising costs of health care and we will continue down the road to economic ruin unless we face up to the reality that health care costs must be controlled.

SOCIAL SECURITY EARNINGS TEST REPEAL

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

Mr. HASTERT. Mr. Speaker, I come to the floor today to urge my colleagues to sign the discharge petition I am filing at the Speaker's table—Discharge Petition No. 18.

The petition would allow Congress to consider H.R. 300, the Older Americans Freedom to Work Act. Although a majority of my colleagues support this bill, it has become clear that the Ways and Means Committee will not consider this important legislation before the end of this session of Congress.

Mr. Speaker, H.R. 300 seeks to eliminate or modify the unfair Social Security earnings test, a penalty which reduces the Social Security benefits of millions of senior citizens simply because they want or need to continue working. Americans, age 65 to 69, who earn over \$11,160 this year, will see their benefits reduced. And let me be clear, this penalty only impacts seniors who need to work—not those who have income from rents, dividends, or pensions.

Our senior citizens worked years to earn these benefits. It's high time we recognize their years of hard work and rescind this penalty by supporting—and signing—this Discharge Petition No. 18.

A CALL FOR SOUND AMERICAN HEALTH CARE SYSTEM

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

Mr. VENTO. Mr. Speaker, I rise today in support of a rationalization of our current health care system, A

Sound Health Care Policy for America. There have been a number of reform proposals put on the table, I favor a single payer system. I am willing to consider and work with what the President has sought, it certainly an important reform which affects an increasing percentage of our economy. In 1965, about one-twentieth of our economy in dollars went for health care. Today it is one-seventh. Yet many oppose the Clinton plan and really have no rational alternatives.

Mr. Speaker, the fact is that increasingly people who are employed and their families are losing private health care benefits. As that figure has risen to 38.5 million today the number of private health insured families has gone down a proportionate number in terms of the past years' statistics to 156.6 million people. Even more graphic is the 1989-1992 percentage in which private health insurance has plummeted from 75.1 percent to 70.9 percent of the population; families are losing their health insurance.

Mr. Speaker, it is important to face up to the fact of employer mandates and to try to nail down the responsibilities at the place of work so the funding stream is in place rather than to just get painted into a corner with regards to the tax increase type of label which, of course, might be good political rhetoric, it might be a good political advantage, but it is poor public policy process.

Mr. Speaker, it is time to face up to the responsibilities and help the American people meet their health care needs for themselves and their families.

DO THE RIGHT THING

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

Mr. GOSS. Mr. Speaker, every so often this House gets the chance to do the right thing. Today Mr. HASTERT files discharge petition No. 18 on the Older Americans Freedom To Work Act—legislation to repeal an unfair, outdated, and down right discriminatory provision of the Social Security Act known as the earnings test which singles out hard working seniors to pay higher taxes. It is just not the 1930's any more when this law was passed and it is time for Government to get this dinosaur off the books.

Older Americans are able and eager to work and many need to—why should Government be discouraging them? You would think with 221 Members of this House from both parties on board to repeal this extra tax on seniors, that we would be able to make it happen. But up until now, the House Democrat leadership has blocked the way. Let us do the right thing—sign the discharge petition for H.R. 300. Let us give the seniors a little good news.

COSPONSOR H.R. 4096, A BILL TO RESOLVE COMMERCIAL DISPUTES BETWEEN UNITED STATES FIRMS AND SAUDI ARABIA

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

Mr. BEVILL. Mr. Speaker, I rise today in support of H.R. 4096, a bill to ensure that certain unresolved commercial disputes between United States firms and the Government of Saudi Arabia are resolved satisfactorily. On September 22, 1992, Senator JOHN GLENN introduced an amendment to secure the resolution of United States commercial claims by the Government of Saudi Arabia. That amendment was overwhelmingly approved by both Houses of Congress on October 6, 1992, as section 9140 of fiscal year 1993 Department of Defense Appropriations Act.

The Subcommittee on Defense Appropriations included the words "to resolve satisfactory" to impact a fair resolution of a claim of a firm in my State, Harbert-Howard Cos.

A large number of Members of both Houses have signed individual as well as 12 joint Congressional letters urging the Saudi Government to comply with section 9140 by resolving satisfactorily Harbert-Howard Co.s' dispute. Regrettably, this has not yet taken place. This case has gone unresolved for more than 15 years.

I strongly urge you to support H.R. 4096, introduced by our colleague EARL HILLIARD and which I have cosponsored. This bill reaffirms congressional intent to secure satisfactory resolution of American claims as mandated by section 9140 of the Department of Defense Appropriations Act. There is no new policy being set by this bill. The language of the bill is straightforward and will have no impact on the Saudi participation in the peace process or in any way discourage United States-Saudi relations. I appeal to your sense of justice to join me in cosponsoring H.R. 4096.

CONFERENCE REPORT ON H.R. 965, CHILD SAFETY PROTECTION ACT

Mrs. COLLINS of Illinois submitted the following conference report and statement on the bill (H.R. 965) to provide for toy safety and for other purposes:

CONFERENCE REPORT (H. REPT. 103-500)

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. 965), to provide for toy safety and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the

amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Safety Protection Act".

TITLE I—TOY LABELING REQUIREMENTS

SEC. 101. REQUIREMENTS FOR LABELING CERTAIN TOYS AND GAMES.

(a) **REQUIREMENT UNDER FEDERAL HAZARDOUS SUBSTANCES ACT.**—The Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) is amended by adding at the end the following new section:

"SEC. 24. REQUIREMENTS FOR LABELING CERTAIN TOYS AND GAMES.

"(a) TOYS OR GAMES FOR CHILDREN WHO ARE AT LEAST 3.—

"(1) REQUIREMENT.—The packaging of any toy or game intended for use by children who are at least 3 years old but not older than 6 years (or such other upper age limit as the Commission may determine, which may not be less than 5 years old), any descriptive material which accompanies such toy or game, and, in the case of bulk sales of such toy or game when unpackaged, any bin, container for retail display, or vending machine from which the unpackaged toy or game is dispensed shall bear or contain the cautionary statement described in paragraph (2) if the toy or game—

"(A) is manufactured for sale, offered for sale, or distributed in commerce in the United States, and

"(B) includes a small part, as defined by the Commission.

"(2) LABEL.—The cautionary statement required by paragraph (1) for a toy or game shall be as follows:

 **WARNING:**

CHOKING HAZARD—Small parts. Not for children under 3 yrs.

"(b) BALLOONS, SMALL BALLS, AND MARBLES.—

"(1) REQUIREMENT.—In the case of any latex balloon, any ball with a diameter of 1.75 inches or less intended for children 3 years of age or older, any marble intended for children 3 years of age or older, or any toy or game which contains such a balloon, ball, or marble, which is manufactured for sale, offered for sale, or distributed in commerce in the United States—

"(A) the packaging of such balloon, ball, marble, toy, or game,

"(B) any descriptive material which accompanies such balloon, ball, marble, toy, or game, and

"(C) in the case of bulk sales of any such product when unpackaged, any bin, container for retail display, or vending machine from which such unpackaged balloon, ball, marble, toy, or game is dispensed,

shall bear or contain the cautionary statement described in paragraph (2).

"(2) LABEL.—The cautionary statement required under paragraph (1) for a balloon, ball, marble, toy, or game shall be as follows:

"(A) BALLOONS.—In the case of balloons, or toys or games that contain latex balloons, the following cautionary statement applies:

 **WARNING:**

CHOKING HAZARD—Children under 8 yrs. can choke or suffocate on uninflated or broken balloons. Adult supervision required.

Keep uninflated balloons from children. Discard broken balloons at once.

"(B) BALLS.—In the case of balls, the following cautionary statement applies:

 **WARNING:**

CHOKING HAZARD—This toy is a small ball. Not for children under 3 yrs.

"(C) MARBLES.—In the case of marbles, the following cautionary statement applies:

 **WARNING:**

CHOKING HAZARD—This toy is a marble. Not for children under 3 yrs.

"(D) TOYS AND GAMES.—In the case of toys or games containing balls, the following cautionary statement applies:

 **WARNING:**

CHOKING HAZARD—Toy contains a small ball. Not for children under 3 yrs.

In the case of toys or games containing marbles, the following cautionary statement applies:

 **WARNING:**

CHOKING HAZARD—Toy contains a marble. Not for children under 3 yrs.

"(c) GENERAL LABELING REQUIREMENTS.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), any cautionary statement required under subsection (a) or (b) shall be—

"(A) displayed in its entirety on the principal display panel of the product's package, and on any descriptive material which accompanies the product, and, in the case of bulk sales of such product when unpackaged, on the bin, container for retail display of the product, and any vending machine from which the unpackaged product is dispensed, and

"(B) displayed in the English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on such package, descriptive materials, bin, container, and vending machine, and in a manner consistent with part 1500 of title 16, Code of Federal Regulations (or successor regulations thereto).

"(2) EXCEPTION FOR PRODUCTS MANUFACTURED OUTSIDE UNITED STATES.—In the case of a

product manufactured outside the United States and directly shipped from the manufacturer to the consumer by United States mail or other delivery service, the accompanying material inside the package of the product may fail to bear the required statement if other accompanying material shipped with the product bears such statement.

(3) SPECIAL RULES FOR CERTAIN PACKAGES.—(A) A cautionary statement required by subsection (a) or (b) may, in lieu of display on the principal display panel of the product's package, be displayed on another panel of the package if—

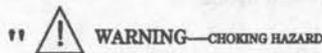
(i) the package has a principal display panel of 15 square inches or less and the required statement is displayed in three or more languages; and

(ii) the statement specified in subparagraph (B) is displayed on the principal display panel and is accompanied by an arrow or other indicator pointing toward the place on the package where the statement required by subsection (a) or (b) appears.

(B)(i) In the case of a product to which subsection (a), subsection (b)(2)(B), subsection (b)(2)(C), or subsection (b)(2)(D) applies, the statement specified by this subparagraph is as follows:



(ii) In the case of a product to which subsection (b)(2)(A) applies, the statement specified by this subparagraph is as follows:



(d) TREATMENT AS MISBRANDED HAZARDOUS SUBSTANCE.—A balloon, ball, marble, toy, or game, that is not in compliance with the requirements of this subsection shall be considered a misbranded hazardous substance under section 2(p)."

(b) OTHER SMALL BALLS.—A small ball—(1) intended for children under the age of 3 years of age, and (2) with a diameter of 1.75 inches or less, shall be considered a banned hazardous substance under section 2(q) of the Federal Hazardous Substances Act (15 U.S.C. 1261(q)).

(c) REGULATIONS.—The Consumer Product Safety Commission (hereinafter referred to as the "Commission") shall promulgate regulations, under section 553 of title 5, United States Code, for the implementation of this section and section 24 of the Federal Hazardous Substances Act by July 1, 1994, or the date that is 6 months after the date of enactment of this Act, whichever occurs first. Subsections (f) through (i) of section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262) shall not apply with respect to the issuance of regulations under this subsection.

(d) EFFECTIVE DATE; APPLICABILITY.—Subsections (a) and (b) shall take effect January 1, 1995, and section 24 of the Federal Hazardous Substances Act shall apply only to products entered into commerce on or after January 1, 1995.

(e) PREEMPTION.—(1) IN GENERAL.—Subject to paragraph (2), a State or political subdivision of a State may not establish or enforce a requirement relating to cautionary labeling of small parts hazards or choking hazards in any toy, game, marble, small ball, or balloon intended or suitable for use by children unless such requirement is identical to a requirement established by amendments made by this section to the Federal Hazardous Sub-

stances Act or by regulations promulgated by the Commission.

(2) EXCEPTION.—A State or political subdivision of a State may, until January 1, 1995, enforce a requirement described in paragraph (1) if such requirement was in effect on October 2, 1993.

SEC. 102. REPORTING REQUIREMENTS.

(a) REPORTS TO CONSUMER PRODUCT SAFETY COMMISSION.—

(1) REQUIREMENT TO REPORT.—Each manufacturer, distributor, retailer, and importer of a marble, small ball, or latex balloon, or a toy or game that contains a marble, small ball, latex balloon, or other small part, shall report to the Commission any information obtained by such manufacturer, distributor, retailer, or importer which reasonably supports the conclusion that—

(A) an incident occurred in which a child (regardless of age) choked on such a marble, small ball, or latex balloon or on a marble, small ball, latex balloon, or other small part contained in such toy or game; and

(B) as a result of that incident the child died, suffered serious injury, ceased breathing for any length of time, or was treated by a medical professional.

(2) TREATMENT UNDER CPSA.—For purposes of section 19(a)(3) of the Consumer Product Safety Act (15 U.S.C. 2068(a)(3)), the requirement to report information under this subsection is deemed to be a requirement under such Act.

(3) EFFECT ON LIABILITY.—A report by a manufacturer, distributor, retailer, or importer under paragraph (1) shall not be interpreted, for any purpose, as an admission of liability or of the truth of the information contained in the report.

(b) CONFIDENTIALITY PROTECTIONS.—The confidentiality protections of section 6(b) of the Consumer Product Safety Act (15 U.S.C. 2055(b)) apply to any information reported to the Commission under subsection (a) of this section. For purposes of section 6(b)(5) of such Act, information so reported shall be treated as information submitted pursuant to section 15(b) of such Act respecting a consumer product.

TITLE II—CHILDREN'S BICYCLE HELMET SAFETY

SEC. 201. SHORT TITLE.

This title may be cited as the "Children's Bicycle Helmet Safety Act of 1994".

SEC. 202. ESTABLISHMENT OF PROGRAM.

(a) IN GENERAL.—The Administrator of the National Highway Traffic Safety Administration may, in accordance with section 203, make grants to States, political subdivisions of States, and nonprofit organizations for programs that require or encourage individuals under the age of 16 to wear approved bicycle helmets. In making those grants, the Administrator shall allow grantees to use wide discretion in designing programs that effectively promote increased bicycle helmet use.

(b) FEDERAL SHARE.—The amount provided by a grant under this section shall not exceed 80 percent of the cost of the program for which the grant is made. In crediting the recipient State, political subdivision, or nonprofit organization for the non-Federal share of the cost of such a program (other than planning and administration), the aggregate of all expenditures made by such State, political subdivision, or nonprofit organization (exclusive of Federal funds) for the purposes described in section 203 (other than expenditures for planning and administration) shall be available for such crediting, without regard to whether such expenditures were actually made in connection with such program.

SEC. 203. PURPOSES FOR GRANTS.

A grant made under section 202 may be used by a grantee to—

(1) enforce a law that requires individuals under the age of 16 to wear approved bicycle helmets on their heads while riding on bicycles;

(2) provide assistance, to individuals under the age of 16 who may not be able to afford approved bicycle helmets, to enable such individuals to acquire such helmets;

(3) develop and administer a program to educate individuals under the age of 16 and their families on the importance of wearing such helmets in order to improve bicycle safety; or

(4) carry out any combination of the activities described in paragraphs (1), (2), and (3).

SEC. 204. REPORT TO CONGRESS.

Not later than May 1, 1997, the Administrator of the National Highway Traffic Safety Administration shall report to Congress on the effectiveness of the grant program established by section 202. The report shall include a list of grant recipients, a summary of the types of programs implemented by the grantees, and any recommendation by the Administrator regarding how the program should be changed in the future.

SEC. 205. STANDARDS.

(a) IN GENERAL.—Bicycle helmets manufactured 9 months or more after the date of the enactment of this Act shall conform to—

(1) any interim standard described under subsection (b), pending the establishment of a final standard pursuant to subsection (c); and

(2) the final standard, once it has been established under subsection (c).

(b) INTERIM STANDARDS.—The interim standards are as follows:

(1) The American National Standards Institute standard designated as "Z90.4-1984".

(2) The Snell Memorial Foundation standard designated as "B-90".

(3) The American Society for Testing and Materials (ASTM) standard designated as "F 1447".

(4) Any other standard that the Commission determines is appropriate.

(c) FINAL STANDARD.—Not later than 60 days after the date of the enactment of this Act, the Commission shall begin a proceeding under section 553 of title 5, United States Code, to—

(1) review the requirements of the interim standards set forth in subsection (a) and establish a final standard based on such requirements;

(2) include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;

(3) include in the final standard provisions that address the risk of injury to children; and

(4) include additional provisions as appropriate.

Sections 7, 9, and 30(d) of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, 2079(d)) shall not apply to the proceeding under this subsection and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding. The final standard shall take effect 1 year from the date it is issued.

(d) FAILURE TO MEET STANDARDS.—

(1) FAILURE TO MEET INTERIM STANDARD.—Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection (a)(1) shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act.

(2) STATUS OF FINAL STANDARD.—The final standard developed under subsection (c) shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

For the National Highway Traffic Safety Administration to carry out the grant program au-

thorized by this title, there are authorized to be appropriated \$2,000,000 for fiscal year 1995, \$3,000,000 for fiscal year 1996, and \$4,000,000 for fiscal year 1997.

SEC. 207. DEFINITION.

In this title, the term "approved bicycle helmet" means a bicycle helmet that meets—

(1) any interim standard described in section 205(b), pending establishment of a final standard under section 205(c); and

(2) the final standard, once it is established under section 205(c).

And the House agree to the same.

From the Committee on Energy and Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

JOHN D. DINGELL,
CARDISS COLLINS,
EDOLPHUS TOWNS,
CARLOS J. MOORHEAD,
CLIFF STEARNS,
NORMAN Y. MINETA,
JAMES L. OBERSTAR,
NICK RAHALL,
BUD SHUSTER,
THOMAS E. PETRI,

Managers on the Part of the House.

FRITZ HOLLINGS,
WENDELL FORD,
RICHARD H. BRYAN,
JACK DANFORTH,
SLADE GORTON,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the 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. 965), to provide for toy safety and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House amendment struck all of the Senate amendment after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the House amendment and the Senate amendment. The differences between the Senate amendment, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

SECTION 1—SHORT TITLE

House bill

The House bill, in section 1, provides a short title, "Child Safety Protection Act."

Senate amendment

The Senate amendment, in section 1, contains an identical provision.

House amendment to Senate amendment

The House amendment to the Senate amendment, in section 1, contains an identical provision.

Conference agreement

The Conference agreement adopts the House provisions.

TITLE I—TOY LABELING REQUIREMENTS

House bill

The House bill, in sections 2 and 3, requires the labeling of certain toys and games with

small parts, balloons, small balls, and marbles. The required labeling would warn of choking hazards to small children. The House bill would also ban the sale of small balls with a diameter of 1.75 inches or less intended for children under three.

Senate amendment

The Senate amendment, in Title I, contains similar labeling and banning requirements applicable to toys and games with small parts, balloons, small balls, and marbles. The Senate amendment also includes special labeling rules for smaller packages. The Senate amendment contains a specific preemption provision. The Senate amendment also includes requirements for reporting to the Consumer Product Safety Commission (CPSC) information on certain choking incidents involving such products.

House amendment to Senate amendment

The House amendment to the Senate amendment, in Title I, contains a similar provision as the Senate amendment.

Conference agreement

The Conference agreement adopts the Senate amendment, except as described below.

Although the version of the Senate amendment (but not the House amendment to the Senate amendment) printed in the CONGRESSIONAL RECORD of March 9, 1994 (page H1134) includes boxes around the required labels, the Conferees understand it was not the intent of the Senate amendment to require such boxes. Instead, to ensure that the labels are not inconspicuous, the Senate amendment (as with the House amendment to the Senate amendment) requires that any label be "displayed * * * in conspicuous and legible type in contrast by typography, layout, or color with other printed matter * * *". Thus the Conference agreement does not require that the labels necessarily be enclosed in boxes. The Conferees note, however, that boxes are one effective means of identifying and setting off warning labels—in accord with the legislation—and encourage, but do not require, their use by manufacturers.

With respect to the language of the Senate amendment that includes special labeling for smaller packages, the Conferees note that the abbreviated warning—applicable only to certain packages of toys and games with small parts, small balls, and marbles, as described in the bill—is to read "Δ Safety Warning". In addition, with respect to labeling of toys dispensed from vending machines, the Conferees note that the language is not intended to suggest a double labeling requirement—labeling either the package, or, if sold from a vending machine, the machine itself, is sufficient. However, the requirement to label any descriptive materials that accompany the product would still apply. The Conferees also note that when a cautionary label is placed on a vending machine, bin, or container for retail display, it is the intent that the cautionary labels be placed conspicuously on the front of the vending machine, bin, or container for retail display so that consumers will readily see the label.

The Conferees note that this bill contains a preemption provision that differs from the preemption provision of general application contained in section 18 of the Federal Hazardous Substances Act (FHSA). This provision is intended to address the unique circumstances of a particular case and is not intended to set any precedent for future legislation, nor to imply that the established FHSA preemption provision is somehow inadequate.

The preemption provision which is invoked when a labeling requirement is established

under the FHSA provides that if a hazardous substance or its packaging is subject to a cautionary labeling requirement designed to protect against a risk of illness or injury associated with the substance, no state or political subdivision thereof may establish or continue in effect a cautionary labeling requirement applicable to such substance or packaging and designed to protect against the same risk of illness or injury unless such cautionary labeling requirement is identical to the requirement under the FHSA. A similar preemption provision is invoked when a banning requirement is established under the FHSA.

The preemption provision in this bill addresses the unique situation presented by the litigation involving a state toy labeling law, applicable to toys with small parts intended for children between three and seven, enacted in Connecticut in 1992. The Toy Manufacturers of America (TMA) challenged this state legislation on the ground that it was preempted by existing CPSC regulations issued under the FHSA, which ban toys with small parts intended for children under three.

The Second Circuit Court of Appeals, in *Toy Manufacturers of America v. Blumenthal* (1993), ruled that the Connecticut toy labeling law was not preempted by the existing CPSC regulations. Among other grounds for its decision, the Court pointed out that, under the existing FHSA preemption provision, preemption applied only when a state regulates the same "substance" which is regulated under the FHSA. The Court determined that, since the existing CPSC regulations applied to toys with small parts intended for children under three, and the Connecticut law applied to toys with small parts intended for children between three and seven, the substance being regulated under the two regulatory regimes therefore was not the same and preemption did not apply.

The subject legislation requires labeling of certain toys and games intended for use by children who are at least three but not older than six (or such other upper age limit as the CPSC may determine, but not less than five). As a result, TMA believes that there is a possibility, based on the precedent established by the Second Circuit, that a state would not be preempted by the existing FHSA preemption provision from enacting toy labeling legislation for toys extended for children older than the age levels covered by this legislation. Therefore, this legislation includes a special preemption provision in order to ensure that this legislation is interpreted as being preemptive of nonidentical state requirements (and those of political subdivisions thereof) relating to cautionary labeling of small parts hazards or choking hazards in any toy, game, marble, small ball, or balloon intended or suitable for use by children, and specifically including such labeling requirements for toys intended for children older than covered by this legislation.

TITLE II—CHILDREN'S BICYCLE HELMET SAFETY

House bill

The House bill, in section 4, requires the CPSC to promulgate a performance standard for bicycle helmets. Pending the development of such a performance standard, the House bill requires bicycle helmets to conform to existing voluntary standards.

Senate amendment

The Senate amendment, in Title II, similarly requires the CPSC to promulgate a performance standard for bicycle helmets. Similarly, under the Senate amendment, bicycle helmets would be required to conform to ex-

isting voluntary standards pending the development of such a performance standard.

The Senate amendment also establishes a program under which the National Highway Traffic Safety Administration (NHTSA) may make grants to states and non-profit organizations for programs that require or encourage individuals under the age of 16 to wear bicycle helmets that meet applicable standards. The Senate amendment authorizes \$2 million in fiscal year 1994, \$3 million in fiscal year 1995, and \$4 million in fiscal year 1996 for NHTSA to carry out the grant program.

House amendment to Senate amendment

The House amendment to the Senate amendment, in Title II, contains an identical provision as the Senate amendment with respect to the requirements (1) for the CPSC to promulgate a performance standard for bicycle helmets and (2) for voluntary standard conformance pending the development of such a CPSC standard. The House amendment to the Senate amendment also includes a technical correction to the Senate amendment with respect to the reference to the American Society for Testing and Materials (ASTM).

The House amendment to the Senate amendment does not include the provisions establishing a NHTSA grant program.

Conference agreement

The Conference agreement adopts the House amendment to the Senate amendment with respect to the requirements (1) for the CPSC to promulgate a performance standard for bicycle helmets and (2) for voluntary standard conformance pending the development of such a CPSC standard.

The Conference agreement adopts a modified version of the NHTSA grant program. In particular, (1) the short title of Title II has been modified to the "Children's Bicycle Helmet Safety Act of 1994", (2) political subdivisions of States have been explicitly included as eligible grantees, (3) grants are limited to 80 percent of the cost of the program for which the grant is made and the non-Federal share can be met by the aggregate of in-kind expenditures by grantees, (4) grants for bicycle helmet acquisition may be made so that grantees provide assistance in acquiring approved bicycle helmets to individuals under 16 who may not be able to afford approved helmets, (5) the Administrator shall review grant applications for compliance with the requirements prior to awarding grants, (6) the Administrator of NHTSA must report to Congress by May 1, 1997 on the effectiveness of the program, and (7) the provision now authorizes \$2 million for fiscal year 1995, \$3 million for fiscal year 1996, and \$4 million for fiscal year 1997 for NHTSA to carry out the grant program.

The Conferees note that the requirements in Titles I and II of this legislation will result in modest additional costs for the CPSC, as a result of the need to promulgate new regulations and for enforcement. The Conferees urge the Appropriations Committees to consider these additional costs in their review of the CPSC's budget request.

BUCKET DROWNING PREVENTION

House bill

No provision.

Senate amendment

The Senate amendment, in Title III, contains provisions requiring the issuance of labeling and performance standards for certain four to six gallon buckets.

House amendment to Senate amendment

The House amendment to the Senate amendment contains no provision addressing this issue.

Conference agreement

Senate recedes—no provision.

From the Committee on Energy and Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

JOHN D. DINGELL,
CARDISS COLLINS,
EDOLPHUS TOWNS,
CARLOS J. MOORHEAD,
CLIFF STEARNS,
NORMAN Y. MINETA,
JAMES L. OBERSTAR,
NICK RAHALL,
BUD SHUSTER,
THOMAS E. PETRI,

Managers on the Part of the House.

FRITZ HOLLINGS,
WENDELL FORD,
RICHARD H. BRYAN,
JACK DANFORTH,
SLADE GORTON,

Managers on the Part of the Senate.

IT'S TIME TO ELIMINATE THE EARNINGS TEST

(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, I rise in support of lifting the earnings test and urge my colleagues to sign the discharge petition filed by my friend from Illinois. This petition is about equity. It's about easing the burden of taxation on working seniors. It's a little known fact that older Americans who work are subject to a tax rate as high as 89 percent. That's twice the rate of millionaires.

In spite of overwhelming support for repealing the earnings test last Congress, we are nearing the close of this session and no action has been taken by the Ways and Means Committee. The discharge petition is our last avenue for action on this important issue.

The gentleman from Illinois is introducing this discharge petition to force the consideration of a rule so that we may get on with eliminating the earnings test.

Working seniors aged 62-64 lose \$1 in benefits for every \$2 earned over the limit of \$8,040. Seniors aged 65-69 lose \$1 in benefits for every \$3 over the limit of \$11,160. To penalize the most experienced of workers is to reduce benefits for the entire work force.

Seniors have years of experience that would greatly add to the productivity of the work place, spurring billions of dollars in economic growth. According to the Treasury Department repealing the earnings test would result in \$140 million increase in Federal revenue.

The earnings limit was created during the Depression to force older workers out of the labor force and create job opportunities for younger workers. But according to the Labor Department, the work force is dwindling. By the year 2000, 1.5 million fewer workers between 16 and 24 years of age will have entered the work force.

The facts are convincing. In addition to the overwhelming congressional support for repealing the earnings test, seniors all over the country are holding out hope that Congress will finally enact a policy based on parity.

Please join me in supporting equity for seniors. Sign discharge petition 18 today.

THE TEEN INFORMATION PARTNERSHIP

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

Mrs. SCHROEDER. Mr. Speaker, I rise today to recognize and honor a group in my district who used the common phone book as a tool to prevent teen violence.

If I may give a brief history. In May of 1993 I sponsored a conference in Denver, CO, on Teens and Violence, over 200 organizations developed ideas and suggestions to help teens resist the dangerous influences in their lives. One good suggestion was to create a resource directory tailored to teens. I took this idea to our local phone book publishers and in short order US West Directory agreed to donate space in their directory exclusively for teens. The idea further, germinated as a local coalition of business, government, and non-profits organizations undertook the monumental task of compiling entries for the teen pages. Thus, the Teen Information Partnership was born.

I am extremely pleased to announce that through their efforts, the TIP pages will be published in the May 1994 issue of the US West Directory phone book.

There are eight pages of resource information relevant to teen needs in this directory. Everything from crisis hotlines, employment information, health, pregnancy, education, and recreation for teens is listed. There is an aggressive campaign underway to advertise these pages through restaurant place mats, supermarket shopping bags, and in the media targeted to teens.

I would like to take this time to honor those agencies involved in this effort, they are:

Bethesda Psychiatric Hospital, Colorado Trial Lawyers Association, Colorado Violence Prevention Center, The Denver District Attorneys Office, Denver Mayor Wellington Webb's Commission on Youth, Denver Regional Council of Governments, Denver Victim's Service Center, Denver's First Step, Hoffman and Company, The Governor's Community Partnership Office, Mile High United Way, The Shaka Franklin Foundation for Youth, US West Direct, YES Match, Youth Train-A Parents' Movement, McDonalds, and King Soopers.

Without the hard work of each, this directory would not have been possible.

I would especially like to thank US West Directory for the unselfish donation of space in their book and the countless hours of work to create this resource.

Special recognition must also be given to the teenagers from East Alternative High School and Littleton High School who reviewed and refined the content of the pages.

I believe that this effort can be duplicated throughout the country, with the dedication and compassion of people in your own districts. I offer a challenge to my colleagues to pursue similar efforts. As long as agencies and individuals can set their sights on one goal, anything can be accomplished. The Teen Information Partnership has proven this and I commend them for it.

□ 1420

THE "KO" IN OK

(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, yesterday two challengers stepped into the ring in Oklahoma's sixth congressional district where Republican Frank Lucas took on Democrat Dan Webber.

It should not have really been a fight considering the odds against the Republican.

The Democrat was a former aide of Senator BOREN, the district has a 2-1 Democrat registration advantage, and had not elected a Republican to Congress in 20 years.

However, in this David versus Goliath rematch, David won once again.

By throwing the right combination of less spending, less taxes, and less government, Republican Lucas delivered a "KO" in OK.

Of course what happened to the big government Goliath is not entirely his fault. You see he had President Clinton in his corner.

While the Democrat tried to run from the Clinton administration, Oklahoma voters merely proved the old boxing adage that "you can run but you cannot hide."

LT. GEN. WILLIAM H. SCHNEIDER, AN HONORABLE MAN

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

Mr. GONZALEZ. Mr. Speaker, I rise today with sadness to announce the passing of Lt. Gen. William H. Schneider, a man of great honor and distinction who was born in San Antonio, reared in San Antonio, and who passed away in San Antonio this past Monday. I rise, as well, to announce with great admiration the many contributions General Schneider made to his commu-

nity through his work and influence, and I want to express on behalf of myself and the community of San Antonio our profound gratitude for his many years of distinguished service.

General Schneider was greatly and widely admired as "a soldier's general" before retiring in 1989 from his position as commander of the 5th Army at Fort Sam Houston. Known for his love of western music, and beloved by the soldiers who served under his command, Schneider was honored by the Fort Sam Houston soldier-musicians who volunteered their time to play for him at his retirement ceremony. After his retirement from the Army, Schneider became president-headmaster of the Texas Military Institute in San Antonio and served in that position until his untimely death.

Schneider devoted much of his time to the youth of our community. Young people were important to him, and he showed his dedication to their well-being through the time and effort he spent with them motivating them to stay in school, to persevere, and to do their very best. He served on the executive committee of United Way and the Alamo Council of the Boy Scouts of America. The General and his wife Barbara were co-chairs of the San Antonio Senior Olympics for 1991 and 1992.

General Schneider was graduated from Central Catholic High School in 1951 and from St. Mary's University in 1955. Upon his graduation from college, he was commissioned a second lieutenant of field artillery and served in the Army for the next 34 years. His service took him to Vietnam as a battalion commander during the Vietnam War and later to the U.S. Pacific as deputy commander in chief. During his service he earned the Defense Distinguished Service Medal, the Legion of Merit, and the Air Medal.

General Schneider was the finest example of the very best of our military and civilian community—he loved his country and fought to protect its citizens' right and freedoms; he loved his family, and his survivors, including his wife, two daughters, two sons, and seven grandchildren, will carry on his legacy of service to country and community; and he displayed the integrity, honesty and charity that are the ideal of the American soldier and citizen. We will miss General Schneider terribly, but we are the better for having known him and been touched by him. He was, in every sense of the word, an honorable man.

SUPPORT THE OLDER AMERICANS FREEDOM TO WORK ACT

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

Mr. MANZULLO. Madam Speaker, today is a monumental step for our Nation's seniors.

I want to commend my colleagues who have joined my good friend, the gentleman from Illinois [Mr. HASTERT], and signed the petition that would discharge the rule and allow H.R. 300, the Older Americans Freedom To Work Act, to be debated before the full House.

Mr. Speaker, seniors between 65 and 70 with private pensions are not penalized if they earn more than \$11,160 annually. Why should seniors living on Social Security be penalized?

I know firsthand how important this legislation is. I have a senior constituent, Bess Marsala from Rockford, IL, who calls our office once a week to find out if there is any movement on H.R. 300. Today I will have some good news for her.

She will be able to go back to work and not worry about the current earnings test restrictions which would cause her to lose \$1 of Social Security benefits for every \$3 she earns over \$11,160 annually. This puts her at a tax rate of 56 percent. H.R. 300 will allow Bess to earn up to \$30,000 annually and keep her full Social Security benefits.

COMMEMORATING NATIONAL NURSES' WEEK

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

Ms. MCKINNEY. Madam Speaker, I rise in salute of National Nurses' Week.

Throughout the centuries, nurses have been the front line and the last line of defense in health care. Doctors make the diagnosis, but nurses make you well.

Since the profession is predominantly female, nursing is not unlike most women's jobs. Nurses are overworked, underpaid and undervalued in their role as caregivers.

Yet, nurses are essential to the health care system and the people whom they serve. Both doctors and patients depend on nurses for their expertise and bedside manner.

One of the answers to our health care problems in this country should be to fully utilize the abilities of nurses, nurse midwives, and nurse practitioners.

Today, I'd like to honor the nurses at Grady Hospital, Augusta Regional Medical Center and all who serve ably in our rural hospitals and small community health centers throughout Georgia's 11th District.

I would also like to pay a special tribute to Leola McKinney: a woman who recently retired as head nurse at Grady Hospital's Emergency Medical Clinic where she worked for 40 years—and who just happens to be my Mom.

REFORMING AMERICA'S HEALTH CARE SYSTEM

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

minute and to revise and extend his remarks.)

Mr. OLIVER. Madam Speaker, we can make history this year by reforming America's health care system. Our goals should be universal coverage, comprehensive benefits, total portability, and controlled costs. There is wide agreement on these goals, and we must achieve these goals.

Every other industrial country in the world has provided this security to their citizens. Our neighbor, Canada, has already largely achieved these goals.

The truth about the effective single payer system in Canada is muddled by false claims. It is not true that Canadians die in lines waiting for care. It is not true that Canadians are flocking to America to avoid rationing and poor care.

In fact, many Americans go to Canada for care. Canadian budgets are burdened with fraudulent claims filed by Americans who seek treatment in Canada because they have no insurance here.

The truth is that the single payer system works in Canada and can be a model from which we can learn as we create our American plan to achieve national health care.

TIME FOR ACCOUNTABILITY IN WASHINGTON

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

Mr. ZELIFF. Madam Speaker, it is accountability time here in Washington. The American voters have had their first chance to see whether or not their Congressmen and women would walk the walk on spending cuts.

In 1992, the American people voted for change. They changed the man in the Oval Office. They tossed out a near-record number of our colleagues. And they sent a clear mandate to change the business-as-usual games Congress has played for years.

I am proud, Madam Speaker, that so many of my colleagues joined me and Congressman ROB ANDREWS of New Jersey in signing the A to Z discharge petition last week.

We have started down the path toward fiscal responsibility, congressional accountability, and living within our means.

Madam Speaker, an A to Z concept provides hope for future generations. It is for our children and grandchildren to ensure they are not saddled with the same \$4.5 trillion debt that we have today.

We are heading down the path, Madam Speaker. We have been close before.

Last fall we lost the Penny-Kasich bipartisan spending cut package by just a few votes.

This year we lost the bipartisan balanced budget amendment by just a few votes.

My friends, do not let A to Z lose by just a few votes. Do not ignore the voice of America. Sign the A to Z discharge petition today.

□ 1430

UNITED STATES COMPANIES SHOULD HALT TRADING WITH THE CHINESE MILITARY

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

Mr. WOLF. Madam Speaker, last night NBC's Dateline did its most recent exposé on a Chinese corporation called NORINCO that is flooding the American market with guns, toys, and other products—all to the direct benefit of the Chinese People's Liberation Army. American consumers are unknowingly lining the coffers of the butchers of Beijing through military front companies like NORINCO that are selling guns, rugs, toilet seats, and toys to Kmart, Walmart, and Home Depot.

I applaud NBC and the AFL-CIO for bringing this to the attention of the American public and urge Members to sign my letters to the board chairmen of Kmart and Home Depot, asking them to halt immediately their trade with the Chinese military.

I respect those on the other side of the MFN question who say that trade will eventually bring liberty—but trade that directly empowers the same military that attacked thousands of prodemocracy demonstrators in Tiananmen Square clearly hinders democratic progress in China and should be stopped immediately.

At some point, we must say "no" to cheap labor that both hurts American jobs and strengthens the hand of repression in China. In this case, the question is clear. Say no to funding the Chinese military and sign my letters to Kmart and Home Depot.

SOCIAL SECURITY EARNINGS TEST DISCHARGE PETITION

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

Mr. SAM JOHNSON of Texas. Madam Speaker, we have heard today that Mr. ROSTENKOWSKI wants to raise our taxes some more. We have heard about an Oklahoma election where we won because this administration is pushing taxes and more spending when in fact we are taking money away from our senior citizens between the ages of 65 and 69 who continue to work. We cannot even let them earn more than a mere \$11,000 this year. It is sad that our

country has come to the point where we punish people for working hard.

Taxes in America are high enough without taxing away another 33 percent of the working seniors' income. Some seniors even have an effective tax rate of 89-percent after last year's tax bill.

Let me repeat: 89 percent. I ask how long could you survive with an 89 percent tax rate?

I ask you to join the gentleman from Illinois [Mr. HASTERT], my good friend and colleague who has introduced a discharge petition today to pass the Older Americans Freedom to Work Act.

REGARDING THE DISCHARGE PETITION FOR CONSIDERATION OF H.R. 300

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

Mrs. FOWLER. Madam Speaker, I rise in support of the discharge petition on the rule for consideration of H.R. 300, which would repeal the Social Security earnings test limit. The limit is an archaic provision, created during the Great Depression to make room for young people in the workforce by forcing seniors to retire.

This legislation provides an opportunity for us to support independence and responsibility instead of dependence on the Federal Government. The individuals most negatively affected by the limit are those who have the greatest need for the extra income, and it is not right for the Government to impose a punitive tax on their earnings. Madam Speaker, the Social Security earnings test limit is bad policy, bad business, and just plain wrong. It is age discrimination and it should be repealed. I urge my colleagues to sign discharge petition No. 18 and support H.R. 300.

SOCIAL SECURITY EARNINGS TEST REPEAL

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

Mr. HERGER. Madam Speaker, I rise today to join my friend and colleague, the gentleman from Illinois [Mr. HASTERT] in support of a discharge petition on H.R. 300, the Older Americans Freedom to Work Act.

This legislation is crucial to millions of our working seniors between the ages of 65 and 69 who find their Social Security benefits unfairly withheld simply because they choose to remain active in the work force.

This penalty impacts millions of seniors who financially must supplement their Social Security benefits. They are not asking for a government hand-out. They just want the Federal Gov-

ernment to stop taking away the benefits that they have earned.

Currently, over a majority of the Members of this House have cosponsored this legislation. I urge my colleagues to join me in signing this discharge petition so that the full House can have a chance to debate and vote on this measure.

To do anything less will be to ignore those seniors whose expertise and experience our Nation can ill afford to lose in today's economy.

REPEAL THE UNFAIR SOCIAL SECURITY EARNINGS TEST

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

Mr. RAMSTAD. Madam Speaker, I rise today to join many of our colleagues in calling for the repeal of the unfair Social Security earnings test.

Our Nation's older workers should not be penalized for remaining vital participants in the work force. But that is exactly what the earnings test does.

Not only does it penalize older workers, but it's also bad economic policy.

These experienced workers have a lot to offer our economy. But they are effectively driven out of the labor market because there is so little incentive to remain in the workforce. In fact, it has been estimated that repealing the earnings test would raise the gross national product in our country by \$15.4 billion.

Many of these seniors are working not only because they want to, but because they must. The earnings test forces many capable seniors to rely solely on Social Security, rather than supplement their income by continuing to work.

I encourage all of my colleagues to consider these facts and sign the discharge petition to repeal the earnings test.

Madam Speaker, let us free our Nation's seniors from this antiquated, Depression-era policy. Let us bring fairness to our seniors.

SOCIAL SECURITY'S BONUS SYSTEM: WHO PAYS?

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

Mr. STEARNS. Madam Speaker, like most Americans I was upset to learn that \$32 million for bonus performance awards was given out by the Social Security Administration while at the same time this agency was asking Congress for an additional \$200 million to facilitate the processing of disability benefit claims.

During testimony given by officials from the Social Security Administration before Congress they stated that

none of the \$200 million set aside by Congress to help with the disability backlog came from this fund. I share the sentiments expressed by my colleagues on the House Ways and Means Committee who sharply criticized the Social Security Administration for engaging in this type of practice. In fact, one employee who had only been employed by the Social Security Administration for 2½ months received a bonus of \$9,256.

All this has come at a time when we are being told that tax increases will be needed to ensure the future solvency of the Social Security Program.

We are telling our senior citizens that they will have to once again sacrifice in order to keep this program solvent. I wonder what the vast majority of Social Security recipients must think when they read about these bonuses.

RAISING TAXES YET AGAIN

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

Mr. HOKE. Madam Speaker, yet again the chairman of the House Ways and Means Committee is insistent on the need to raise taxes. This time, the Democrats' reason du jour is health care reform.

In order to fund the President's massive new 98,000 person health bureaucracy and plug up what he has called "a \$40 billion hole" in the President's projections, Chairman ROSTENKOWSKI says we have absolutely got to raise new broad-based taxes on the American people. More taxes.

That is on top of President Clinton's record-breaking income tax hikes.

That is in addition to President Clinton's gasoline tax hike.

That is beyond the new Social Security taxes that the Democrats have imposed on the elderly.

And let us not forget the new estate taxes that President Clinton imposed retroactively on dead people.

Madam Speaker, there is just no end to the majority party's insatiable appetite for more and more taxes on more and more Americans. The Democrats may want to consider this modest proposal as an alternative to their endless taxing and spending: Stop spending so much money that you do not have.

□ 1440

VOTERS OF OKLAHOMA LISTENING TO THE REPUBLICAN MESSAGE

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

Mr. EWING. Madam Speaker, yesterday the people in the Sixth District of Oklahoma elected a Republican to rep-

resent them in Congress in a district that has a heavy Democrat registration. I wonder if the Democratic leadership in this House has any idea what the issues were in that race. Well, let me tell my colleagues:

The Democrat ran from the Clinton record, but not fast enough. The Republican ran toward his party's message of less taxes, less spending, and less government. The Republican signed the taxpayer protection pledge. The Democrat equivocated. The Republican came out against higher health care taxes. The Democrat equivocated.

Madam Speaker, the American people listened in Oklahoma. They listened, and they demanded better and wiser, and they chose the Republican.

USDA PROGRAM CUTS NON-PRODUCTIVE, FAIL TO REDUCE DEFICIT

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

Mr. ALLARD. Madam Speaker, when the administration proposed their 1995 Federal budget they targeted 115 programs for elimination. Included among these programs was the Sunflower Oil Assistance Program. The administration estimated that elimination of this program would save \$50 million that would help reduce the deficit. But wait, according to USDA after figuring in the cost to the Export Enhancement Program by taking this action and after figuring in producers who shift to other program crops because they lose overseas markets you find that, at best, no money is saved through elimination of this program. As Charles Osgood recently said on the "Osgood Files," "the Sunflower Assistance Program is 1 of 115 Federal programs that Mr. Clinton wants to cut from the 1995 budget. It is the biggest one on the Agriculture hit list. All you need is 114 more like that and, bingo, you haven't saved a dime." This is not the kind of budget cutting that is going to result in a balanced budget, we need to thoroughly review where we are going with President Clinton's Agricultural program cuts. Under GATT he traded away significant cuts in foreign internal subsidies while at the same time cutting programs that help our farmers compete in the world market against those foreign subsidies. This is not the way American farmers are going to be able to compete in the world market.

CLINTON'S HAITIAN POLICY THREATENS ECONOMIC DISASTER FOR FLORIDA

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

Mr. MILLER of Florida. Madam Speaker, the Clinton administration's

Haitian policy du jour has gone from bad to worse to unfathomable. First, hollow military threats, followed by tougher economic sanctions on the Haitian people. Now, the President wants to open the shores of Florida to Haiti's economic refugees.

By expanding a failed policy of economic sanctions, we only increase misery and starvation among the Haitian people—and strengthen the hands of the military leaders. Now President Clinton has issued an open invitation of asylum to the Haitian people. The United States is not only encouraging a flotilla of Haitian refugees—we are forcing the Haitian people to come through an irrational and inhumane policy of economic sanctions.

Florida is a State already suffering from the failed immigration policies of the Federal Government. Our hospitals, our schools, our prisons and our taxpayers are already overburdened by the flood of illegal immigrants. Florida, like the rest of the Nation, simply cannot afford another Clinton disaster.

Hunger strikes and liberal pickets are no substitute for a consistent, well-reasoned foreign policy.

OUR DISASTROUS HAITIAN POLICY DU JOUR

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

Mr. MICA. Madam Speaker, my colleagues, Bosnia, Somalia, and now Rwanda, are all part of the failed Clinton foreign policy legacy. However no fiasco in foreign policy matches the Clinton disaster in Haiti. Our foreign policy in Haiti can be called a policy du jour. Like the soup du jour, it changes each day.

Madam Speaker, last week, off the shores of my district in Florida, a 4-year-old Haitian boy was plucked from the sea in critical condition. Because of last week's Clinton policy this boy, according to doctors, will be a vegetable for the rest of his life.

This week's Clinton policy will be an even greater disaster for the people of Haiti and the people of the State of Florida. Haitians will flee Haiti to seek asylum. Haitians, young and old, will die with the false hope offered by President Clinton this week. Increased sanctions will kill the poorest of the poor, provide more profits for the thugs who have taken charge in Haiti and grind Haiti further to despair. We have paid billions to the United Nations, and I ask, "Why can't we get consistent and positive leadership from the White House to restore democracy in Haiti now?"

ANNUAL REPORT OF THE FEDERAL COUNCIL ON THE AGING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. SCHROEDER) laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

To the Congress of the United States:

In accordance with section 204(f) of the Older Americans Act of 1965, as amended (42 U.S.C. 3015(f)), I hereby transmit the Annual Report for 1993 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

WILLIAM J. CLINTON.
THE WHITE HOUSE, May 11, 1994.

ECONOMIC DEVELOPMENT REAUTHORIZATION ACT OF 1994

The SPEAKER pro tempore. Pursuant to House Resolution 420 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. 2442.

□ 1445

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. 2442) to reauthorize appropriations under the Public Works and Economic Development Act of 1965, as amended, to revise administrative provisions of the Act to improve the authority of the Secretary of Commerce to administer grant programs, and for other purposes, with Mr. TORRES 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 West Virginia [Mr. WISE] will be recognized for 30 minutes, the gentlewoman from New York [Ms. MOLINARI] will be recognized for 30 minutes, the gentleman from Pennsylvania [Mr. KANJORSKI] will be recognized for 15 minutes, and the gentleman from Wisconsin [Mr. ROTH] will be recognized for 15 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, before I make my opening remarks, it gives me great pleasure to yield such time as he may consume to the gentleman from Texas [Mr. GONZALEZ], the chairman of the full Committee on Banking, Finance and Urban Affairs.

Mr. GONZALEZ. Mr. Chairman, I rise in strong support of H.R. 2442, the Economic Development Reauthorization

Act of 1994, which was reported out by both the Committee on Banking, Finance and Urban Affairs and the Committee on Public Works and Transportation. The Banking Committee received sequential referral of this bill and reported it out on a bipartisan basis on April 21, 1994.

This bill represents a compromise between the versions of the bill reported out by the Banking Committee and the Public Works Committee and serves as the original text for purposes of floor consideration. Under this compromise, Chairman PAUL KANJORSKI of the Banking Committee's Economic Growth and Credit Formation Subcommittee has agreed to offer a separate amendment which would establish a Business Development and Technology Commercialization Corporation for the transfer and commercialization of federally-held technologies and processes. The Banking Committee's version of the bill originally included this provision. I want to thank Chairman MINETA and the Public Works Committee for their cooperation and assistance in developing this compromise. I also thank and commend Representative KANJORSKI for his hard work on this bill.

The bill reauthorizes the Economic Development Administration and the Appalachian Regional Commission for fiscal years 1994, 1995, and 1996. These two governmental entities provide vitally-needed assistance to low-income communities throughout the United States.

The Economic Development Administration and the Appalachian Regional Commission have not been reauthorized since 1980. I must congratulate the administration for renewing its commitment to these agencies because both the Economic Development Administration and the Appalachian Regional Commission represent important tools for providing economic development assistance and jobs to distressed communities throughout the Nation.

Under the bill, the Economic Development Administration's programs are reauthorized at \$312.6 million for fiscal year 1994 and \$306 million for each fiscal year 1995 and 1996. The Appalachian Regional Commission is reauthorized at \$249 million for fiscal year 1994 and \$214.2 million for each fiscal year 1995 and 1996.

The bill provides various important new approaches for the Economic Development Administration. Under the bill, there is a greater emphasis for leveraging EDA funds with non-Federal funds, EDA funds will be used to target areas with the greatest needs, and EDA funds can better be used to stimulate job development and job retention. Likewise, the performance of the Appalachian Regional Commission is enhanced through the creation of a regional development task force and the

creation of demonstration authorities included under the bill.

I ask that the House expeditiously pass this legislation.

Mr. WISE. Mr. Chairman, I thank the gentleman from Texas [Mr. GONZALEZ] for his remarks.

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

Mr. Chairman, before I begin today I want to take just a moment to say this is the first time in 12 years that we have had an EDA/ARC reauthorization bill on the floor with a good chance for enactment. Both agencies have been kept in place by the good work of the appropriations committees in both bodies, and it is time to put the cart before the horse. This bill comes to the floor with bipartisan support—and we on the Public Works and Transportation Committee take great pride in this. Another unique thing about today is that it marks the last time that Mr. Carl Lorenz will be available to the Public Works and Transportation Committee to help guide the EDA and the ARC yet again through the legislative process. Carl was set to retire last week, but I convinced him to stay until we are through here today and tomorrow.

Carl has been on the staff of the Public Works Committee for 30 years. He was here in the 1960's when the EDA and the ARC were created. He is here now. Carl is unmatched in the area of knowledge about economic development in our country. He has been a trusted advisor to many chairmen on Public Works and Transportation, and he has helped me greatly in my tenure as chairman of the Economic Development Subcommittee. I want to wish him well as he moves to his retirement. For the last few months he has had that glint in his eye, and I am sure that his wife, Nancy, and his children Jeffrey and Karen will be glad that he will be able to spend more time at home. Knowing Carl, I suspect that he will be trading in the workload here for the load of his golf bag, or perhaps provisions for his Ocean City retreat. In any case, Carl, we all wish you well, and thank you for your many years of dedicated service to the Congress.

Mr. Chairman, as I said, many of us have waited for 12 years to actually have a realistic chance to reauthorize the Economic Development Administration and the Appalachian Regional Commission. I join with my good friend and Chairman NORM MINETA in asking my colleagues to join with us in support of this bill. My own Committee on Public Works and Transportation ordered the bill reported last November by a unanimous vote. We worked very closely with our colleagues Congressman BUD SHUSTER and Congresswoman SUSAN MOLINARI, who are ranking minority members on the full committee and Economic Development Subcommittee respectively, to craft something that had bipartisan support in

our committee. We have achieved this goal, and have been working together ever since to make sure that this spirit of cooperation remains. I want to say that we would not be before you today were it not for the cooperative working relationship enjoyed between the majority and minority on Public Works in this regard.

H.R. 2442 was sequentially referred to the Committee on Banking, Finance, and Urban Affairs, and to the Subcommittee on Economic Growth and Credit Formation. I would like to compliment my friend and colleague, Congressman PAUL KANJORSKI, who chairs the Subcommittee on Economic Growth and Credit Formation for his cooperation in the past weeks to reach a compromise in terms of the substitute amendment we are working from today. The Banking Committee reported a significantly different version of H.R. 2442 on April 26, which contained new programs and issues not addressed in the Public Works version. The two committees have been working together to achieve a product that we all can agree upon, and I believe both sides have gained from the effort. What we have is a good vehicle here—one that I believe will be broadly supported. Again, I want to compliment Chairman GONZALEZ and Congressman KANJORSKI on the way they approached these ultimately successful negotiations, and wish to also note the support provided by Congressman LEACH and Congressman RIDGE on the minority side of the Banking Committee.

The legislation before us today authorizes the Economic Development Administration and the Appalachian Regional Commission for a period of 3 years. Because these agencies have already been the subject of appropriations for fiscal year 1994, the authorization can be viewed as applying to fiscal years 1995 and 1996. Title I of the bill amends existing provisions of the Public Works and Economic Development Act of 1965 [PWEDA]. This approach is different from previous EDA reauthorization bills which struck existing titles of PWEDA and rewrote the legislation. Title II of the bill authorizes funds for ARC programs and amends the current Appalachian Regional Development Act of 1965, including provisions similar to those contained in previous ARC reauthorization bills.

Several of the provisions contained in the bill address criticisms of the administration of these programs, and include program recommendations made by witnesses at hearings conducted by our committee on the legislation. During these hearings, representatives of numerous organizations, development districts, and local, regional, and State governments from both urban and rural areas have pointed out that many areas of the Nation continue to need the economic assistance provided by the EDA and ARC programs. Among

the most often mentioned recommendations for the programs were multiyear funding at higher levels and expediting a simplified applications process, particularly for EDA programs. The authorization level for fiscal year 1994 would mirror the already enacted appropriation of \$322 million for EDA programs. For fiscal year 1995 and fiscal year 1996 the authorization figure for EDA would be \$386 million. Funding for the Appalachian Regional Commission is authorized at \$249 million for fiscal year 1994, and \$214 million a year for fiscal year 1995 and fiscal year 1996.

Secretary of Commerce Ron Brown has been very helpful in providing assistance to the committee as the legislative process has gone along. I do not want to say, however, that it is the intent of the Public Works & Transportation Committee to hold further hearings in the fall to address some of the ongoing analysis Secretary Brown is undertaking at EDA in particular. Secretary Brown has indicated that EDA will be a cornerstone for areas hit by military base closures and loss of military contracts. EDA officials have testified that they are already heavily involved in assisting communities affected by defense spending cuts as well as areas severely impacted by natural disasters such as Hurricane Andrew, the storms in Guam and Hawaii, and the earthquake in southern California. In addition, the agency has become active in assisting the flooded areas of the Midwest.

The House has passed similar EDA and ARC reauthorization bills in each Congress since 1981. In the last Congress, the House passed a reauthorization bill by voice vote under suspension. In the 101st Congress, the House passed the bill by a vote of 340 to 82. In the 100th Congress, the vote was 330 to 89; in the 99th Congress, it was 260 to 96; in the 98th Congress, the vote was 306 to 113; and in the 97th Congress the House passed the EDA/ARC reauthorization bill with a vote of 281 to 95.

Mr. Chairman, we have a chance here to take both the EDA and the ARC into modern times. Much has changed in our country since both were last authorized in the early 1980's, and the programmatic changes contained in H.R. 2442 will go a long way toward modernizing the way both do business. I ask my colleagues to join with me in this effort and pass H.R. 2442.

□ 1450

Ms. MOLINARI. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SHUSTER], the ranking Republican member on the Committee on Public Works and Transportation.

Mr. SHUSTER. Mr. Chairman, I thank the distinguished gentlewoman for yielding me this time.

Mr. Chairman, I rise in strong support of this legislation, and I would

like to emphasize particularly to my fiscally conservative brothers and sisters that when this legislation first came before the committee, it called for over \$400 million a year in spending for EDA and about \$250 million a year for ARC.

Through negotiation and through compromise, we have been able to take \$100 million a year out of the EDA spending and reduce the ARC funding from \$249 million to \$215 million, or about a 15-percent cut. So we have been able to negotiate a compromise here which very significantly reduces these expenditures.

Beyond that, I would particularly like to focus on the Appalachian Regional Commission and some independent studies relating to the effectiveness of ARC. First of all, ARC is the kind of a program that is effective because it is not a Washington-driven program but, rather, a program which has the decisionmaking power in the hands of local people, so the decisions as to how to spend the money in localities is made by local groups rather than by Washington dictating expenditures. That is a very significant point, it seems to me.

Beyond that, studies conducted by the Regional Research Institute found that ARC programs have made a significant impact on the difference we see in Appalachia. Many of us know that in Appalachia we have suffered chronic high unemployment.

□ 1500

In fact, 15 or so years ago, we were always in double digit unemployment in the Appalachian part of Pennsylvania, and today that average figure is down by anywhere from 5 to 8 percentage points, in part because of the ARC program.

Let me be more specific. The Independent Regional Research Institute has reported that ARC programs in 1991 alone generated \$8.4 million more income for Appalachia. That certainly is a tremendous return on the investment, when you consider the whole program is only about \$200 million a year.

Further, that same independent research group reported that counties in Appalachia averaged 48 percent more income growth than similar counties not benefiting from the ARC program.

So this is a strong testament as to the effectiveness of this investment to create jobs in an economically depressed portion of our country, and I strongly urge support for this legislation today.

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

Mr. Chairman, I rise in support of H.R. 2442, the Economic Development Reauthorization Act of 1994.

As has already been noted, this bill represents the work of the Committee

on Banking, Finance and Urban Affairs, and the Committee on Public Works and Transportation. The language before the Members today is a consensus document. Like all consensus agreements, there are individual aspects that, in isolation, we might have done differently. Nevertheless, I believe this bill represents an important step forward in revitalizing the Economic Development Administration and steers in the direction of enhancing the way it assists communities facing serious economic distress across this country.

During the consideration of this legislation in the Banking Committee, we received considerable testimony that the EDA must improve its strategic economic development planning to ensure that so-called best practices are factored into economic development programs and activities. It was also suggested that the EDA should play an increased role in coordinating information on the economic and community development activities of all Federal agencies to ensure that duplication is avoided and that the EDA is able to identify the greatest needs.

I am pleased to note that the bill before us specifically addresses both of these significant issues. It creates within the EDA an Office of Strategic Economic Development Planning and Policy. Within this office, a Federal Coordinating Council for Economic Development is established to assist in providing a unifying framework for economic and regional development efforts and to develop a governmentwide strategic plan for economic development.

The Banking Committee also received compelling testimony that nonprofit organizations and community development corporations should be eligible to apply for EDA assistance without the existing barriers to their participation. The Banking Committee concluded that all parties involved in promoting economic development should be able to compete equally for EDA funds to ensure that the best proposals, which have the highest likelihood of success, are supported. Again, I am pleased to note that the bill before us accomplishes this important objective.

Consistent with the need to make nonprofit organizations eligible to apply for EDA assistance, and the need to enhance the EDA's strategic planning activities, the Banking Committee identified the need to ensure that the EDA develop a method to prioritize all applications for assistance. Again, this is accomplished in the bill before us. The EDA is directed to establish such a prioritization system based on the relative needs of all areas eligible for assistance and the capacities of the applicants to leverage private sector capital and create partnerships with others in the affected community.

The Banking Committee received testimony that there is a significant need to review the performance of Economic Development Districts [EDD's] in assisting distressed communities foster economic development. Accordingly, the committee retained language requiring performance evaluations of EDD's at least once every 2 years. This language is retained in the bill before us now.

The Banking Committee also shares the view that significant improvements must be made in the time it currently takes the EDA to process grant applications. Accordingly, we retained language to expedite the approval process and directing the EDA to report to the Congress on its progress in reforming the current system.

Also in the bill is language inserted by the Banking Committee permitting the sale of loans and other financial instruments in the portfolios of revolving loan funds to third parties at the discretion of the fund managers. The revolving loan funds have played an extremely important role in multiplying the economic development assistance provided by the EDA. Providing fund managers with the authority to sell loans in their portfolios to third parties or into the secondary market will allow them to significantly increase their liquidity and allow them to make even more loans to encourage economic revitalization in distress areas.

Finally, the bill before us retains language added by the Banking Committee providing for the establishment of a nationally competitive challenge grant demonstration project. Challenge grants may represent a significant new dynamic in the way economic development assistance is provided to communities. It requires them to find means to leverage private sector contributions to economic development funds and to forge partnerships between organizations in the communities.

Of course, not all of the initiatives contained in the Banking Committee's reported version of H.R. 2442 are contained in the bill before the Members today. The committee had, at the administration's request, included language authorizing the EDA, under its title 9 authorities, to guarantee loans associated with economic development initiatives. We also included language providing for a pilot program on equity finance. Under the provisions of the bill before us today, the EDA is directed to conduct a study of innovative economic development financing tools, including loan guarantees and equity financing and to report to the Congress within 1 year with recommendations. I look forward to the receipt of this report and look forward to working with the Public Works committee in the future to address the need for financing assistance as a part of a comprehensive economic development strategy.

Banking Committee also adopted language providing for a business de-

velopment assistance initiative. While it is not contained in the base bill we have brought to the House floor, we did agree that this should be an issue placed before the full House. Therefore, following general debate I will offer a Kanjorski/Ridge amendment embodying a revised version of this language adopted by the Banking Committee to utilize the fruits of this Nation's research as an engine for creating significant numbers of new jobs in private sector businesses.

The amendment enhances the ability of U.S. small- and medium-sized businesses to obtain information and licenses on technologies and processes developed through Federal R&D. By making it easier for small- and medium-sized businesses to commercialize these technologies, tens of thousands of new jobs will be created which offer good wages and real opportunities for advancement to working men and women across this country. In the final analysis, I believe that this is what economic development is all about.

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

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

Mr. Chairman, I would like to address two basic parts of this bill. One is the Kanjorski-Ridge amendment, and of course the other is the bill itself.

Basically I want to congratulate the gentleman from Pennsylvania [Mr. KANJORSKI], and the gentleman from Pennsylvania [Mr. RIDGE], for their hard work on the amendment to this bill. I think it really adds something to this bill that has to be added. I am very much in favor of the amendment, which provides for expediting the transfer of Government-sponsored technology to the private sector, as the gentleman from Pennsylvania [Mr. KANJORSKI], before me has pointed out.

As an original cosponsor to the bill from which this amendment really comes, which is the genesis of this amendment, I would say that this is something that we have been working on for a long time, and this bill allows us to do that. I believe that we will give depressed areas an additional way to pull themselves up by their own bootstraps without costing the Federal Government vast new additional outlays.

We have a great deal of federally funded research and development. Our Government has millions upon millions of dollars for research and development, but we have businesses throughout the United States that do not know where to go to find the fruits of this research and development. If you are a businessperson, whether in Chicago, Milwaukee, Los Angeles, wherever it might be, this will set up a clearinghouse. So if you are looking for a certain type of information or R&D you go to this clearinghouse and you know whether our Federal Government has

done some research and development in this area.

Big business and industry now have to search all over the federal bureaucracy to find some nugget of R&D. Did you know that Japan has 22, or did and still probably does, 22 full-time people going through our Government archives and agencies to find research and development that our Government has done that our businesses themselves do not know is available?

Well, what this amendment is going to do is set up a clearinghouse so that our businesses and industry, small business and industry, can profit from this research and development that our American taxpayers have paid for.

This will allow the small and medium entrepreneurs in the United States and foreign firms, which the foreign firms already have, to access this valuable research and development work—paid for by the U.S. taxpayers—but which the foreign firms already have access to.

I urge my colleagues to listen carefully to the debate on this issue and on this amendment.

As for the rest of the bill, I have some problems, although some functions are worthwhile and worth saving.

At least until this morning, we still did not have from CBO a cost estimate for the substitute bill before us. It is very important. If we are going to vote on this legislation, we ought to know what the cost figures involved are.

Some of my colleagues think that the Economic Development Administration has outlived its usefulness. The EDA's mission has been too unfocused, they say, and I think their criticism many times is accurate, leading some to conclude that the EDA is too lenient with tax dollars.

□ 1510

If there is any one thing that we want to be sensitive to, it is the way our tax dollars are being spent. Some of the redevelopment mission should be left to local government for both funding and for administration. We have to have more local control.

For these and other reasons, as the Members will recall, President Reagan and President Bush advocated EDA's termination. Congress has not authorized the EDA in more than 14 years, its operations being continued by the Committee on Appropriations' annual spending bills.

As for me, I think it is very important that we take a look at the Kanjorski-Ridge amendment and vote for that. There are other amendments here, I think, that are also worthwhile. I ask my colleagues to take a look at the amendments as they come up and weigh each amendment on its merits.

In the Committee on Banking, Finance and Urban Affairs, in fact, we scaled back authorized appropriations for the Appalachian Regional Commis-

sion, only to have the Committee on Public Works and Transportation insist on a higher figure.

In my opinion, the Appalachian Program is duplicative. If we take a look at it, we will find this is accurate. It is long overdue for some elimination, as were the other regional commissions that were terminated and could have been terminated a long time ago. This would reduce authorized spending of this bill by some \$528 million, and, by golly, if we can find where we can save money, if we do have duplication in our administration and in these agencies, I think it is incumbent on us to cut back and to make sure there is not a duplication. After all, every tax dollar we spend here had to be earned by someone.

Looking at the bill as a whole, H.R. 2442 would reauthorize the Economic Development Administration and the Appalachian Regional Commission through fiscal year 1996. The authorizations for EDA grant programs would be \$422 million in each of 1994 and 1996. This is about \$10 million more than the President has requested in his budget.

For the Appalachian Regional Commission, as I indicated earlier, \$214 million would be authorized in each of 1995 and 1996.

This reauthorization bill, H.R. 2442, contains some reforms that attempt to address past criticisms of both the ARC and the EDA.

Importantly, the grandfathering of eligibility has been eliminated. That is a good provision. This had resulted in more than 85 percent of the country being eligible for EDA grants, instead of only chronically depressed areas, as originally envisioned.

Instead, the bill provides that eligibility must be proven each time an economic development project application is submitted.

Additionally, H.R. 2442 requires EDA and ARC to reduce red tape. If there is any one thing that we hear from our businesses and industry back home, it is that we have too much red tape. That is a good feature of this bill.

It also speeds up the processing time for applications, and whenever our business and industry work with the Government that is one of the complaints we have, it takes too long and there is too much red tape. Also in this bill we improve grant selection decisions.

So I think these are good provisions in this particular legislation, and the bill begins to leverage more private dollars to stretch public dollars. That is what we need.

The bill tightens targeting requirements so only 45 percent of the country, instead of 85 percent of the country, is eligible for this funding.

The bill promotes more competition among recipients in an effort to improve efficiency.

The EDA has brought assistance to those areas suffering from national dis-

asters. It has, in many cases, ably assisted in local economic development projects.

Today, the EDA plays an increasingly important role in helping former military bases and defense contractors convert to civilian purposes.

I think, all in all, when we take a look at the amendments, we take a look at the bill as we work our way through this legislation, that this legislation is not perfect, but it has some provisions in it that are going to help our country. I think we should make judicious and wise decisions as we now work our way through this legislation. Let each Member vote accordingly.

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

Mr. Chairman, I would just note that the gentleman from Wisconsin [Mr. ROTH] makes an excellent point on the EDA and the eligibility. In the past there has been criticism of the Economic Development Administration as being too eligible; that is, 85 percent of the country has been eligible for EDA programs. The gentleman from Wisconsin is correct that eligibility is now restricted to somewhere between 40 and 45 percent of the country. The criteria is much more tightly drawn. This has been a bipartisan effort in the various committees.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT], the chairman of the Subcommittee on Public Building and Grounds of the Committee on Public Works and Transportation.

Mr. TRAFICANT. Mr. Chairman, every year we come to the floor and we sort of fight over this bill. There are Members in the Congress, and I do not judge their intentions or the quality of the work they do, but they try to gut and kill this bill each year.

Let me say this, Mr. Chairman. Congress provides \$15 to \$20 billion a year, per year, in foreign aid. Congress provides another \$200-plus billion, billion with a B, \$200 billion plus to Japan, Germany, and Europe, and to our allies, where we help protect them from a world that has changed so much, I wonder why all that money is needed any more.

We are talking about \$2 billion over 3 years for American communities, \$2 billion over 3 years, where many people have dirt roads, no sewer systems, very few jobs. This is unbelievable to me. Many of these Americans do not even have running water.

To give Members an idea, we spend and give more foreign aid to Israel in 1 year than we provide for this whole bill for America in 3 years. Mr. Chairman, we give more foreign aid to Egypt in 1 year than we give to American communities that need help the most over a 3-year period. This is unbelievable to me, and unacceptable.

Mr. Chairman, I want to commend the chairman, the gentleman from

West Virginia [Mr. WISE], the ranking member, the gentlewoman from New York [Ms. MOLINARI], the gentleman from Wisconsin [Mr. ROTH], the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from Texas [Mr. GONZALEZ], the gentlemen from Pennsylvania, Mr. KANJORSKI and Mr. RIDGE, and everybody responsible for this bill. It is good for the country. It is not a handout, it is a helping hand. By God, we should send some of our taxpayer dollars back to America.

Ms. MOLINARI. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, the gentleman who preceded me is accurate. He is very on target. I noticed the President the other day requested or is going to request \$600 million for South Africa, for building housing and development in South Africa. That would be twice as much money as we are requesting in this bill for the poorest parts of this Nation. It seems to me that if we are going to consider aid for nations such as South Africa, and I think we should consider it, we should be sure that we have taken care of at least the poorest parts of this country first.

Mr. Chairman, I rise in strong support of H.R. 2442 reauthorizing the Economic Development Administration and the Appalachian Regional Commission. I want to commend the authors of this legislation for working long and hard to craft an important bill which will open up the door to economic opportunity for the most severely economically distressed areas of our country.

Mr. Chairman, the EDA and the ARC help those pockets of the Nation which struggle for economic improvement, but are hindered by much tougher obstacles to economic self-sufficiency and prosperity. Many of those pockets are in my district—eastern Kentucky—which remain economically distressed relative to the rest of the Nation.

While most of the country enjoyed economic prosperity and growth in the 1980's, much of my district did not. While much of the country is now recovering from the recent economic downturn, many of my communities have not been as lucky.

We continue to lose coal jobs in the mines of eastern Kentucky. We continue to lose textile and apparel jobs as companies flock overseas, a situation likely to worsen now that we have the North American Free-Trade Agreement.

These areas are locked in a vicious cycle of endemic unemployment, poverty far above the national average, and lack a viable infrastructure and strong industrial base. They want economic growth. But they remain isolated because they lack the tools which

bring economic development, job creation, and self-sufficiency.

These communities want the seeds so that they can grow private sector development and economic prosperity for their citizens.

The EDA and the ARC provide those critical seeds for growth. Funded by an EDA grant, a small water line means hundreds of jobs because it helped attract a new company. Seed money for revolving loans for small businesses builds an infrastructure where none previously existed. Clearly, EDA works.

There can be no economic development if a community lacks access to markets and opportunities. Better highways mean better access. ARC funds help create the critical link between isolated, distressed communities to economic prosperity.

ARC has made a tremendous difference in my district in other efforts critical to economic development as well. Let me give you an example. For many years, eastern Kentucky has suffered from one of the lowest education attainment levels of any area in the country. Lack of education has been a key hindrance to economic development, particularly as we all struggle to adapt to an increasing complex world. With \$50,000 in seed money from ARC, and thanks to the commitment and drive of the local communities, a major education improvement initiative grew into a self-sufficient, multi-county organization. That organization, Forward in the Fifth, started less than 7 years ago, now covers every county in my district. High school dropout rates have decreased by 50 percent since that time. How, 10 percent more of our young people go on to college than they did 7 years ago.

EDA and ARC give the most economically distressed areas of our country a helping hand, not a handout. Thanks to EDA and ARC, communities can pull themselves up by their own bootstraps, saving the Federal Government millions in future years. In the process, these two programs have made, and will continue to make, an incredible difference in the lives of the most severely distressed areas of our country.

Critics of these two programs argue that they do not work. I would invite those skeptics to visit my district. I invite them to talk to the 175 people now employed because EDA provided a small amount of funding for infrastructure to build a new prison facility.

Mr. Chairman, EDA and ARC mean jobs, they mean economic development, and prosperity. The bill before us will produce many more opportunities. I urge members to vote for H.R. 2442.

□ 1520

Mr. KANJORSKI. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut [Ms. DELAURO], chairman of the Jobs Task Force.

Ms. DeLAURO. Mr. Chairman, I rise in strong support of the Kanjorski-Ridge amendment and the EDA reauthorization before us today. We must come to understand a fact which our Nation's competitors have long known—that the speed with which we incorporate technological advancements in products and manufacturing is the key to long-term economic success.

Make no mistake. We are unparalleled in our ability to uncover scientific and technological innovations. But we have been slow in bringing those innovations to the marketplace. Yet that process, the transfer of technology from the laboratory to the production line, is the key to effective economic competition.

The Kanjorski-Ridge amendment would give the EDA the ability to help small businesses hit hard by the downsizing of our defense industry get access to technology that will give them a competitive edge. It provides small businesses with one-stop access to federally funded new technologies—allowing them to incorporate these innovations into their manufacturing processes and products.

We know that many defense dependent businesses have highly skilled workers and other valuable resources we cannot lose. We understand what it takes to help them be competitive. We know what to do. This amendment, and this bill, will put critical new technologies developed by the Federal Government in the hands of these small American businesses, where they belong. It will give them a competitive edge previously reserved for large multinationals and foreign competitors. It will help create new jobs and make us more competitive.

We have an administration and a Secretary of Commerce who understand this, and who are committed to reinvigorating the EDA and to assuring that it meets its mission of helping communities and businesses like those in my State of Connecticut which have borne the brunt of the rapid changes in our defense budget.

I urge my colleagues to support the Kanjorski-Ridge amendment and the EDA reauthorization. Cutbacks in defense spending will cost this country some 2½ million jobs by the year 2001. We need to make sure that those skilled workers can bring their talents to bear in the private sector. Support these workers. Support giving our defense dependent communities the help they need, and giving our small businesses access to the next generation of high-technology products and processes. Support the creation of new jobs. Support a strong and vibrant economic future. Vote for this amendment and for the reauthorization of the EDA.

Mr. WISE. Mr. Chairman, I yield myself such time as I may consume to note some of the improvements in the

EDA bill and to note, for instance, that in those areas that we talked about, the formula and what is eligible, these criteria have to be met:

Per capita income must be 80 percent or less of the national average, unemployment must be 1 percentage point above the national average for the previous 2-year period, or there must be a sudden or anticipated job loss due to plant closings or other major economic dislocation. Additionally, while pockets of poverty may be isolated by the Secretary, no more than 35 percent of the amounts appropriated each year for the EDA may go to these.

Mr. Chairman, these are significant changes and a significant narrowing of the eligibility criteria from the present EDA program.

Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. RAHALL], a tireless advocate of both the EDA and the Appalachian Regional Commission in both our State and nationally, and the subcommittee chair of the Subcommittee on Surface Transportation.

Mr. RAHALL. Mr. Chairman, I thank the gentleman from West Virginia, the distinguished chairman of the Subcommittee on Economic Development, for yielding me the time and applaud his dedication and leadership in bringing this legislation to the floor today, a bill which should deserve the strong support of every Member of this body. It is long overdue.

Mr. Chairman, I rise in support of H.R. 2442, the reauthorization legislation for the Economic Development Administration and the Appalachian Regional Commission.

The Appalachian Regional Commission [ARC] was formed in 1965 to promote the region's economic development, and "to develop comprehensive and coordinated plans and establish planning priorities for the region." For more than a quarter century, it has been a unique Federal-State-local planning effort. Regrettably, despite its quarter century of successful operation, its continuation has never been secure.

The reauthorization of both the ARC and the EDA before us today is yet another reauthorization bill similar to other bills reported by the Public Works and Transportation Committee since 1982—none of which were ever enacted. These two vital programs have been continued through the appropriations process—not through reauthorization legislation. We hope that this year, with the support of our President and this Congress, both will see enactment into law.

With respect to the ARC, these programs have made a significant contribution to the region. A study, entitled "The Economic Effects of the Appalachian Regional Commission: An Empirical Assessment of 27 Years of Regional Development Policy," was re-

cently released. I encourage my colleagues to read a summary of the report, which I will submit for inclusion in the RECORD at the end of my statement.

In brief, the report concluded that from 1969 to 1991, the 397 Appalachian counties in 13 States grew significantly faster than the non-Appalachian counties in income, earnings, population, and per capita income. Further, they concluded that the evidence indicates "that the ARC programs helped them to do so." These conclusions hold true for all subregions, including central Appalachia, and they were reached by comparing the 397 Appalachian counties with non-Appalachian twin counties having similar economic and locational characteristics.

If you wondered whether the ARC needs to be reauthorized, its programs continued throughout the region, I strongly recommend that you read the report captioned above.

With respect to the EDA reauthorization—the same conclusions can be reached, I believe. Funds from this program are used to help ensure improved and enhanced economic development opportunities to distressed areas, such as in Appalachia, but with a difference—for EDA project funds are spent throughout the Nation, rather than regionally as they are spent under ARC.

Funds expended by the Economic Development Administration go to successfully help many of the Nation's most economically distressed areas revitalize their physical and social structure and provide incentives to small and medium-size businesses to grow and to generate long-term jobs.

The committee and subcommittee have received testimony during hearings that has given us countless examples on the success of, as well as the need for, EDA and ARC. Over the years, modest funding of each has leveraged billions of dollars in local government and private capital for projects that generated billions more in tax revenues. It also generated countless jobs for the unemployed.

The times may be changing quickly, but economic development needs have not. To keep our industries competitive in a global market, and to maintain our quality of life, we must take every opportunity open to us to strengthen the productive potential of all our Nation—its various regions, industries, and population groups.

That is what EDA and ARC projects do. To do less is to perpetuate the trend already emerging in the United States of creating an unemployed and underemployed underclass of citizens, who live in distressed areas, barely above poverty income levels—many more below poverty incomes—who if they work at all, work in minimum wage jobs with no benefits and no chance of lifting themselves out of pov-

erty. Programs funded by ARC and EDA allow these populations to join the mainstream of economic recovery that is beginning to make America grow and become stable for the first time in decades.

The reauthorization of the ARC will, among other things, help complete the 3,025 miles of highways to help the region overcome geographic isolation and to develop new business and industry. ARC's nonhighway program funding will assist in the continuation of on-going social, education, and community development programs, and permit assistance to highly distressed areas and counties to enable them to pursue innovative ideas and strategies for economic development and job creation. The amended ARC authorization will help improve the Region's manpower skills and to apply new technologies to assist businesses. By increasing the Federal maximum share from 70 to 80 percent to reimburse States' prefinanced highway construction projects approved after March 31, 1979, Appalachia will finally become less isolated and its people better able to commute to jobs outside rural areas, and to access other social and education programs to help lift them out of poverty, including access to better health care.

Mr. Chairman, I will not go into further details with respect to the improvements made to both EDA and ARC authorizations except to say that the funding is for multiyears to assure continuity. Increases in annual funding levels are modest but vitally necessary,

and our support for this bill will help our people living in poverty-prone, distressed areas of this great Nation to find jobs, and a dignity of life that a paycheck brings with it.

I commend the able Chair of the Public Works Committee, Mr. MINETA, and the Subcommittee Chair, Mr. WISE, and the respective ranking Republican members, Mr. SHUSTER and Ms. MOLANARI, for bringing this essential legislation to the floor of the House. Their concerted efforts have been invaluable in permitting us to write a bipartisan bill to reauthorize the Economic Development and Appalachian Regional Commission programs.

Passage today of H.R. 2442 will permit the Federal Government to assist urban and rural areas promote economic growth, and deal with one of the most critical matters facing America today—namely, helping the private sector generate new businesses and new jobs.

Given the present slow growth of our economy and uncertainty about the future, the need is greater than ever for the assistance we can assure to distressed areas and distressed populations, by enacting the EDA and ARC reauthorization bill.

SUMMARY

METHODOLOGY

The research presented in this paper uses a control group of counties outside Appalachia that are similar to the Appalachian counties. By matching the Appalachian counties to others with similar economic structures, growth patterns, etc., the analysis controls for macroeconomic events, industrial restruc-

turing, and other external factors in a way that a comparison to national indicators cannot do.

Thus, the evaluation measures how the Appalachia counties changed in comparison to other lagging places that did not receive comparable federal attention. Furthermore, basing the study on comparisons of groups of counties corrects for any random or unpredictable occurrence in a particular county or counties.

RESULTS

Three empirical analyses are presented in the study. The first compares the Appalachian and control county growth rates. The main finding is that the Appalachian counties grew significantly faster than their twins. Between 1969 and 1991 total personal income and earnings grew 48% faster in the Appalachian counties than in their twins, population grew 5% faster, and per capita income grew 17% faster.

The second analysis examines the spatial pattern of these growth rate differences. It concludes that the overall result does not stem from southern growth or some other geographical pattern and that all parts of Appalachia generally grew faster than their twins.

The third analysis examines the variance in the growth rate differences. The main finding is that the growth rate differentials do not vary significantly with metropolitan status, growth center designation, Appalachian highway presence, distressed county status, subregion, coal county, and other variables. Thus, the observed Appalachian growth effect is not the result of certain types of counties having large growth differentials.

The attached table shows the mean growth rate difference for each of 20 variables for each year from 1969 to 1990.

TABLE 4. MEAN GROWTH RATE DIFFERENTIALS (PERCENT OF 1969 LEVELS)

	From 1969 to—																					
	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991
Total personal income	0.9	1.0	2.2	0.4	4.3	8.1	10.3	13.6	16.7	18.0	28.1	24.7	28.9	28.6	26.6	27.7	31.9	32.1	35.0	34.1	43.0	48.0
Population	-0.1	0.4	0.8	1.2	1.4	1.8	2.7	3.2	3.3	3.6	4.0	4.4	4.5	4.8	4.6	4.5	4.4	4.4	4.4	4.3	4.3	4.7
Per capita personal income	0.9	0.5	1.1	-1.5	1.7	4.2	4.2	5.5	7.0	6.5	13.8	8.7	11.5	9.8	6.4	6.8	10.0	9.4	10.3	8.7	15.8	17.4
Earnings by place of work	0.0	-0.2	0.9	-1.8	4.0	9.3	11.8	16.3	21.5	21.1	34.7	32.8	39.2	38.5	35.5	37.4	39.1	36.7	39.4	35.1	45.6	48.3
Residence adjustment	1.1	1.2	0.9	0.8	0.5	-0.2	-0.1	-1.0	-1.7	-1.8	-4.9	-5.0	-5.7	-7.5	-4.9	-5.6	-4.4	-4.4	-4.8	-3.6	-4.3	-5.0
Dividends, interest, rent	2.2	3.6	5.0	9.0	13.5	16.2	18.0	19.2	23.7	28.4	41.2	54.9	76.8	81.4	100.3	113.5	134.9	141.4	162.8	183.8	208.5	218.1
Transfer payments	2.2	3.6	5.5	7.2	6.6	8.1	11.3	12.6	13.7	21.3	19.6	21.5	25.0	32.7	33.7	35.2	40.3	41.3	43.2	44.2	51.2	60.5
Farming	-6.6	-20.4	-14.8	-54.9	-50.7	-46.1	-23.8	-35.9	-26.3	-41.4	31.8	-21.0	1.3	48.6	19.3	-5.2	26.1	7.3	8.3	-44.7	8.1	11.1
Ag. serv., forestry, fisheries	-0.8	0.2	-2.0	-1.4	-9.3	-9.7	-6.3	-3.6	-4.1	-8.1	-7.3	13.1	32.4	54.3	59.4	61.8	28.7	5.1	26.9	40.8	61.9	81.3
Mining	14.2	32.0	26.3	36.9	88.6	166.2	163.5	227.2	287.1	274.1	322.3	325.2	350.0	218.1	219.5	234.4	313.1	156.8	112.2	121.8	236.6	115.1
Construction	-0.2	15.4	23.2	34.5	25.6	14.2	-4.8	12.1	27.0	6.4	-77.1	-103.3	-114.2	-153.9	-168.7	-116.2	-20.4	4.9	20.0	13.9	39.3	37.7
Manufacturing	-2.1	-1.6	-2.4	3.2	2.3	7.6	10.1	12.6	14.0	17.2	27.5	25.4	17.9	19.0	19.1	32.2	35.6	58.3	79.3	84.3	89.1	87.3
Transportation utilities	0.1	8.1	13.6	20.8	20.8	20.6	21.5	25.5	33.8	34.8	30.7	22.1	25.6	26.6	18.4	18.7	29.7	22.5	19.4	15.2	11.1	14.1
Wholesale trade	2.7	4.0	2.6	3.2	-0.1	-12.9	-19.5	-24.5	-35.0	-36.7	-53.1	-57.9	-60.5	-54.1	-40.0	-50.5	-23.1	-2.8	36.9	62.3	119.2	126.0
Retail trade	0.2	1.9	3.6	5.3	4.4	9.7	10.6	11.1	15.1	17.8	19.9	22.2	25.0	27.7	35.5	39.5	47.4	48.3	56.3	63.5	65.2	67.2
Finance, insurance, real est	-0.2	3.8	5.0	11.0	14.5	20.6	27.8	31.3	40.0	44.5	48.1	48.3	51.4	56.7	70.6	72.3	84.7	110.4	117.0	125.6	137.3	135.2
Services	-0.2	0.3	1.9	3.7	4.2	8.9	11.4	12.2	17.0	23.0	26.8	34.1	40.4	44.7	58.2	66.4	75.4	87.2	96.2	108.5	117.9	137.7
Federal civilian government	-0.7	-1.0	2.6	6.0	7.5	10.8	-10.3	-91.0	-141.6	-162.4	162.9	-153.5	-31.9	13.5	13.6	17.2	11.6	14.6	14.7	7.1	18.8	19.8
Federal military	1.3	-0.5	3.7	2.9	-1.0	0.4	0.6	1.0	1.2	0.4	2.3	5.0	9.0	13.9	20.9	25.1	24.9	20.2	17.8	23.1	26.2	31.2
State and local government	-0.8	-2.4	-2.6	-1.5	-1.2	-0.3	2.0	4.8	7.5	8.6	9.2	10.7	7.2	5.0	6.6	9.6	8.3	8.5	5.1	2.0	2.7	8.4

□ 1530

Ms. MOLINARI. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. BLUTE], a very active member of our subcommittee.

Mr. BLUTE. Mr. Chairman, I would like to take this opportunity to recognize the outstanding achievements of the Economic Development Administration [EDA] and to reaffirm the importance of EDA in helping communities throughout the country overcome severe economic difficulties.

Mr. Chairman, as a member of the Economic Development Subcommittee, I would like to congratulate the chairman, the gentleman from West Virginia [Mr. WISE], and the ranking member, the gentlewoman from New York [Ms. MOLINARI], for their hard work on this piece of legislation, and to say that I have taken a long, hard look into the mission of the EDA and how effective it has been in promoting and assisting in the economic development of our Nation's cities. And having reviewed the programs and operations of

the EDA, I have been continuously impressed with the breadth and scope of those programs and the professionalism and quality of EDA's personnel who assist in administering them.

In the city of Worcester, MA, in my own district, EDA—and in particular the northeast regional office—has played a critical supporting role in a broad State and local effort to revitalize the downtown area of the second largest city in all of New England. The challenge continues to be an enormous one.

In recent years, Worcester has suffered from many of the problems associated with large urban areas, including crime, poverty, and high unemployment. Recent trends have seen businesses and revenues desert the downtown area of Worcester, for safer, more accessible suburban areas. Urban flight has had a devastating effect on Worcester and many other cities across the country and made it even more difficult for these areas to meet their own infrastructure, crime prevention, and job creation needs.

Through the guidance and partnership of EDA, however, and the active involvement of State and local participants, the city of Worcester continues to receive a necessary boost that is helping to achieve lasting improvements in the local economy. Such assistance by EDA is allowing the city to help itself improve its condition by stabilizing and diversifying its economic base and improving local living conditions for those who need it most.

The city of Worcester is only one of many communities throughout the Nation that EDA assists on a daily basis. The good work of the EDA is evident in every single State in the Nation, and is contributing to a much-needed economic revitalization in our urban areas. They should be allowed to continue.

I am confident that the tremendous scrutiny that EDA has undergone over the years has improved the way in which it makes its decisions and administers its programs. At a time when cities and States are struggling to comply with massive unfunded mandates and more burdensome and costly regulations, they should know that they can still get some help from the Federal Government for economic development initiatives through the EDA.

For the good of cities like Worcester, Attleboro, Fall River and other communities in my district, I will be voting for this bill today, and I urge all of my colleagues to help their cities by doing the same.

Mr. KANJORSKI. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia [Mr. RAHALL], but before he takes the minute, I want to say it just shows how complicated this legislation has been that over the past several weeks, as we have negotiated this between the various committees, there have been significant changes in the legislation.

Mr. RAHALL. Mr. Chairman, I rise in strong support of H.R. 2442, the reauthorization legislation for the Economic Development Administration and the Appalachian Regional Commission.

For 27 years, these two highly successful programs have established unique Federal-State-local planning efforts that have leveraged, through modest Federal funding, billions of dol-

lars in local and private capital, and generated billions of dollars in new revenues.

By passing H.R. 2442 we will have kept our industries competitive in a global market, improved and increased our manpower skills, and provided economic development opportunities for existing and new businesses.

Times may be changing quickly, but economic development needs have not. New technologies are emerging, and we need them in order to rebuild our Nation's infrastructure. Through application of the modest funding in the bill, H.R. 2442 will help us achieve that goal.

Mr. WISE. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA], the full committee chair of the Committee on Public Works and Transportation. I greatly appreciate his cooperation and assistance and encouragement in getting this bill to the floor.

Mr. MINETA. Mr. Chairman, I rise in strong support of the compromise substitute to H.R. 2442, as provided for in the rule. In doing so, I want to take this opportunity not to explain the specifics of that substitute—I will defer to others to do that, specifically Congressman WISE, chair of our Subcommittee on Economic Development—but to put into perspective exactly what we're doing today.

As most Members know, it has been 12 years since the Economic Development Administration and Appalachian Regional Commission Programs have been authorized. During that time, there have been a number of critics who have come forth and raised various concerns about these programs, primarily the EDA Program.

These critics—and it's mostly been Members on the other side of the aisle—have questioned the basic worth and success of these programs. Are these programs really needed? Are they a legitimate function of the Federal Government? What has their track record been? What kinds of projects have they funded? How much have they cost the General Treasury?

To those critics let me say that as far as this Member is concerned, much of what you have said in the past makes a great deal of sense. There is no doubt that the EDA and ARC Programs could stand improvement. There is no doubt that at times they have not performed to their potential or to our expectation. There is no doubt that their track record in certain areas is suspect, and there is no doubt that there's room for reform.

In that regard, I want to also say to the critics of these programs that you have performed, in my opinion, a valuable service in helping us come to the point today where we now are about to embark on a new beginning for the EDA and ARC Programs.

Gone in this bill are the programs and approaches of old. Gone are the in-

efficient bureaucracies; gone are the archaic eligibility requirements; gone are the time-consuming and cumbersome approval processes; and gone are the exorbitant authorization levels.

H.R. 2442 and the bipartisan compromise launch EDA and ARC on a new effort founded on reform, responsibility, efficiency, and accountability.

To the critics of old, I say forget the past concerns and past problems. Join with this Member in a collective effort to make EDA and ARC the best agencies and programs they can be.

And, likewise to those who at this time want to be bold and creative and launch these agencies, again particularly EDA, into new areas and new directions, I again say that much of what you propose makes sense. If any agency is going to do the job it's supposed to do, it should have the best tools at its disposal. For EDA, maybe that means certain financing techniques which are new, innovative, and responsive to our Nation's changing economy. Maybe it means radical program restructuring to enhance flexibility.

These issues and suggestions are not in and of themselves wrong. However, I would simply urge those innovators that this is not the right time. These things will come in time.

Right now, I believe Congress' number one objective should be to reauthorize these programs; to get them back on track; to concentrate on addressing the problems of old; to give these agencies time to prove the critics wrong; to build a track record; and then to come back to Congress and say with pride we're now ready for more.

Mr. Chairman, I challenge all Members today—including both the critics and the innovators—to take a serious look at the compromise bill. It addresses both the concerns of the past and the challenges of the future. It strikes a balance between these and, more than anything else, provides an opportunity to forge a partnership to insure that our Nation's economic development program is second to none.

I wish, again, to thank Mr. WISE, the Chair of the Economic Development Subcommittee, and Ms. MOLINARI, the ranking Republican of that subcommittee, for their hard work on this legislation. I would also like to commend Carl Lorenz, the staff director of this subcommittee who will be retiring in the near future, for his many years of devoted service to our Public Works and Transportation Committee and wish him good health, Godspeed, and the best of wishes.

Mr. Chairman, I urge support for the bipartisan compromise.

□ 1540

Ms. MOLINARI. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. I thank the gentlewoman for yielding this time to me.

Mr. Chairman, I rise today to express my strong support for the reauthorization of the Economic Development Administration of the Department of Commerce. Funding EDA is renewing America. Each Federal program should be analyzed on the basis of whether or not it improves the lives of ordinary citizens at a reasonable cost. A good program should do just that.

The Economic Development Administration is one such successful Government program. In the past, EDA has done much good for the district I represent. I strongly support its reauthorization.

In the mid-1970's, Long Beach, CA, developed plans to renovate its depressed downtown area. Public and private financing was arranged. But after 1978 the local and State public financing available was severely reduced after the passage of Proposition 13, which rolled back property taxes and thus public revenues.

Shortly thereafter, a multiagency funding agreement was achieved with the Economic Development Administration as the lead agency and partners in the Department of Housing and Urban Development and the Department of Transportation. These agencies provided \$40 million in grants. That was leveraged with commitments from businesses and further municipal public financing, for a total investment of approximately \$3 billion. \$40 million was leveraged to \$3 billion.

Today, downtown Long Beach is becoming an excellent place to do business. There is a major world trade center, other downtown office buildings, hotels, parking structures, theaters, restaurants, a shopping mall, and other conveniences. This redevelopment transformed downtown Long Beach into a first-class commercial conventional entertainment area. This would not have occurred without an initial grant from EDA. EDA can also help distressed communities suffering from defense cutbacks. The Federal Government has a duty to help mitigate the pain experienced by local communities whose economy was based, in large part, on providing for the Nation's defense.

Reaping the peace dividend will be a slow and sometimes painful process. The California economy is undergoing dramatic changes that may be painful in the short run. EDA should act as the lead agency in focusing its energies on defense conversion. Facilitating the redeployment of assets formerly deployed by the defense establishment will have a positive economic impact in the long run.

Let us support the reauthorization of the Economic Development Administration. Funding EDA is renewing America.

Mr. WISE. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. BEVILL], a Member who is

well known in this institution for his work in infrastructure development, and who chairs the Subcommittee on Energy and Water Appropriations.

Mr. BEVILL. Mr. Chairman, I thank the chairman of the subcommittee for yielding this time to me.

Mr. Chairman, I rise in support of H.R. 2442, a measure authorizing the Economic Development Administration and the Appalachian Regional Commission.

Chairman WISE is to be commended for his efforts in bringing this bill to the floor. Both EDA and ARC have had an enormous impact in my district in Alabama and throughout this Nation. Rural and underdeveloped areas have benefited from the programs administered by EDA and ARC.

Since ARC's inception in 1965, its programs have contributed greatly to the economic revitalization of the region. Two million private sector jobs have been created. The percentage of people living in poverty has decreased. The outward migration from the region has decreased. More people are remaining in the region because, quite simply, the quality of life is better.

The long term goal of both of these agencies is to promote economic self-sufficiency for the areas they serve. Until this goal is reached, I strongly support the continuation of both these programs. I urge your support for this important legislation.

Ms. MOLINARI. Mr. Chairman, for purposes of a colloquy, I yield 2 minutes to the gentleman from Georgia [Mr. COLLINS].

Mr. COLLINS of Georgia. I thank the gentlewoman for yielding this time to me.

Mr. Chairman, I want to commend the gentleman from West Virginia for his diligence in getting the EDA reauthorization to the floor. During committee consideration of this bill, there was a great deal of discussion about the revolving loan fund program; and I am very pleased with the revisions we made to it. These changes do not in any way lessen accountability. The committee has been clear on that fact. However, as we discussed the program, we saw a need for further review of the regulations which govern the RLF. There must be a fine balance between accountability and micromanagement, and this does not currently exist.

I had considered offering an amendment today addressing the EDA's regulation which requires 75 percent of revolving loan funds to be loaned out at any given time. That is just poor business, and could force loans that may not be wise investments.

I am also concerned over EDA's regulations which prohibit refinancing. Good business practices dictate restructuring when it is necessary to assist the borrower's cash flow situation.

I am not going to offer amendments, but I would like the gentleman's assur-

ance that we will look into these regulations further in the committee. Some of these issues came to my attention too late to give sufficient time for committee deliberation, but I hope we will take the opportunity over the coming months to thoroughly review this program, to insure the regulations maintain complete accountability, but are not overly burdensome or counterproductive.

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

Mr. COLLINS of Georgia. I yield to the chairman of the subcommittee, the gentleman from West Virginia [Mr. WISE].

Mr. WISE. I thank the gentleman. Mr. Chairman, I want to assure the gentleman from Georgia that indeed the subcommittee will be delighted to do that. The gentleman from Georgia [Mr. COLLINS] has been the one who has been tireless in his effort to make the fund more realistic. It is his language that is included in the bill. The gentleman has been the driving force behind it, and the subcommittee will continue to review this.

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

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

Mr. WISE. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. BARCA].

Mr. BARCA of Wisconsin. Mr. Chairman, I am very proud today to be a member of the Subcommittee on Economic Development of the Committee on Public Works and Transportation because I think we have a very meaningful initiative and a very important bill that we bring before the Congress today. In my judgment this is an important initiative because it helps our economic development efforts in very important ways to help to create jobs, to upgrade smaller communities economically and to provide opportunities for workers. The Economic Development Administration has had its share of administrative problems in the past, and hopefully some of the provisions in this bill will help to correct that, and they should be aware that we will hold them accountable and that we will have very high expectations for their work. But this is very needed assistance, and it is focused on the right activities, on research and development, on infrastructure, improvements and upgrades, and on adjustment assistance, and I am very pleased and proud to add my support to it today.

Mr. WISE. Mr. Chairman, I appreciate the comments of the gentleman from Wisconsin [Mr. BARCA] and his work on the subcommittee.

Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. POSHARD].

Mr. POSHARD. Mr. Chairman, I rise in strong support of H.R. 2442, the Economic Development Reauthorization Act of 1994.

The Economic Development Administration is actively involved in water, sewer and road projects in a number of locations across my district, putting in place the basic public facilities which are necessary to attract new jobs.

Attracting investment and creating jobs in rural areas is a challenge, but working closely with the EDA we have been able to use a modest Federal investment to leverage substantial private economic activity. There are families in my district whose kids are in college today thanks to the paycheck from a job an EDA grant created. There are towns and village across this country where people finally have decent water and sewer systems thanks to an EDA investment.

My colleagues, I have a strong record on cutting costs and reducing the deficit. I believe we must take a look at every agency and function of the Government to determine if our money is well-spent. I would argue strongly that the modest helping hand provided by the EDA in bringing economic growth to our rural communities is a valid and worthwhile function of the Federal Government.

I commend the authors of the bill, the EDA, and most importantly, the planners, developers, and municipal officials in my district and across the country who are working with these funds to make life better in their hometowns.

I urge support of the bill.

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

Mr. Chairman, at this time I would like to join with my colleagues from the Committee on Public Works and Transportation in strongly supporting H.R. 2442. This legislation does indeed address many of the concerns expressed by the people who have worked closely with the EDA and who have spoken previously this afternoon. It is truly a bipartisan effort, and I must at this point thank the gentleman from California [Mr. MINETA], the gentleman from Pennsylvania [Mr. SHUSTER], the ranking member, and of course the Subcommittee on Economic Development chairman, the gentleman from West Virginia [Mr. WISE], for his leadership on this bill.

Mr. Chairman, H.R. 2442 represents an opportunity to finally, after 12 years, reauthorize the EDA and ARC to improve and upgrade these programs. One example of the importance of the EDA is its role in helping communities to adjust to base closures and defense cutbacks.

Mr. Chairman, the 1993 Base Closure Commission closed 130 military installations and realigned 45 others. This was in addition to over 200 closures and realignments resulting from the 1988 and 1991 rounds of base closures. In my own district the closing of Naval Station New York will have an enormous

economic impact. In 1992 alone it was estimated that the base generated more than \$89 million in annual direct economic impact with a combined payroll of over \$50 million and an operating budget of \$30 million. As a result of the base's closure it is estimated that between 4,000 and 5,000 jobs, both direct and indirect, will be lost in a city that can scarcely afford it. Mr. Chairman, under the authorizations provided in H.R. 2442 the EDA has a wide range of tools to help communities adjust to these base closures and to find replacement jobs. Under title IX of EDA's reauthorization, Mr. Chairman, the EDA can and will make grants to communities for planning, public works construction, revolving loan fund assistance and training. The authorization is flexible enough for EDA to tailor the adjustment package to each community's specific needs, and I suggest to my colleagues in the Chamber that there is no other example of that ability to provide and respond to a State's, and municipality's and locality's particular problems particularly as it comes to base closure than that provided under title IX of EDA's reauthorization. It has been 12 years, and significant changes have been made to streamline these organizations and to recreate their responsiveness to ever-changing economies.

In conclusion, Mr. Chairman, H.R. 2442 refocuses EDA and ARC on to programs that work, and I encourage my colleagues to support the bill. Let me just state in closing that it has been a tremendous opportunity to work, particularly with the minority staff, and certainly with the majority staff, and I say to Carl Lorenz, "You will be dearly missed, and I hope this bill will serve as a remembrance of all the work and dedication you have given to this full committee and to this subcommittee in particular."

Mr. KANJORSKI. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I rise in strong support of H.R. 2442, the Economic Development Administration authorization bill. I would like to commend our chairman of the Subcommittee on Economic Development of the Committee on Banking, Finance and Urban Affairs, the gentleman from Pennsylvania [Mr. KANJORSKI] for all the work he has put into this legislation. I had the privilege of working closely with Mr. KANJORSKI on this bill, and he certainly deserves a lot of credit for his thoughtful and speedy work to bring the legislation to the floor.

Mr. Chairman, H.R. 2442 is long overdue. After 12 years trying to eliminate the EDA, we have leadership which finally understands the job creation, and economic development and communities revitalization potential of the EDA. It seemed the Federal Government abandoned Federal programs that

could have generated jobs and caused community-based development in the 1980's, and this shortsightedness is clearly demonstrated by the continued efforts to eliminate the EDA.

Fortunately, Mr. Chairman, enough Members of Congress on both sides of the aisle recognized the importance of EDA to prevent its outright abolition. However, the program underwent severe budget reductions. In real dollars, EDA is now only one-fifth of its 1980 budget. This bill begins to rebuild the EDA.

I remember the useful economic development projects the EDA funded when I was a State legislator in California. EDA programs leverage several times their allocation in private sector funds. The impact of EDA programs was far greater than their actual funding. That seems to be the model of public-private development that this country strives for.

We should support this bill, and work to enhance and broaden the EDA mission. I urge support for H.R. 2442.

Mr. WISE. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. NADLER] who has been very active in the formation of this bill.

Mr. NADLER. Mr. Chairman, I rise in support of H.R. 2442 and urge all my colleagues to vote in favor of this first reauthorization bill in more than a decade and to oppose all amendments to cut funding for these two important agencies or compromise the important work that they do.

I would also like to commend Chairman WISE and my fellow New Yorker, ranking member SUSAN MOLINARI, for the dedicated and cooperative bipartisan spirit in which they have crafted and moved this important legislation.

As a member of the historic freshman class of the 103d Congress, I think it is important to remember what was on our constituents' minds as they went to the polls in 1992 and changed the face of our national Government.

Do you remember? It was "the economy, stupid!" Our constituents were fed up because they couldn't get their children to a doctor, they couldn't hold on to their jobs or make ends meet no matter how hard they worked, and they couldn't even take comfort in the confidence that the many sacrifices they have made have been worthwhile because, in America, the next generation always does better. For too many of our neighbors, the promise of the American dream, that through hard work and perseverance, you can make it and your children will do better, was a broken promise.

Well, people were right to be angry in 1992. That is why we got a new President and a turnover rate in this House of 25 percent.

Does anyone think the voters have forgotten why we were sent here in 1992? Have any of us forgotten? Does anyone here think that we've gotten

everyone a job or rebuilt our infrastructure or finished the work of aiding small business and small communities? I do not think so. We have made progress, but if we are to finish the job—to do what we were elected to do—to bring back the promise of the American dream, we must provide the assistance that our communities and businesses need to succeed. The EDA and the ARC provide assistance in communities across this country with skill and with success. Ask your local business and civic leaders.

Where would America be if the Federal Government had not acted to electrify the sparsely populated areas of this country, to build the canals and highways, to promote the key industries that contributed to our economic growth over the years? How can we, as a Congress, decide to put the brakes on this necessary support for our businesses and our communities, now when it is more needed than ever?

I can tell you, as a Representative of an urban district in New York City, I was surprised to discover that small and rural communities face many of the same economic challenges as do urban areas. The urban-rural partnership for a stronger America, putting our people back to work in jobs with dignity and a future, is reflected in this bill.

We need the EDA and we need the ARC. Let us not put the brakes on the recovery now. Vote yes.

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

Mr. KANJORSKI. Mr. Chairman, may I inquire, what is the distribution of time remaining?

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] has 1 minute remaining, the gentlewoman from New York [Ms. MOLINARI] has 12 minutes remaining, the gentleman from Pennsylvania [Mr. KANJORSKI] has 3 minutes remaining; and the gentleman from Wisconsin [Mr. ROTH] has 8 minutes remaining.

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

Mr. Chairman, I want to call the attention of my colleagues to something that happened last week. When we were fashioning this bill between the Committee on Banking, Finance and Urban Affairs and the Committee on Public Works and Transportation, there was a very important meeting here in Washington with some of the employees from my district in Pennsylvania that had just been notified that a major textile company was closing down. Fifteen hundred people were notified that they would shortly lose their jobs.

This last weekend I had occasion to visit with some union members who told me that as a result of the passage of NAFTA last year a very large manufacturing company had announced that

rather than doing some of the manufacturing they had intended to do in my district to keep some very highly skilled workers working, they were going to move that operation to Mexico.

Last year, or 18 months ago, the President ran, and during the Presidential election this President had a motto, "It's the economy, Stupid." I think the American people responded to that motto and understood what he meant, what his campaign meant, and what we should mean today. If I were to have a motto today, it would be "It's the jobs, Stupid."

We have now passed NAFTA as national policy. We know we will take some jobs away from the American people. We are looking forward to reforming welfare, and yet the big question when you reform welfare is "Mister, where do I get the job you're going to train me for?"

I think it is up to us who will be voting on these substantive issues in this session to search our minds and our hearts with the reality that we come up with the idea of where these jobs will be.

The EDA and the Appalachian Regional Commission are part of the civilian tools of this Government to create those jobs. In some instances they have done it very well, in some instances they have done it not too well, and we are trying to correct that.

An amendment that I will offer when we close general debate goes to the thrust of the matter of how we will create jobs. What we are suggesting is that we have to look into the inventory of technologies, patents, and research and development of the Federal Government and make sure they get out to the small districts of America that suffer the loss of jobs as a result of NAFTA and welfare reform.

My district does not get the research and development grants that go to MIT or to Stanford or some of the major research universities, but that money that goes to those grants comes from my taxpayers. What we are trying to do with this amendment is to level that playing field and say that we cannot put the grants for research and development into the small backwater districts of the United States, but we can offer the technologies as future job creation opportunities for these people.

Mr. Chairman, I urge my colleagues, when we take up this amendment, to realize that really "It's the jobs, Stupid." That is what we hear now, and that is what it is all about.

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

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

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] has 1 minute remaining.

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

Mr. Chairman, if you have a base closing that you just found out about, who are you going to call? If you are trying to put a water system into an industrial park because you can get a client that will provide 200 jobs but it has got to be done quickly, who are you going to call? Or if you have suffered, as too many people have in too many parts of the country, from the kind of economic dislocation that comes from physical devastation, be it earthquake, be it flood, be it tsunami or whatever it is, who are you going to call?

You are going to call the EDA, and in 13 States you are going to call the ARC.

Mr. Chairman, that is the best reason why this has got to be reauthorized. Who are you going to call? We have got to make sure they are still there to be called.

Mr. MONTGOMERY. Mr. Chairman, I rise in support of the Economic Development Reauthorization Act. I know firsthand that the Economic Development Administration and the Appalachian Regional Commission are proven programs that work.

These programs have been key factors in helping bring jobs and better economic opportunity to our rural communities. The grants and technical assistance provided by EDA and ARC have enabled many of our local communities in Mississippi to develop water and sewer systems, roads and other facilities that would not have been possible otherwise. As a result, these communities have been able to develop industrial parks and set up other attractive opportunities for business and industry to locate there. That means jobs and an increased tax base.

Much progress has been made, but I strongly support efforts to continue this process to allow ARC and EDA to further develop infrastructure such as roads and highways and to provide important technical assistance to help businesses in rural areas like Mississippi survive and grow.

I know the Appalachian Regional Commission is responsible for nearly 1,000 new job opportunities in Mississippi in 1993 alone. Without ARC support, many of these projects and jobs would not have gone forward. And I hear only good things from economic development officials in my district about what an important factor EDA has been in bringing jobs to Mississippi over the years.

We need to keep these programs working to stimulate economic opportunities in Mississippi and throughout the country. I urge continued support for EDA and ARC.

Mr. FAZIO. Mr. Chairman, I rise in support of H.R. 2442, the Economic Development Authorization Act. I must first commend the excellent work of the Public Works and Banking Committees that has made it possible to bring this vital economic development legislation to the floor. It has been 14 years since the EDA was reauthorized, and I applaud the Committees' members for working together on this bill to give this important program the attention and support it deserves.

In my district in northern California, the EDA has made a tremendous impact on the eco-

conomic development of the region. Over the past few weeks, I have received numerous calls and letters from local officials and business leaders to tell me their first-hand experience with the local initiatives that are made possible with the help of EDA funds. I have been impressed with the broad support the EDA enjoys from the people who are on the front-lines of economic development in the communities in my district.

I myself have worked closely with the Tri-County Economic Development Committee [TCEDC] the federally recognized Economic Development District which serves Glenn, Tehama and Butte Counties in my district, and I know the difference these programs have made in these economically distressed areas. TCEDC provides the cities and counties in this region with a wide variety of economic development services, including economic development planning, grant writing, administration of public works and technical assistance projects, management of local, State, and federally funded revolving loan funds [RLF's] and small business financing.

Since 1989, TCEDC has completed 64 successful economic development programs which have created or retained 718 local jobs. For example, 72 jobs were saved in Glenn county alone through the assistance of an EDA public works grant. In 1992, The city of Orland was in danger of being forced to shut down their municipal brine ponds because the aging ponds were in desperate need of retrofitting. The waste water that results from local olive processing is transferred to the municipal brine ponds so the salt can safely evaporate. These ponds are critical to food processing and the many jobs associated with this process. The TCEDC was able to help secure a \$500,000 EDA public works grant to help the financially strapped city retrofit the brine ponds and save the 72 olive processing jobs in the area.

Another TCEDC success was assistance they provided the Glenn Chamber of Commerce in obtaining a CDBG grant to provide a loan to a small local business, Applied Sewing Resources. Three years ago, Applied Sewing Resources, a small manufacturer of outdoor recreational equipment, employed three people in Orland, CA. With a \$215,000 business loan obtained by the city of Orland with the assistance of TCEDC, Applied Resources was able to purchase new equipment and expand their operations. Today, Applied Sewing Resources employs almost 75 employees in Orland.

The number of jobs saved or created by EDA assistance may not sound like big numbers to some folks in Washington, but let me tell you that in my District—where unemployment rates are running as high as 15 to 20 percent—these jobs have a real impact. In these continuing tough economic times, the Economic Development Administration is a small investment that yields abundant returns.

I strongly support the Economic Development Authorization Act, and urge my colleagues to do the same.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in part 1 of House Report 103-495 shall be

considered as an original bill for the purpose of amendment and shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2442

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Economic Development Reauthorization Act of 1994".

(b) **TABLE OF CONTENTS.**—

Sec. 1. Short title; table of contents.

TITLE I—ECONOMIC DEVELOPMENT PROGRAMS

- Sec. 101. Grants for public works and development facilities.
- Sec. 102. Projects constructed under projected cost.
- Sec. 103. Changed project circumstances.
- Sec. 104. Other financial assistance.
- Sec. 105. Technical assistance, research, and information.
- Sec. 106. Business outreach center demonstration project.
- Sec. 107. Office of Strategic Economic Development Planning and Policy.
- Sec. 108. Office of Economic Development Information.
- Sec. 109. Area eligibility.
- Sec. 110. Investment strategy.
- Sec. 111. Economic development districts.
- Sec. 112. Administration.
- Sec. 113. Expedited processing of applications.
- Sec. 114. Uniform application form.
- Sec. 115. Study of grant selection criteria.
- Sec. 116. Performance evaluations of grant recipients.
- Sec. 117. Study of guaranteed loan program.
- Sec. 118. Miscellaneous.
- Sec. 119. Acceptance of applicants' certifications.
- Sec. 120. Supervision of regional counsels.
- Sec. 121. Economic recovery for disaster areas.
- Sec. 122. Special economic development and adjustment assistance.
- Sec. 123. Treatment of revolving loan funds.
- Sec. 124. Outreach to communities adversely affected by defense base closures.
- Sec. 125. Sale of financial instruments in revolving loan funds.
- Sec. 126. Economic development challenge grants demonstration project.
- Sec. 127. Authorization of appropriations.
- Sec. 128. References to the Secretary.
- Sec. 129. Compliance with Buy American Act.

TITLE II—APPALACHIAN REGIONAL DEVELOPMENT

- Sec. 201. Findings and purposes.
- Sec. 202. Meetings.
- Sec. 203. Authorizations for administrative expenses.
- Sec. 204. Extension of lease terms.
- Sec. 205. Highway system.
- Sec. 206. Supplements to Federal grant-in-aid programs.
- Sec. 207. Program development criteria.
- Sec. 208. Grants for administrative expenses and demonstration projects.
- Sec. 209. Authorization of appropriations for general program.
- Sec. 210. Definition of Appalachian region.
- Sec. 211. Extension of termination date.
- Sec. 212. Regional development task force.
- Sec. 213. Compliance with Buy American Act.

TITLE I—ECONOMIC DEVELOPMENT PROGRAMS

SEC. 101. GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES.

(a) **DIRECT AND SUPPLEMENTAL GRANTS.**—
(1) **ELIGIBLE APPLICANTS.**—Section 101(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131(a)) is amended in the matter preceding paragraph (1) by striking "representing any redevelopment area or part thereof" and inserting "acting in cooperation with officials of local governments".

(2) **DIRECT GRANTS.**—Section 101(a)(1) of such Act (42 U.S.C. 3131(a)(1)) is amended—

(A) in the matter preceding subparagraph (A) by inserting "design and engineering," after "acquisition,"; and

(B) in subparagraph (A) by striking "or otherwise substantially further the objectives of the Economic Opportunity Act of 1964".

(b) **AMOUNT OF SUPPLEMENTAL GRANTS.**—The last sentence of section 101(c) of such Act (42 U.S.C. 3131(c)) is amended—

(1) by striking "area," and inserting "area and"; and

(2) by striking "and the amount of" and all that follows before the period.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 105 of such Act (42 U.S.C. 3135) is amended to read as follows:

"SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

"(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this title \$160,000,000 for fiscal year 1994 and \$175,000,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended.

"(b) **LIMITATION ON EXPENDITURES IN CERTAIN AREAS.**—Not more than 35 percent of the amounts appropriated pursuant to subsection (a) in a fiscal year may be expended for projects located in areas described in section 401(a)(4).

"(c) **LIMITATION ON EXPENDITURES FOR DESIGN AND ENGINEERING.**—Not more than 20 percent of the amounts appropriated pursuant to subsection (a) in a fiscal year may be expended for design and engineering."

(d) **SEWER FACILITIES.**—Title I of such Act (42 U.S.C. 3131-3137) is amended by striking section 106 and redesignating section 107 as section 106.

(e) **CONSTRUCTION COST INCREASES.**—Section 106 of such Act, as redesignated by subsection (d) of this section, is amended by inserting a period after "such costs" and striking all that follows.

SEC. 102. PROJECTS CONSTRUCTED UNDER PROJECTED COST.

Title I of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131-3137) is amended by adding at the end the following:

"SEC. 107. USE OF FUNDS IN PROJECTS CONSTRUCTED UNDER PROJECTED COST.

"In any case where a grant (including a supplemental grant) has been made under this title for a project, and after such grant has been made but before completion of the project the cost of such project based upon the designs and specifications which were the basis of the grant has decreased because of decreases in costs, such underrun funds may be used to improve the project either directly or indirectly as determined by the Secretary."

SEC. 103. CHANGED PROJECT CIRCUMSTANCES.

Title I of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131-3137) is further amended by adding at the end the following:

SEC. 108. CHANGED PROJECT CIRCUMSTANCES.

"In any case where a grant (including a supplemental grant) has been made under this title for a project, and after such grant has been made but before completion of the project the purpose or scope of such project based upon the designs and specifications which were the basis of the grant has changed, the Secretary may approve the use of grant funds on such changed project if the Secretary determines that such changed project meets the requirements of this title and that such changes are necessary to enhance economic development in the area."

SEC. 104. OTHER FINANCIAL ASSISTANCE.

(a) PUBLIC WORKS AND DEVELOPMENT FACILITY LOANS.—

(1) ELIGIBLE APPLICANTS.—Section 201(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(a)) is amended in the matter preceding paragraph (1) by striking "representing any redevelopment area or part thereof" and inserting "acting in cooperation with officials of local governments".

(2) CRITERIA.—Section 201(a)(1)(C) of such Act (42 U.S.C. 3141(a)(1)(C)) is amended by striking "or otherwise substantially further the objectives of the Economic Opportunity Act of 1964".

(b) TERMS AND CONDITIONS.—Section 202(b) of such Act (42 U.S.C. 3142(b)) is amended—

(1) in paragraph (6) by striking "It is determined" and inserting "the Secretary determines"; and

(2) in paragraph (7) by striking "hereunder for a period" and all that follows through "the foregoing restrictions on maturities" and inserting "under this section for a term of maturity of more than 25 years and no evidences of indebtedness which matures more than 25 years after the date of purchase may be purchased under this section; except that this paragraph".

(c) REDEVELOPMENT AREA LOAN PROGRAM.—Title II of such Act (42 U.S.C. 3141-3144) is amended by striking section 204.

SEC. 105. TECHNICAL ASSISTANCE, RESEARCH, AND INFORMATION.

(a) TECHNICAL ASSISTANCE.—

(1) URBAN AREAS WITH POPULATIONS OF 400,000 OR LESS.—Section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151(a)) is amended by adding at the end the following: "In providing assistance under this subsection, the Secretary shall take into consideration the unique development needs of urban areas with populations of 400,000 or less."

(2) GRANTS FOR ADMINISTRATIVE EXPENSES.—The last sentence of section 301(b) of such Act (42 U.S.C. 3151(b)) is amended by striking "urban planning grants, authorized under the Housing Act of 1954, as amended," and inserting "planning activities described in section 105(a)(13) of the Housing and Community Development Act of 1974".

(3) REPEALS.—Section 301 of such Act (42 U.S.C. 3151) is amended by striking subsections (c), (e), and (f) and redesignating subsection (d) as subsection (c).

(b) ECONOMIC DEVELOPMENT PLANNING.—

(1) DIRECT GRANTS.—The 7th sentence of section 302(a) of such Act (42 U.S.C. 3151a(a)) is amended by striking "and shall be available" and all that follows before the period at the end.

(2) TECHNICAL ASSISTANCE.—Section 302 of such Act (42 U.S.C. 3151a) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

(3) USE OF OTHER PLANNING ASSISTANCE.—Section 302(b) of such Act, as redesignated by paragraph (2) of this subsection, is amended

by striking "shall be used in accordance with the review procedure required pursuant to title IV of the Intergovernmental Cooperation Act of 1968 and".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of such Act (42 U.S.C. 3152) is amended to read as follows:

"SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

"There is authorized to be appropriated to carry out this title \$37,100,000 for fiscal year 1994 and \$50,000,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended."

(d) SUPPLEMENTAL AND BASIC GRANTS.—Title III of such Act (42 U.S.C. 3151-3153) is amended by striking section 304.

SEC. 106. BUSINESS OUTREACH CENTER DEMONSTRATION PROJECT.

Title III of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151-3153) is amended by adding at the end the following:

"SEC. 304. BUSINESS OUTREACH CENTER DEMONSTRATION PROJECT.

"(a) IN GENERAL.—The Secretary shall conduct a project in each of fiscal years 1994 through 1996 with funds made available under this title for the purpose of demonstrating methods of assisting isolated small businesses to access small business services provided by Federal, State, and local governments.

"(b) ESTABLISHMENT OF CENTERS.—In conducting the demonstration project under this section, the Secretary shall establish 3 business outreach centers. At least 1 of the centers shall be located in a rural area.

"(c) PURPOSE OF CENTERS.—It shall be the purpose of each business outreach center established under this section—

"(1) to provide a one-stop clearinghouse to assist isolated small businesses in accessing small business services provided by Federal, State, and local governments; and

"(2) to improve efficiency in the delivery of such services.

"(d) SERVICES TO BE PROVIDED.—Each business outreach center established under this section shall provide the following services:

"(1) Outreach to isolated small businesses.

"(2) Assessment of the need of isolated small businesses for assistance services.

"(3) Referral of isolated small businesses to small business assistance agencies.

"(4) Preparation of materials required by isolated small businesses for participation in small business assistance programs.

"(5) Case management to assure follow-up and quality control of business services.

"(6) Coordination of networking among isolated small businesses.

"(7) Quality control of small business assistance services.

"(e) ISOLATED SMALL BUSINESS DEFINED.—For the purposes of this section, the term 'isolated small business' means a small business that is unable to effectively access small business services provided by Federal, State, and local governments due to linguistic, cultural, or geographic barriers."

SEC. 107. OFFICE OF STRATEGIC ECONOMIC DEVELOPMENT PLANNING AND POLICY.

Title III of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151-3153) is further amended by adding at the end the following:

"SEC. 305. OFFICE OF STRATEGIC ECONOMIC DEVELOPMENT PLANNING AND POLICY.

"(a) ESTABLISHMENT.—The Secretary shall establish an Office of Strategic Economic Development Planning and Policy (hereafter in this section referred to as 'the Office').

"(b) DUTIES.—The duties of the head of the Office are as follows:

"(1) RESEARCH, EVALUATION, AND DEMONSTRATION.—To support research, evaluation, and demonstration projects to study and assess best practices in economic development and to examine trends and changes in economic conditions that affect regional development.

"(2) POLICY DEVELOPMENT.—To develop recommendations on both short- and long-term policies regarding economic development issues and programs, to help foster the diffusion of innovative, best practices in economic development throughout the Department of Commerce.

"(3) COORDINATION.—To take a leading role in developing and promoting means for greater coordination among States, regions, and local communities in the design and implementation of economic development strategies, and to work in conjunction with Federal agencies on developing and implementing means for reducing fragmentation and increase coordination among Federal programs that provide economic development assistance.

"(c) RESEARCH IN CAUSES OF LONG-TERM ECONOMIC DETERIORATION.—

"(1) IN GENERAL.—To assist in the long-range accomplishment of the purposes of this Act, the Secretary, in cooperation with other agencies having similar functions, shall establish and conduct a continuing program of study, training, and research—

"(A) to assist in determining the causes of unemployment, underemployment, underdevelopment, and chronic depression in the various areas and regions of the Nation;

"(B) to assist in the formulation and implementation of national, State, and local programs which will raise income levels and otherwise produce solutions to the problems resulting from these conditions; and

"(C) to assist in providing the personnel needed to conduct such programs.

"(2) MANNER OF PROVIDING STUDY, ASSISTANCE.—The program of study, training, and research may be conducted by the Secretary through—

"(A) members of the Secretary's staff;

"(B) the payment of funds authorized for this section to other departments or agencies of the Federal Government;

"(C) the employment of private individuals, partnerships, firms, corporations, or suitable institutions;

"(D) contracts entered into for such purposes;

"(E) grants to such individuals, organizations, or institutions as the Secretary determines to be appropriate; or

"(F) conferences and similar meetings organized for such purposes.

"(3) AVAILABILITY OF RESULTS OF RESEARCH.—The Secretary shall make available to interested individuals and organizations the results of such research.

"(4) ANNUAL REPORT OF SECRETARY.—The Secretary shall include in the annual report under section 705 a detailed statement concerning the study and research conducted under this section, together with the Secretary's findings and conclusions and such recommendations for legislative and other action as the Secretary may consider appropriate.

"(d) GEOGRAPHIC ANALYSIS TOOL.—

"(1) IN GENERAL.—The Secretary shall, in cooperation with other appropriate Federal agencies develop a computerized geographic analysis tool that all Federal departments and agencies and grant recipients may use to evaluate the success of these programs.

"(2) REPORT.—Not later than 6 months after the date of the enactment of the Economic Development Reauthorization Act of 1994, the Secretary shall transmit to Congress a report on use of the computerized geographic analysis tool developed pursuant to paragraph (1) by Federal departments and agencies.

"(e) INDEPENDENT ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee made up of representatives from major State, local, and nonprofit economic development organizations as well as nationally recognized experts on innovative approaches to economic development to advise and make recommendations to the Office.

"(f) FEDERAL COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT.—

"(1) IN GENERAL.—The Secretary shall establish a Federal Coordinating Council for Economic Development (hereafter in this section referred to as the 'Council').

"(2) COMPOSITION OF COUNCIL.—The Council shall be composed of representatives from Federal agencies involved in matters that affect regional economic development.

"(3) DUTIES.—The Council shall assist in providing a unifying framework for economic and regional development efforts and develop a governmentwide strategic plan for economic development.

"(g) GRANTS AND CONTRACTS FOR DEMONSTRATION PROJECTS; PURPOSES.—The Secretary may make grants, enter into contracts, or otherwise provide funds for any demonstration project in an eligible area which the Secretary determines is designed to foster regional productivity and growth, prevent outmigration, and otherwise carry out the purposes of this Act."

SEC. 108. OFFICE OF ECONOMIC DEVELOPMENT INFORMATION.

Title III of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151-3153) is further amended by adding at the end the following:

"SEC. 306. OFFICE OF ECONOMIC DEVELOPMENT INFORMATION.

"(a) ESTABLISHMENT.—The Secretary shall establish the Office of Economic Development Information (hereafter in this section referred to as the 'Office') within the Office of Strategic Economic Development Planning and Policy.

"(b) DUTIES.—The duties of the head of the Office shall be—

"(1) to serve as a central information clearinghouse on matters relating to economic development, economic adjustment, industrial retention, disaster recovery, and defense conversion programs and activities of the Federal and State governments, including political subdivisions of the States; and

"(2) to help potential and actual applicants for economic development, economic adjustment, disaster recovery, industrial retention, and defense conversion assistance under Federal, State, and local laws in locating and applying for such assistance, including financial and technical assistance.

"(c) INFORMATION DATA BASES.—

"(1) USES.—The Office shall develop information data bases for use by Federal departments and agencies, State and local governmental agencies, public and private entities, and individuals to assist such agencies, entities, and individuals in the process of identifying and applying for assistance and resources under economic development, economic adjustment, disaster recovery, industrial retention, and defense conversion programs and activities of the Federal, State, and local governments.

"(2) SPECIFIC KINDS OF INFORMATION REQUIRED TO BE INCLUDED.—The data bases shall include the following kinds of information:

"(A) A comprehensive compilation of all relevant information concerning available economic development, economic adjustment, disaster recovery, industrial retention, and defense conversion programs of the Federal Government, including key contact people, descriptions of the application process, eligibility requirements and criteria, selection and followup procedures, and other such relevant information.

"(B) A compilation of major State and local governmental economic development, economic adjustment, disaster relief, industrial retention, and defense conversion assistance programs, including lists of appropriate offices, officers, and contact personnel connected with, or involved in, such programs.

"(C) A compilation of relevant and available economic data and trends, including information about the national, regional, and local impacts of trade agreements, defense spending and downsizing, technological change, and other sources of substantial economic dislocation.

"(D) A compilation of case studies and 'best practices' in economic development, adjustment, and conversion.

"(E) A compilation of technology utilization programs, assistance, and resources.

"(F) A compilation of published works (books, reports, articles, videos, and tapes), and selected texts of such works, related to all facets of economic development, economic adjustment, and defense conversion.

"(G) A compilation of information on case studies on early warning and intervention efforts.

"(3) POINTS OF PUBLIC ACCESS.—

"(A) IN GENERAL.—The Office shall establish several mechanisms to assure easy access by the public and others to such data bases, and to assure that the data bases be as accessible, user-friendly, culturally neutral, and affordable as possible.

"(B) MEANS OF ACCESS.—Access to the Office's data services shall include the following means:

"(i) A toll-free nationwide telephone number to provide direct phone access to the public.

"(ii) On-line electronic access through existing computer network services and publicly available computer data base access facilities, such as at repository libraries and by direct call-in via modem.

"(iii) Printed manuals and orientation materials.

"(iv) Periodic orientation workshops available to the public.

"(v) On-call information specialists to address special problems requiring person-to-person assistance.

"(d) INTERAGENCY COORDINATION.—The Secretary shall enter into such agreements and understandings as may be necessary with other Federal departments and agencies to coordinate the accomplishment of the objectives of this section."

SEC. 109. AREA ELIGIBILITY.

(a) IN GENERAL.—Title IV of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161-3173) is amended by striking the heading to such title and all that follows through section 401 and inserting the following:

"TITLE IV—ELIGIBILITY AND INVESTMENT STRATEGIES

"PART A—ELIGIBILITY

"SEC. 401. AREA ELIGIBILITY.

"(a) CERTIFICATION.—In order to be eligible for assistance under title I or II, an applicant seeking assistance to undertake a project in an area shall certify, as part of an application for such assistance, that the area on the date of submission of such application meets 1 or more of the following criteria:

"(1) The area has a per capita income of 80 percent or less of the national average.

"(2) The area has an unemployment rate 1 percent above the national average percentage for the most recent 24-month period for which statistics are available.

"(3) The area has experienced or is about to experience a sudden economic dislocation resulting in job loss that is significant both in terms of the number of jobs eliminated and the effect upon the employment rate of the area.

"(4) The area is a community or neighborhood (defined without regard to political or other subdivisions or boundaries) which the Secretary determines has 1 or more of the following conditions:

"(A) A large concentration of low-income persons.

"(B) Rural areas having substantial outmigration or substantial economic deterioration and unemployment.

"(C) Substantial unemployment.

"(b) DOCUMENTATION.—A certification made under subsection (a) shall be supported by Federal data, when available, and in other cases by data available through the State government. Such documentation shall be accepted by the Secretary unless it is determined to be inaccurate. The most recent statistics available shall be used.

"(c) SPECIAL RULE.—An area which the Secretary determines has 1 or more of the conditions described in subsection (a)(4)—

"(1) shall not be subject to the requirements of subparagraphs (A) and (C) of section 101(a)(1); and

"(2) shall not be eligible to meet the requirements of section 403(a)(1)(B).

"(d) PRIOR DESIGNATIONS.—Any designation of a redevelopment area under this title made before the date of the enactment of the Economic Development Reauthorization Act of 1994 shall not be effective after such date of enactment.

"(e) DEFINITION.—For purposes of this Act, the term 'large concentration of low-income persons' means an area with a median family income of not more than 80 percent of the national median family income."

(b) CONFORMING AMENDMENTS.—

(1) TITLE I.—Title I of such Act (42 U.S.C. 3131-3137) is amended—

(A) in section 101(a)(1) in the matter preceding subparagraph (A) by striking "within a redevelopment area" and inserting "within an area described in section 401(a)";

(B) in section 101(a)(1)(D) by striking "a redevelopment area so designated under section 401(a)(6)" and inserting "an area described in section 401(a)(4)";

(C) in section 101(a)(2) by striking "within redevelopment areas" and inserting "within areas described in section 401(a)";

(D) in each of the 2d and 3d sentences of section 101(c) by striking "a redevelopment area designated as such under section 401(a)(6) of this Act" and inserting "an area described in section 401(a)(4)"; and

(E) in the 5th sentence of section 101(c) by striking "redevelopment areas" and inserting "areas described in section 401(a)".

(2) TITLE II.—Title II of such Act (42 U.S.C. 3141-3144) is amended—

(A) in section 201(a) in the matter preceding paragraph (1) by striking "within a redevelopment area" and inserting "within an area described in section 401(a)";

(B) in each of paragraphs (1) and (3) of section 202(a) by striking "within a redevelopment area" and inserting "within an area described in section 401(a)"; and

(C) in section 202(b)(3) by striking "redevelopment".

(3) TITLE III.—Title III of such Act (42 U.S.C. 3151-3153) is amended—

(A) in section 301(a) by striking "(1) to areas which he has designated as redevelopment areas under this Act, and (2) to other areas which he finds" and inserting "(1) to areas which the Secretary determines are areas described in section 401(a), and (2) to other areas which the Secretary finds";

(B) in section 301(c), as redesignated by section 105(a) of this Act, by striking "redevelopment areas" both places it appears and inserting "areas described in section 401(a)";

(C) in the 1st sentence of section 302(a) by striking "a redevelopment area" and inserting "an area described in section 401(a)"; and

(D) in the 2d sentence of section 302(a) by striking "redevelopment areas" and inserting "areas described in section 401(a)".

(4) TITLE IV.—Title IV of such Act (42 U.S.C. 3161-3173) is amended—

(A) in each of subparagraphs (A) and (B) of section 403(a)(1) by striking "redevelopment area" and inserting "area described in section 401(a)";

(B) in section 403(a)(1)(C) by striking "redevelopment areas" and inserting "areas described in section 401(a)";

(C) in section 403(a)(4) in the matter preceding subparagraph (A) by striking "redevelopment areas (designated under section 401)" and inserting "areas described in section 401(a)";

(D) in section 403(a)(4)(A) by striking "redevelopment area" and inserting "area described in section 401(a)"; and

(E) in section 403(h), as redesignated by section 111(c) of this Act, by striking "a redevelopment area" each place it appears and inserting "an area described in section 401(a)".

(5) TITLE IX.—Section 902 of such Act (42 U.S.C. 3242) is amended by striking "a redevelopment area or economic development district established under title IV of this Act" and inserting "an area described in section 401(a) or an economic development district designated under section 403".

SEC. 110. INVESTMENT STRATEGY.

(a) IN GENERAL.—Section 402 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3162) is amended to read as follows:

"SEC. 402. INVESTMENT STRATEGY.

"The Secretary may provide assistance under title I or II to an applicant for a project to be undertaken in an area described in section 401(a) only if the applicant submits to the Secretary, as part of an application for such assistance, and the Secretary approves an investment strategy which—

"(1) identifies the economic development problems to be addressed using such assistance;

"(2) identifies past, present, and projected future economic development investments in such area and public and private participants and sources of funding for such investments;

"(3) sets forth a strategy for addressing the economic problems identified pursuant to paragraph (1) and describes how the strategy will solve such problems;

"(4) provides a description of the project necessary to implement the strategy, estimates of costs, and timetables; and

"(5) provides a summary of public and private resources expected to be available for the project."

(b) ELIMINATION OF OVERALL ECONOMIC DEVELOPMENT PROGRAM.—Section 202(b) of such Act (42 U.S.C. 3142(b)) is amended by striking paragraph (10).

(c) CONFORMING AMENDMENTS.—

(1) TITLE I.—Subparagraph (C) of section 101(a)(1) of such Act (42 U.S.C. 3131(a)(1)) is amended to read as follows:

"(C) the area for which the project is to be undertaken has an approved investment strategy as provided by section 402 and such project is consistent with such strategy; and"

(2) TITLE II.—Paragraph (5) of section 201(a) of such Act (42 U.S.C. 3141(a)) is amended to read as follows:

"(5) such area has an approved investment strategy as provided by section 402 and the project for which financial assistance is sought is consistent with such strategy."

(3) TITLE III.—Section 302(a) of such Act (42 U.S.C. 3151a(a)) is amended—

(A) in the 4th sentence by striking "overall State economic development plan" and inserting "State investment strategy";

(B) in the 5th sentence—

(i) by striking "plan" each place it appears and inserting "strategy"; and

(ii) by striking "plans" each place it appears and inserting "strategies"; and

(C) in the 6th sentence by striking "Any overall State economic development planning" and inserting "Development of any State investment strategy".

(4) TITLE IV.—Section 403 of such Act (42 U.S.C. 3171) is amended—

(A) in each of subsections (a)(1)(C), (a)(1)(D), (a)(2)(A), (a)(3)(A), (a)(4)(B), and (e) by striking "overall economic development program" and inserting "investment strategy";

(B) in subsection (a)(1)(D) by striking "program" the second place it appears and inserting "strategy"; and

(C) in each of subsections (b) and (b)(2)(B) by striking "overall economic development programs" and inserting "investment strategies".

SEC. 111. ECONOMIC DEVELOPMENT DISTRICTS.

(a) ECONOMIC DEVELOPMENT DISTRICT DEFINED.—Section 403(d) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3171(d)) is amended by adding at the end the following: "Such term includes any economic development district designated by the Secretary under this section before the date of the enactment of the Economic Development Reauthorization Act of 1994."

(b) FUNDING.—Section 403(g) of such Act (42 U.S.C. 3171(g)) is amended to read as follows:

"(g) FUNDING.—Amounts authorized to be appropriated under other sections of this Act shall be available for purposes of carrying out subsections (a)(3) and (a)(4)."

(c) REPEAL.—Section 403 of such Act (42 U.S.C. 3162) is amended by striking subsections (h) and (i) and redesignating subsection (j) as subsection (h).

(d) UNEMPLOYMENT RATE DETERMINATIONS.—Title IV of such Act (42 U.S.C. 3161-3173) is amended by striking part D.

SEC. 112. ADMINISTRATION.

(a) IN GENERAL.—Section 601 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201) is amended to read as follows:

"SEC. 601. APPOINTMENT OF ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT; COMPENSATION.

"(a) ADMINISTRATION OF ACT.—The Secretary shall, with the assistance of an Assis-

tant Secretary of Commerce, administer this Act.

"(b) APPOINTMENT OF ASSISTANT SECRETARY.—

"(1) IN GENERAL.—The Assistant Secretary whose position is established under subsection (a) shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) DUTIES.—The Assistant Secretary appointed under paragraph (1) shall perform such functions as the Secretary may prescribe."

(b) ADVISORY COMMITTEE ON REGIONAL ECONOMIC DEVELOPMENT.—Title VI of such Act (33 U.S.C. 3201-3204) is amended by striking section 602 and redesignating sections 603 and 604 as sections 602 and 603, respectively.

SEC. 113. EXPEDITED PROCESSING OF APPLICATIONS.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is amended by adding at the end the following:

"SEC. 604. EXPEDITED PROCESSING OF APPLICATIONS.

"(a) GUIDELINES.—Not later than 60 days after the date of the enactment of this section, the Assistant Secretary for Economic Development shall—

"(1) publish guidelines to expedite the processing of applications for assistance under this Act; and

"(2) transmit to Congress a report containing such guidelines.

"(b) CONTENTS.—Guidelines to be published under subsection (a) shall, at a minimum, provide for the following:

"(1) Increased reliance on self-certification by applicants to establish compliance with other Federal laws.

"(2) Greater use of uniform application forms and procedures.

"(3) Delegation of decisionmaking authority to regional offices.

"(4) Reduction in the time and number of reviews conducted by other offices of the Department of Commerce."

SEC. 114. UNIFORM APPLICATION FORM.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is further amended by adding at the end the following:

"SEC. 605. UNIFORM APPLICATION FORM.

"(a) DEVELOPMENT.—The Secretary shall, in cooperation with the heads of appropriate Federal departments and agencies, develop a general, simplified application form for grant assistance under this Act which may be used by all Federal departments and agencies which provide grant assistance.

"(b) REPORT.—Not later than 6 months after the date of the enactment of this section, the Secretary shall transmit to Congress a report on use of the form developed pursuant to subsection (a) by Federal departments and agencies."

SEC. 115. STUDY OF GRANT SELECTION CRITERIA.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is further amended by adding at the end the following:

"SEC. 606. STUDY OF GRANT SELECTION CRITERIA.

"(a) DEVELOPMENT OF METHOD.—The Secretary shall develop recommendations for prioritizing applications and awarding funding for projects under this Act based on the relative needs of eligible areas and the capacity of an applicant to carry out a project, including the ability of the applicant to leverage or attract funding from the private

sector and to coordinate or create partnerships with other eligible recipients.

"(b) CONSIDERATION.—In developing a method under subsection (a), the Secretary shall consider the different objectives of each title of this Act.

"(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall transmit to Congress a report containing recommendations developed under subsection (a)."

SEC. 116. PERFORMANCE EVALUATIONS OF GRANT RECIPIENTS.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is further amended by adding at the end the following:

"SEC. 607. PERFORMANCE EVALUATIONS OF GRANT RECIPIENTS.

"(a) IN GENERAL.—At least once every 2 years, the Secretary shall conduct an evaluation of each university center and economic development district receiving grant assistance under this Act to assess the recipient's performance and contribution toward job creation.

"(b) CRITERIA.—

"(1) ESTABLISHMENT.—The Secretary shall establish criteria for use in conducting evaluations under subsection (a).

"(2) CRITERIA FOR UNIVERSITY CENTERS.—The criteria for evaluation of a university center shall, at a minimum, provide for an assessment of the center's contribution to providing technical assistance, conducting applied research, and disseminating results of the center's activities.

"(3) CRITERIA FOR ECONOMIC DEVELOPMENT DISTRICTS.—The criteria for evaluation of an economic development district shall, at a minimum, provide for an assessment of management standards, financial accountability, and program performance.

"(c) PEER REVIEW.—In conducting an evaluation of a university center under subsection (a), the Secretary shall provide for the participation of at least one other university center on a cost-reimbursement basis."

SEC. 117. STUDY OF GUARANTEED LOAN PROGRAM.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

"SEC. 608. STUDY OF INNOVATIVE ECONOMIC DEVELOPMENT FINANCING TOOLS.

"(a) STUDY.—The Secretary shall conduct a study of innovative economic development financing tools, including a guaranteed loan program and an equity financing program.

"(b) CONDUCT.—In conducting the study under subsection (a), the Secretary shall identify the credit gap which would be addressed by the programs referred to in subsection (a), methods to avoid the mistakes of previous guaranteed loan programs carried out by the Economic Development Administration, and an expected subsidy rate to be implemented under such programs.

"(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with recommendations on whether the programs referred to in subsection (a) should be authorized as part of this Act."

SEC. 118. MISCELLANEOUS.

(a) POWERS OF THE SECRETARY.—Section 701 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211) is amended—

(1) in paragraph (4)—

(A) by striking "loans" the first place it appears and inserting "grants or loans"; and

(B) by striking "loans" the second place it appears and inserting "grants, loans,";

(2) in paragraph (6) by striking "loans" and inserting "grants or loans";

(3) in paragraph (7) by striking "loans" each place it appears and inserting "grants or loans"; and

(4) in paragraph (10)—

(A) by striking "section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a)," and inserting "section 3109 of title 5, United States Code,"; and

(B) by striking "section 5 of such Act (5 U.S.C. 73b-2)" and inserting "section 5703 of title 5, United States Code,".

(b) UNFAIR COMPETITION; SAVINGS PROVISIONS.—Title VII of such Act (42 U.S.C. 3211-3225) is amended by striking sections 702 and 703 and redesignating sections 704 through 714 as sections 702 through 712, respectively.

(c) TRANSFER OF FUNCTIONS.—Section 702 of such Act, as redesignated by subsection (b) of this section, is amended—

(1) in the heading to such section by striking "EFFECTIVE DATE, AND LIMITATIONS ON ASSISTANCE" and inserting "OF AREA REDEVELOPMENT ADMINISTRATION";

(2) by striking "(a) The" and inserting "The"; and

(3) by striking subsections (b) through (e).

(d) USE OF OTHER FACILITIES.—Section 706 of such Act, as redesignated by subsection (b) of this section, is amended by adding at the end the following new subsection:

"(d) FUNDS TRANSFERRED FROM OTHER DEPARTMENTS AND AGENCIES.—In order to carry out the objectives of this Act, the Secretary may accept transfers of funds from other departments and agencies of the Federal Government if the funds are used for the purposes for which (and in accordance with the terms under which) the funds are specifically authorized and appropriated. Such transferred funds shall remain available until expended and may be transferred to and merged with the appropriations under the heading 'salaries and expenses' by the Secretary to the extent necessary to administer the program."

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 707 of such Act, as redesignated by subsection (b) of this section, is amended by striking "\$25,000,000 for the fiscal year ending September 30, 1982" and inserting "\$36,000,000 for the fiscal year ending September 30, 1995".

(g) PENALTIES.—Section 708 of such Act, as redesignated by subsection (b) of this section, is amended—

(1) in subsection (a)—

(A) by striking "himself" and inserting "such person"; and

(B) by striking "shall be punished by" and all that follows before the period and inserting "shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both"; and

(2) in subsection (b)—

(A) by striking "him" both places it appears and inserting "such person"; and

(B) by striking "shall be punished by" and all that follows before the period and inserting "shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both".

(h) RATE OF WAGES.—Section 710 of such Act, as redesignated by subsection (b) of this section, is amended—

(1) in the 1st sentence by striking "the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5)" and inserting "the Act of March 3, 1931, known as the Davis-Bacon Act"; and

(2) in the 3d sentence by striking "Reorganization Plan" and all that follows before the period and inserting "Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934 (Chapter 482; 48 Stat. 948)".

(i) AREA REDEVELOPMENT ACT.—Title VII of such Act (42 U.S.C. 3211-3225) is amended by striking section 715 and redesignating section 716 as section 713.

SEC. 119. ACCEPTANCE OF APPLICANTS' CERTIFICATIONS.

Title VII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211-3226) is further amended by adding at the end the following:

"SEC. 714. ACCEPTANCE OF APPLICANTS' CERTIFICATIONS.

"The Secretary may accept, when deemed appropriate, the applicants' certifications to meet the requirements of this Act."

SEC. 120. SUPERVISION OF REGIONAL COUNSELS.

Title VII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211-3226) is further amended by adding at the end the following:

"SEC. 715. SUPERVISION OF REGIONAL COUNSELS.

"The Secretary shall take such actions as may be necessary to ensure that individuals serving as Regional Councils of the Economic Development Administration report directly to their respective Regional Director."

SEC. 121. ECONOMIC RECOVERY FOR DISASTER AREAS.

Title VIII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231-3236) is repealed.

SEC. 122. SPECIAL ECONOMIC DEVELOPMENT AND ADJUSTMENT ASSISTANCE.

(a) ELIGIBLE RECIPIENT DEFINED.—Section 902 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3242) is amended—

(1) by striking ", or" and inserting "or"; and

(2) by inserting before the period at the end the following: ", or at the discretion of the Secretary a public or private nonprofit organization or association".

(b) GRANT AUTHORITY.—Section 903(a)(1) of such Act (42 U.S.C. 3243(a)(1)) is amended by striking "unemployment compensation (in accordance with subsection (d) of this section), rent supplements, mortgage payment assistance, research, technical assistance," and inserting "administrative expenses, industrial retention,".

(c) GRANTS FOR UNEMPLOYMENT COMPENSATION.—Section 903(a)(2) of such Act (42 U.S.C. 3243(a)(2)) is amended—

(1) by striking "(2)(A) Such grants" and inserting "(2) Such grants"; and

(2) by striking subparagraph (B).

(d) COORDINATION OF ACTIVITIES.—Section 903(c) of such Act (42 U.S.C. 3243(c)) is amended by striking "regional commissions" and inserting "other Federal programs".

(e) TRANSFER OF FUNDS TO SECRETARY OF LABOR.—Section 903 of such Act (42 U.S.C. 3243) is amended by striking subsection (d).

(f) BASE CLOSINGS AND REALIGNMENTS.—Section 903 of such Act (42 U.S.C. 3243) is amended by adding at the end the following new subsection:

"(d) BASE CLOSINGS AND REALIGNMENTS.—

"(1) LOCATION OF PROJECTS.—In any case in which the Secretary determines a need for assistance under subsection (a) due to the closure or realignment of a military installation, the Secretary may make such assistance available for projects to be carried out on the military installation and for projects

to be carried out in communities adversely affected by the closure or realignment.

"(2) INTEREST IN PROPERTY.—Notwithstanding any other provision of law, the Secretary may provide to an eligible recipient any assistance available under this Act for a project to be carried out on a military installation that is closed or scheduled for closure or realignment without requiring that the eligible recipient have title to the property or a leasehold interest in the property for any specified term."

SEC. 123. TREATMENT OF REVOLVING LOAN FUNDS.

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is amended—

(1) by redesignating section 905 as section 909; and

(2) by inserting after section 904 the following:

"SEC. 905. TREATMENT OF REVOLVING LOAN FUNDS.

"(a) IN GENERAL.—Amounts from grants under this title which are used by an eligible recipient to establish a revolving loan fund shall not be treated, except as provided by subsection (b), as amounts derived from Federal funds for the purposes of any Federal law after such amounts are loaned from the fund to a borrower and repaid to the fund.

"(b) EXCEPTIONS.—Amounts described in subsection (a) which are loaned from a revolving loan fund to a borrower and repaid to the fund—

"(1) may only be used for projects which are consistent with the purposes of this title; and

"(2) shall be subject to the financial management, accounting, reporting, and auditing standards which were originally applicable to such amounts.

"(c) REGULATIONS.—Not later than 30 days after the date of the enactment of this section, the Secretary shall issue regulations to carry out subsection (a).

"(d) PUBLIC REVIEW AND COMMENT.—Before issuing any final guidelines or administrative manuals governing the operation of revolving loan funds established using amounts from grants under this title, the Secretary shall provide reasonable opportunity for public review of and comment on such guidelines and administrative manuals."

SEC. 124. OUTREACH TO COMMUNITIES ADVERSELY AFFECTED BY DEFENSE BASE CLOSURES.

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

"SEC. 906. OUTREACH TO COMMUNITIES ADVERSELY AFFECTED BY DEFENSE BASE CLOSURES.

"(a) DESIGNATION OF AGENCY REPRESENTATIVES.—The Assistant Secretary for Economic Development shall designate for each State in which communities are adversely affected by defense base closures an individual to serve as a representative of the Economic Development Administration. Such individual may be the State Economic Development Agency Representative or another qualified individual.

"(b) RESPONSIBILITIES.—Individuals appointed as agency representatives under subsection (a) shall provide outreach and technical assistance to communities adversely affected by defense base closures on obtaining assistance from the Economic Development Administration."

SEC. 125. SALE OF FINANCIAL INSTRUMENTS IN REVOLVING LOAN FUNDS.

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245)

is further amended by adding at the end the following:

"SEC. 907. SALE OF FINANCIAL INSTRUMENTS IN REVOLVING LOAN FUNDS.

"Any loan, loan guarantee, equity, or other financial instrument in the portfolio of a Revolving Loan Fund may be sold, at the discretion of the grantee of the Fund, to a third party provided that the proceeds of the sale—

"(1) shall be deposited in the Fund and only used for projects which are consistent with the purposes of this title, and

"(2) shall be subject to the financial management, accounting, reporting, and auditing standards which were originally applicable to the financial instrument."

SEC. 126. ECONOMIC DEVELOPMENT CHALLENGE GRANTS DEMONSTRATION PROJECT.

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

"SEC. 908. ECONOMIC DEVELOPMENT CHALLENGE GRANTS DEMONSTRATION PROJECT.

"(a) IN GENERAL.—In order to study the feasibility and desirability of using challenge grants to generate new pools of investment capital in areas suffering from long-term economic deterioration, the Secretary shall establish a 2-year demonstration project under which the Secretary shall provide grants to selected recipients, to be matched by the recipients 1 dollar for every 2 Federal dollars, for the purpose of establishing substantially leveraged financing for business development and other innovative economic development efforts.

"(b) FEDERAL AND COMMUNITY CONTRIBUTIONS.—

"(1) IN GENERAL.—The Secretary shall grant 2 dollars for every 1 dollar raised by each selected recipient, up to \$10,000,000 per year per selected recipient.

"(2) USE OF OTHER FEDERAL FUNDS IN CONJUNCTION WITH CHALLENGE GRANT.—Funds from other Federal programs may be used in conjunction or merged with the challenge grant and matching funds to form a larger investment fund.

"(c) ESTABLISHMENT AND USE OF FUNDS.—

"(1) ESTABLISHMENT.—For purposes of this Act, an investment fund established by a selected recipient consists of—

"(A) the economic development challenge grant received by the selected recipient;

"(B) the matching funds required under subsection (b); and

"(C) any such other funds that may be derived from other sources, including other Federal funds.

"(2) USE.—An investment fund shall be used by the selected recipients for the purposes of generating long-term sustainable economic development and job growth in areas identified by the selected recipients, pursuant to the requirements and limitations of eligibility and performance in subsections (d), (e), (f), (g) and (h).

"(d) ELIGIBLE RECIPIENTS.—The Secretary shall make grants to any eligible recipients for use in an area which must meet 1 or more of the following criteria:

"(1) The area has a per capita income of 80 percent or less of the national average.

"(2) The area has an unemployment rate 1 percent above the national average percentage for the more recent 24-month period for which statistics are available.

"(3) The area has been determined by the Secretary to have at least 1 of the following conditions:

"(A) A large concentration of low-income persons (as defined in section 401(e)).

"(B) Areas having substantial outmigration.

"(C) Substantial underemployment or unemployment.

An eligible recipient may include any local government or group of local governments, economic development district, Indian tribe, public or private nonprofit organization or association, community-based organization, business or worker organization, or any consortium of such entities, that is able to demonstrate to the satisfaction of the Secretary that they can carry out the objectives of this program pursuant to the criteria and requirements established in this section.

"(e) SELECTION OF DEMONSTRATION PROJECTS.—

"(1) IN GENERAL.—The Secretary shall make grants to selected recipients from 3 areas suffering from long-term economic distress.

"(2) DISTRIBUTION.—One selected recipient shall be from a rural area which has been subjected to long-term economic distress as a result of a major decline in the region's key industries, 1 from an area that is a combination of rural, small metropolitan, and suburban communities, and 1 from an urban area with excessive unemployment, concentrated poverty, and high crime.

"(3) INDUSTRIAL RETENTION STRATEGY REQUIREMENT.—Of the 3 recipients described in paragraph (2), at least 1 of the projects selected shall include an industrial retention strategy. The selected recipient from a rural area shall not be required to have an industrial retention strategy.

"(f) GRANT SELECTION PROCESS.—

"(1) NATIONAL COMPETITION.—The Secretary shall select recipients of the challenge grants through a nationally competitive process.

"(2) ELIGIBILITY REQUIREMENT.—Each selected recipient must submit a comprehensive strategy for generating sustained, long-term economic growth and for both preserving and creating high-quality jobs.

"(3) PREFERENCE FOR CERTAIN PROJECTS.—The Secretary shall give preference to eligible recipients which—

"(A) utilize the Federal grant plus matching funds to further leverage private and public capital to create an even larger economic development investment fund;

"(B) represent consortia or partnerships comprised of at least 2 or more of the groups identified in subsection (d); or

"(C) intend to use their investment funds to finance or leverage financing for new business development and startups, industrial services, industrial modernization of local-based firms or industrial retention (including employee stock ownership plans and worker or management buyouts), or other economic development strategies that illustrate 'best practices' in economic development.

"(4) BROAD-BASED PARTICIPATION TO BE ENCOURAGED.—The Secretary shall strongly encourage broad-based participation of public and private entities within an area in the development and implementation of the challenge grant proposals submitted by eligible recipients.

"(g) LIMITATIONS.—The investment funds established by the selected recipients shall—

"(1) not be used to permit units of State and local government to offer tax inducements to attract businesses to locate in the area; and

"(2) be subject to the same conditions described in section 202(b)(1).

No area may receive an economic development challenge grant if it has been des-

ignated an empowerment or enterprise community under section 13301 of the Omnibus Budget Reconciliation Act of 1993.

"(h) PERFORMANCE EVALUATIONS; REPORT TO CONGRESS.—

"(1) EVALUATION OF EFFECTIVENESS.—The Secretary shall conduct performance evaluations of the demonstration challenge grant project to assess the effectiveness of this kind of program in generating sustained economic growth and job creation in areas of the Nation experiencing long-term economic distress.

"(2) REPORT.—Based on the evaluations conducted pursuant to paragraph (1), the Secretary shall submit an annual report to Congress with recommendations for expansion, modification or termination of the program.

"(i) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated under section 909, there are authorized to be appropriated \$25,000,000 per fiscal year for fiscal years 1995 and 1996 to carry out this section. Such sums shall remain available until expended."

SEC. 127. AUTHORIZATION OF APPROPRIATIONS.
Section 909 of the Public Works and Economic Development Act of 1965, as redesignated by section 122 of this Act, is amended to read as follows:

"SEC. 909. AUTHORIZATION OF APPROPRIATIONS.
"(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$115,542,000 for fiscal year 1994 and \$81,000,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended.

"(b) SET-ASIDE FOR DEFENSE CONVERSION ACTIVITIES.—Of amounts appropriated pursuant to subsection (a) for fiscal year 1994, not less than \$80,000,000 shall be available for purposes of assisting eligible recipients in activities related to defense conversion.

"(c) ADDITIONAL AMOUNTS.—In addition to the appropriations authorized by subsection (a), there are authorized to be appropriated to carry out this title such sums as may be necessary to provide assistance for defense conversion activities and to provide assistance in the case of a natural disaster. Such sums shall remain available until expended."

SEC. 128. REFERENCES TO THE SECRETARY.
(a) REFERENCES TO "HE".—The Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by striking "he" and inserting "the Secretary" in each of the following:

- (1) Section 101(a)(1).
- (2) The 4th sentence of section 101(c).
- (3) Section 201(a).
- (4) Section 202(b)(5).
- (5) Section 202(b)(9)(B).
- (6) The 1st sentence of section 301(b).
- (7) Section 602(b), as redesignated by section 112(b) of this Act.
- (8) Section 701(2).
- (9) Section 701(4).
- (10) Section 701(12).
- (11) Section 706, as redesignated by section 117(b) of this Act.

(b) REFERENCES TO "HIS".—Such Act is further amended by striking "his" and inserting "the Secretary's" in each of the following:

- (1) The 3d and 4th sentences of section 301(a).
- (2) Section 701(4).
- (3) Section 705, as redesignated by section 117(b) of this Act.
- (4) Section 903(c).

(c) REFERENCES TO "HIM".—Such Act is further amended striking "him" and inserting "the Secretary" in each of the following:

- (1) Section 602(b), as redesignated by section 112(b) of this Act.
- (2) Section 701(4) each place it appears.
- (3) Section 701(6).
- (4) Section 701(7) both places it appears.
- (5) Section 701(9) both places it appears.
- (d) OTHER REFERENCES.—Such Act is further amended—

(1) in section 701 in the matter preceding paragraph (1) by striking "his duties" and inserting "the duties of the Secretary";

(2) in section 701(4) by striking "he shall determine" and inserting "the Secretary determines";

(3) in section 701(6) by striking "he shall determine" and inserting "the Secretary shall determine"; and

(4) in section 701(11) by striking "his property" and all that follows before the semicolon and inserting "the Secretary's property".

SEC. 129. COMPLIANCE WITH BUY AMERICAN ACT.

None of the funds made available under this title, or any amendment made by this title, may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the "Buy American Act"), which are applicable to those funds.

TITLE II—APPALACHIAN REGIONAL DEVELOPMENT

SEC. 201. FINDINGS AND PURPOSES.

Section 2 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 2) is amended—

(1) in subsection (a) by striking the period at the end of the 6th sentence and inserting "and in severely distressed and underdeveloped counties and areas lacking resources for basic services."; and

(2) by adding at the end the following new subsection:

"(c) The Congress further finds and declares that, while substantial progress has been made in fulfilling many of the objectives of this Act, rapidly changing national and global economics over the past decade have created new problems and challenges for rural areas throughout the Nation and especially for the Appalachian region. Thus, the problems of the region are not only to provide the infrastructure necessary to economic and human resource development, to develop its industry, and to generate a diversified regional economy, but to make the region's industrial and commercial resources more competitive in national and world markets. It is, therefore, also the purpose of this Act to provide a framework for coordinating Federal, State, and local initiatives to respond to the economic competitive challenge through improving the skills of the region's manpower, adapting and applying new technologies for the region's businesses, and improving the access of the region's businesses to the technical and financial resources necessary to their development while continuing to address the need to provide basic services for the more disadvantaged areas of the region so as to provide a fairer opportunity for the people of the region to share the quality of life generally enjoyed by citizens across this Nation."

SEC. 202. MEETINGS.

Section 101 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 101) is amended—

(1) in subsection (a) by adding at the end the following:

"The Commission shall conduct at least one meeting each year with the presence of the Federal Cochairman and at least a majority

of the State members. The Commission may conduct such additional meetings by electronic means as the Commission considers advisable";

(2) at the end of the third sentence of subsection (b) by striking "present"; and

(3) at the end of the fourth sentence of subsection (c) by striking "to be present".

SEC. 203. AUTHORIZATIONS FOR ADMINISTRATIVE EXPENSES.

Section 105(b) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 105(b)) is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—
"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$3,400,000 for fiscal year 1994 and \$3,600,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended.

"(2) EXPENSES OF FEDERAL COCHAIRMAN.—Of amounts appropriated pursuant to paragraph (1), not to exceed \$1,102,000 for fiscal year 1994 and not to exceed \$1,500,000 per fiscal year for each of fiscal years 1995 and 1996 shall be available for expenses of the Federal Cochairman, the Federal Cochairman's alternate, and the Federal Cochairman's staff."

SEC. 204. EXTENSION OF LEASE TERMS.

Section 106(7) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 106(7)) is amended by striking "1982" and inserting "1996".

SEC. 205. HIGHWAY SYSTEM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 201(g) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 201(g)) is amended to read as follows:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$160,000,000 for fiscal year 1994, \$125,000,000 per fiscal year for each of fiscal years 1995 and 1996, and such additional sums as may be necessary for each of fiscal years 1995 and 1996. Such sums shall remain available until expended."

(b) FEDERAL SHARE.—

(1) GENERAL RULE.—Section 201(h)(1) of such Act (40 U.S.C. App. 201(h)(1)) is amended by striking "70 per centum" and inserting "80 per centum".

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply to projects approved after March 31, 1979.

SEC. 206. SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS.

(a) AVAILABILITY OF AMOUNTS.—The first sentence of section 214(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 214(a)) is amended by striking "the President is authorized to provide funds to the Federal Cochairman to be used" and inserting "the Federal Cochairman may use amounts made available under this section".

(b) FEDERAL GRANT-IN-AID PROGRAMS DEFINED.—The first sentence of section 214(c) of such Act (40 U.S.C. App. 214(c)) is amended by striking "on or before December 31, 1980."

(c) LIMITATION ON COVERED ROAD PROJECTS.—The second sentence of section 214(c) of such Act is amended by inserting "authorized by title 23, United States Code" after "road construction".

SEC. 207. PROGRAM DEVELOPMENT CRITERIA.

(a) CONSIDERATIONS.—Section 224(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 224(a)) is amended by inserting before the semicolon at the end of paragraph (1) the following: "or in a severely distressed and underdeveloped county or area lacking resources for basic services".

(b) REMOVAL OF LIMITATIONS.—Section 224(b) of such Act (40 U.S.C. App. 224(b)) is amended to read as follows:

"(b) LIMITATION.—No financial assistance shall be authorized under this Act to be used to assist establishments relocating from one area to another."

SEC. 208. GRANTS FOR ADMINISTRATIVE EXPENSES AND DEMONSTRATION PROJECTS.

(a) AVAILABILITY OF AMOUNTS.—Section 302(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 302(a)) is amended—

(1) by striking "The President" and inserting "The Commission"; and

(2) in paragraphs (1), (2), and (3) by striking "to the Commission" each place it appears.

(b) RESEARCH AND DEMONSTRATION PROJECTS.—Section 302(a)(3) of such Act (40 U.S.C. App. 302(a)(3)) is amended—

(1) by inserting after "technical assistance" the following: "(including technical assistance for business development and stabilization and application of technologies (including telecommunication technologies) and productivity improvement)";

(2) by inserting after "training programs" the following: "(including on-site employee training and programs to upgrade employability of the region's people)"; and

(3) by inserting after "demonstrations" the following: "(including demonstrations of service consolidations and other methods of increasing efficiency of local governments, the establishment and operation by States, public agencies, or nonprofit development organizations of revolving funds for business assistance loans, the establishment and operation of business incubators and the provision of industrial facilities and equipment by public agencies and nonprofit organizations on such terms (including terms of reasonable recovery of grant funds upon resale) as are approved by the Commission, and the acquisition and development of land)".

(c) SOLID WASTE DISPOSAL DEMONSTRATION PROJECTS.—Section 302(b) of such Act (40 U.S.C. App. 302(b)) is amended by adding at the end the following new paragraph:

"(5) The Commission shall carry out projects at not less than 2 sites in the Appalachian region for the purpose of demonstrating solid waste disposal techniques in rural areas."

(d) REPEAL OF PROVISION ON USE OF INFORMATION FROM RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 302(e) of such Act (40 U.S.C. 302(e)) is repealed.

SEC. 209. AUTHORIZATION OF APPROPRIATIONS FOR GENERAL PROGRAM.

Section 401 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 401) is amended to read as follows:

"SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

"In addition to the appropriations authorized in section 105 for administrative expenses and in section 201(g) for the Appalachian development highway system and local access roads, there is authorized to be appropriated to the Commission to carry out this Act \$85,600,000 per fiscal year for each of fiscal years 1994, 1995, and 1996. Such sums shall remain available until expended."

SEC. 210. DEFINITION OF APPALACHIAN REGION.

Section 403 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 403) is amended—

(1) in the 1st undesignated paragraph (relating to Alabama) by inserting "Hale," after "Franklin,"; and

(2) in the 12th undesignated paragraph (relating to Virginia)—

(A) by inserting "Montgomery," after "Lee,"; and

(B) by inserting "Roanoke, Rockbridge," after "Pulaski,".

SEC. 211. EXTENSION OF TERMINATION DATE.

Section 405 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 405) is amended by striking "1982" and inserting "1996".

SEC. 212. REGIONAL DEVELOPMENT TASK FORCE.

(a) ESTABLISHMENT.—There is established a Regional Development Task Force (hereinafter in this section referred to as the "Task Force").

(b) DUTIES.—It shall be the duty of the Task Force to conduct a study on—

(1) the extent to which the unique characteristics of the Appalachian Regional Commission (including the Commission's Federal-State partnership, program flexibility, and regional approach) have contributed to the achievement of the Commission's goals; and

(2) whether or not such characteristics may be used to address needs which may exist in other rural areas suffering from economic distress, including the Lower Mississippi delta, Mexican border, and Ozark areas.

(c) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Task Force shall be composed of 9 voting members appointed, not later than 90 days after the date of the enactment of this Act, as follows:

(A) Three members appointed by the President.

(B) Three members appointed by the President pro tempore of the Senate.

(C) Three members appointed by the Speaker of the House of Representatives.

(2) EX OFFICIO MEMBERS.—The Federal and State Cochairmen of the Appalachian Regional Commission shall serve as ex officio, nonvoting members of the Task Force.

(d) FACILITIES, SUPPLIES, AND PERSONNEL.—Upon the request of the Task Force, the Appalachian Regional Commission shall provide to the Task Force any facilities, supplies, and personnel necessary for the Task Force to carry out its responsibilities under this Act; except that the total cost of such facilities, supplies, and personnel shall not exceed \$500,000.

(e) USE OF OTHER STUDIES.—In conducting the study under subsection (b), the Commission shall incorporate the results of other studies on the needs of rural areas described in subsection (b) and shall not duplicate such studies.

(f) REPORT.—Not later than 9 months after the date of the first meeting of the Task Force, the Task Force shall transmit to Congress a report on the results of the study conducted under subsection (b).

(g) TERMINATION.—The Task Force shall terminate on the date of transmittal of the report under subsection (f).

SEC. 213. COMPLIANCE WITH BUY AMERICAN ACT.

None of the funds made available under this title, or any amendment made by this title, may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act"), which are applicable to those funds.

The CHAIRMAN. Before consideration of any other amendment, it is in order to consider the amendment printed in part 2 of the report.

For what purpose does the gentleman from Pennsylvania [Mr. KANJORSKI] rise?

AMENDMENT OFFERED BY MR. KANJORSKI

Mr. KANJORSKI. Mr. Chairman, I rise to offer the amendment printed in part 2 of the report of the Committee on Rules.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KANJORSKI: At the end of the bill add the following new title:

TITLE III—BUSINESS DEVELOPMENT ASSISTANCE

SEC. 301. SHORT TITLE.

This title may be cited as the "Economic Growth and Technology Commercialization Act of 1994".

SEC. 302. FINDINGS, PURPOSES, AND DEFINITIONS.

(a) FINDINGS.—The Congress hereby finds the following:

(1) Through its support and funding of research and development in this Nation's Federal agencies, laboratories, and educational institutions, the Federal Government has fostered the creation of thousands of technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(2) If commercialized, these technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government hold the potential to be a significant tool to foster economic growth and to create significant numbers of new jobs at good wages for American workers.

(3) Throughout the Federal Government, there is no single inventory or source of information on technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(4) Information on technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government is not standardized in form or content, is separately maintained by numerous Federal agencies and departments, and is not easily accessible by the public.

(5) Businesses and entrepreneurs in areas in need of economic growth and revitalization are largely unaware of the existence of these technologies, processes, and other proprietary rights and largely unaware of the possibilities for obtaining the rights to these technologies, processes, and other proprietary rights for the purpose of commercialization.

(6) It is in the economic interest of the United States to facilitate the private sector commercialization of technologies, processes, and other proprietary rights by United States businesses located in areas in need of economic growth and revitalization.

(7) Greater effectiveness may be achieved through the utilization of the private sector corporate structure and profit incentives in facilitating the commercialization of technologies, processes, and other proprietary rights than can reasonably be expected by the Federal Government performing this function.

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

(1) To provide assistance to private-sector United States businesses, located in areas in need of economic stabilization and revitalization, to commercialize technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(2) To create new employment opportunities by facilitating the commercialization of technologies, processes, and other proprietary rights by United States businesses and entrepreneurs in areas in need of economic growth and revitalization.

(3) To develop a single, comprehensive data base of information on technologies, proc-

esses, and other proprietary rights owned, or held in whole or part, by the Federal Government, which is standardized and easily accessible.

(4) To heighten the awareness of United States businesses and entrepreneurs of the availability for commercialization of technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(c) DEFINITIONS.—For purposes of this title, the following definitions shall apply:

(1) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(2) CORPORATION.—The term "Corporation" means the Business Development and Technology Commercialization Corporation established under this title.

(3) BOARD.—The term "Board" means the Board of Directors of the Business Development and Technology Commercialization Corporation.

(4) QUALIFIED CONCERN.—The term "qualified concern" means a United States-based consortium, a private United States business, or an educational institution participating in a joint project with 1 or more private United States businesses, for the development and commercialization of technologies, processes, and other proprietary rights—

(A) owned or held in whole or part by Federal departments, agencies, or government-controlled corporations;

(B) developed in Federal laboratories;

(C) arising in the course of federally funded research at educational institutions, other units of government, or with private concerns; or

(D) which are made available to the Federal Government by private concerns.

SEC. 303. CONSOLIDATION OF INFORMATION ON TECHNOLOGIES.

(a) ESTABLISHMENT OF DATA.—The Secretary shall establish and maintain an integrated, comprehensive data base describing all technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government, or which originated in the course of federally funded research in which the Federal Government has an interest.

(b) STANDARDIZATION AND ACCESSIBILITY OF INFORMATION.—The Secretary shall take such steps as are necessary to ensure that the information contained in the data base established under subsection (a) is in a standardized form, is accessible and usable in a manner as simple and easy to use as possible, recognizing the needs of small and medium-sized businesses.

(c) RESPONSIBILITIES.—In carrying out this section, the Secretary shall—

(1) consult with and, to the extent practicable, utilize the capabilities of other executive agencies, as appropriate, to ensure the efficient and effective implementation of this section; and

(2) explore, with other executive agencies, ways to avoid duplication of effort by consolidating the administration of the program established by this section with any other similar Federal program, and as part of such consolidation may delegate administrative functions, as necessary and appropriate, to another executive agency.

(d) OTHER FEDERAL AGENCIES.—Other executive agencies shall provide such information, and in such form, as determined by the Secretary and shall cooperate with the Secretary in carrying out this section.

(e) ACCESS TO THE DATA BASE.—

(1) ACCESS TO THE DATA BASE BY THE CORPORATION.—Except as provided in paragraph

(3), the Secretary shall provide unlimited access to the data base established under this section to the Business Development and Technology Commercialization Corporation established under this part, without fee, to assist the Corporation in meeting its responsibilities under this part.

(2) ACCESS TO THE DATA BASE BY THE PUBLIC.—Except as provided in paragraph (3), the Secretary shall, by regulation, develop and implement procedures providing for access to the data base established under this section to members of the general public.

(3) RESTRICTIONS.—If, in consultation with the heads of other executive agencies, the Secretary determines that access by the Corporation or any other person to information contained in the data base established under this section would—

(A) threaten national security;

(B) violate the proprietary rights of any private interest; or

(C) be otherwise inappropriate,

the Secretary shall take such steps as the Secretary may determine to be appropriate to limit access to the information in the data base described in subparagraph (A), (B), or (C) to the Corporation or any other person.

(f) GAO REVIEW OF CURRENT FEDERAL TECHNOLOGY UTILIZATION AND COMMERCIALIZATION EFFORTS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of all technology utilization and commercialization activities within all Federal departments, agencies, and laboratories, or which are otherwise supported by Federal funds. This review shall identify those activities which may overlap or duplicate the technology utilization and commercialization activities provided for under this title.

(2) REPORTS.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress describing in detail—

(A) the findings of the review directed under paragraph (1),

(B) the funding levels of each existing Federal technology utilization and commercialization activities, and

(C) recommendations for the modification or elimination of any existing Federal technology utilization and commercialization activities which the Comptroller General finds to be duplicative of the activities provided for under this title.

SEC. 304. BUSINESS DEVELOPMENT AND TECHNOLOGY COMMERCIALIZATION CORPORATION.

(a) ASSESSMENT OF TECHNOLOGY UTILIZATION AND COMMERCIALIZATION PROGRAMS OF THE FEDERAL GOVERNMENT.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy in the Executive Office of the President shall—

(A) assess the performance of technology utilization and commercialization programs of the Federal Government as of the date of the enactment of this Act;

(B) evaluate the advantages and disadvantages of a centralized as opposed to a decentralized approach to technology utilization and commercialization; and

(C) develop recommendations on ways to improve the technology utilization and commercialization efforts of the Federal Government.

(2) REPORT.—The Director of the Office of Science and Technology Policy shall submit a report containing the findings, conclusions, and recommendations of the Director pursuant to paragraph (1) to the President,

the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(3) CONSULTATION.—In carrying out the duties of the Director under paragraph (1), the Director shall consult with interested agencies and department of the Federal Government.

(b) IMPROVED INTEGRATION OF TECHNOLOGY COMMERCIALIZATION PROGRAMS AND FEDERAL PROGRAMS TO ASSIST ECONOMICALLY DISTRESSED COMMUNITIES.—

(1) IN GENERAL.—The Secretary shall identify ways to promote more effective integration of Federal policies and programs relating to technology utilization and commercialization with Federal policies and programs for assisting economically distressed communities establish stable and diversified local economies.

(2) REPORT.—The Secretary shall submit a report containing any findings, conclusions, and recommendations of the Secretary pursuant to paragraph (1) to the President, the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(c) ESTABLISHMENT OF CORPORATION.—

(1) IN GENERAL.—Not later than the earlier of—

(A) the end of the 12-month period beginning on the date of the enactment of this Act; or

(B) the end of the 30-day period beginning on the date the report of the Director of the Office of Science and Technology Policy is submitted to the President pursuant to subsection (a)(2),

the President shall provide for the establishment of a corporation to be known as the "Business Development and Technology Commercialization Corporation" (hereafter in this title referred to as the "Corporation"), unless the President, after consideration of such report, makes a finding that the establishment of the Corporation would impair the operation of the Federal policies and programs relating to technology utilization and commercialization.

(2) REPORT TO CONGRESS.—If the President makes a finding described in paragraph (1) with respect to the establishment of the Corporation, the President shall transmit a report describing the basis for the finding to the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(3) PURPOSE.—The Corporation shall be operated for the purpose of fostering economic growth, assisting in the creation of new employment opportunities, and strengthening the industrial base of the United States by facilitating the utilization and commercialization of technologies, processes, and other proprietary rights—

(A) owned or held in whole or part by Federal departments, agencies, or government-controlled corporations;

(B) developed in Federal laboratories;

(C) arising in the course of federally funded research at educational institutions, other units of government, or with private concerns; and

(D) which are made available by private concerns.

(4) CORPORATION NOT AN ESTABLISHMENT OF THE UNITED STATES.—The Corporation shall not be an agency or establishment of the United States.

(d) PROCESS OF ORGANIZATION.—

(1) INCORPORATION.—

(A) IN GENERAL.—The Secretary, the Secretary of Labor, and the Administrator of the Small Business Administration shall—

(i) provide for the establishment of the Corporation under the business corporation laws of such State as the President determines to be appropriate; and

(ii) serve as the incorporators of the Corporation and as the initial members of the board of directors of the Corporation until their successors are elected and qualified.

(B) NECESSARY ACTION AUTHORIZED.—The incorporators referred to in subparagraph (A) shall take such other actions as may be necessary to establish the Corporation.

(C) REVIEW OF PROPOSED ORGANIZATION OF CORPORATION.—The President shall request the National Academy of Public Administration to—

(i) review the proposed organization of the Corporation to ensure that the organization plan conforms with sound principles of administration; and

(ii) submit a report to the President in a timely manner with the Academy's such findings, conclusions, and recommendations the Academy may determine to be appropriate.

(2) PRIVATIZATION OF THE CORPORATION.—

(A) IN GENERAL.—Following the establishment of the Corporation, the Corporation shall be converted to private ownership and management in such form and manner as the President determines to be appropriate, after consulting with the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(B) SOLICITATION OF PROPOSALS FOR CONVERSION.—The President shall solicit proposals for the conversion of the Corporation to private ownership and management.

(3) SELECTION CRITERIA AND PROCEDURES.—

(A) IN GENERAL.—The President, in consultation with the Secretary, shall make the final selection of a proposal for the conversion of the Corporation to private ownership and management.

(B) CRITERIA FOR SELECTING A PROPOSAL TO RECOMMEND TO THE PRESIDENT.—In selecting a proposal to recommend to the President for the conversion of the Corporation, as described in subparagraph (A), the Secretary shall take into consideration the following factors—

(i) the quality of the operational plan;

(ii) the soundness of the financing of the organization and of the operational plan;

(iii) the qualifications of, and the diversity of talents and skills represented by, the submitters of the proposal, including the extent to which a combination of organizations is submitting a joint proposal;

(iv) whether a State government, or unit of a State government, is participating financially with the organization submitting a proposal;

(v) the intentions of the submitters of the proposal to locate the headquarters of the Corporation in an area which is not located in the 50 largest Metropolitan Statistical Areas, based on the 1990 Census; and

(vi) such other factors as the incorporators determine to be appropriate in meeting the purposes of this title.

(C) PROCEDURES FOR SELECTING A PROPOSAL TO RECOMMEND TO THE PRESIDENT.—In select-

ing a proposal to recommend to the President for the conversion of the Corporation, as described in subparagraph (A), the Secretary shall ensure that in the selection process—

(i) not less than 3 proposals are identified as proposals to receive further consideration, as provided in clauses (ii) and (iii), except that, if fewer than 3 proposals are received, each of them shall receive further consideration;

(ii) a review procedure is implemented under which the sponsors of the proposals identified in clause (i) are provided an opportunity to make personal presentations of their proposals to the Secretary or the Secretary's designee; and

(iii) individual negotiations for the revision of proposals identified in clause (i) may be entered into.

(4) WARRANTS FOR PARTICIPATION IN GAINS.—The President may, in connection with any contract or agreement for converting the Corporation to private ownership and contingent on the financial success of the Corporation, retain the right to participate in the financial gains of the Corporation in such amounts as the President may determine to be appropriate, after consulting with the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(e) PROHIBITION ON CONFLICTS OF INTEREST.—

(1) IN GENERAL.—An officer or employee of the Corporation may not participate in a matter regarding an application, claim, or other matter pending before the Corporation if, to such person's knowledge, the person, the person's spouse, minor child, parent, sibling, or partner, or an organization, other than the Corporation, in which the person is serving as an officer, director, trustee, partner, or employee, or any person with whom the person is negotiating or has any arrangement concerning perspective employment, has a financial interest in the matter.

(2) CONSEQUENCE OF VIOLATION.—An officer or employee who violates this subsection shall be subject to termination, but such a violation shall not impair, nullify, or otherwise affect the validity of any otherwise lawful action by the Corporation in which such officer or employee participated.

(f) GENERAL POWERS.—In addition to the usual powers conferred upon a corporation under the business corporation laws of the State in which the Corporation is incorporated, the Corporation shall have such other incidental powers not inconsistent with this section that are necessary or appropriate to carry out the purposes and functions of the Corporation.

(g) PROMOTION OF TECHNOLOGIES.—

(1) MARKETING OF TECHNOLOGIES.—The Corporation shall undertake an aggressive, multifaceted outreach program to increase awareness of the availability of technologies, processes, and other proprietary rights to qualified concerns under this title. This program shall emphasize the use of new information technologies, including the utilization of cable television and the modern electronic media, and the data base established under this title.

(2) UTILIZATION OF CABLE TELEVISION.—

(A) IN GENERAL.—In implementing the outreach program provided under paragraph (1), the Corporation shall enter into negotiations for the utilization of cable television for marketing efforts for the commercialization

of technologies, processes, and other proprietary rights—

(i) owned or held in whole or part by Federal departments, agencies, or government controlled corporations,

(ii) developed in Federal laboratories, (iii) arising in the course of federally funded research at educational institutions, other units of government or with private concerns; and

(iv) which are otherwise made available to the government by private concerns.

(B) PROMOTIONAL FEES.—Under terms negotiated between the Secretary and the Corporation, the Secretary is authorized to make payments to the Corporation for promotional fees for the production of segments for broadcast over cable television, or other appropriate media, which identify—

(i) the technologies described in paragraph (A);

(ii) their potential commercial applications; and

(iii) methods available for obtaining additional information on the technologies.

(3) TECHNICAL ASSISTANCE.—The Corporation shall, upon request, provide technical assistance and services, as appropriate and needed, to qualified concerns under this title.

(4) OUTREACH TO SPECIFIC AREAS AND SMALL BUSINESSES.—The Corporation shall seek to ensure that qualified concerns and small businesses located in areas determined by the Secretary to have a depressed economy or chronically high unemployment are notified of the availability of assistance through the program established under this section and, to the extent practicable, to encourage and facilitate the participation of such qualified concerns and small businesses in such program.

(h) AUTHORITY TO REPRESENT THE GOVERNMENT.—

(1) IN GENERAL.—In accordance with regulations prescribed by the Secretary, the Corporation shall act as an agent, and represent the interests, of the Federal Government in facilitating the utilization of technologies, processes, and other proprietary rights by qualified concerns under this title.

(2) RIGHTS OF QUALIFIED CONCERNS.—In accordance with regulations promulgated by the Secretary, the Corporation may convey, to qualified concerns, under terms and conditions to be negotiated between the Corporations and qualified concerns, such rights which may be necessary and appropriate to facilitate the utilization and commercialization of technologies, processes, and other proprietary rights as provided under this title.

(3) MINIMUM RIGHTS OF THE FEDERAL GOVERNMENT.—In the conveyance of rights to qualified concerns as provided for under paragraph (2), the Corporation shall ensure the following:

(A) The conveyance agreement contains language providing for the right of the Corporation to revoke the rights provided under paragraph (2) if—

(i) the qualified concern does not demonstrate that it is undertaking a good faith effort to achieve the utilization and commercialization of the technology, process, or other proprietary right; or

(ii) the Secretary certifies that the interests of national security or the general welfare of the American people necessitates the revocation of such rights.

(B) The Federal Government retains a license to such technologies, processes, and other proprietary rights for the Government's own use.

(C) The Federal Government receives in compensation for the conveyance of such rights—

- (i) royalties;
- (ii) the right to share in the earnings of the qualified entity proportionate to the value of the rights so conveyed; or
- (iii) a sum of money or other compensation that the Corporation determines to be appropriate.

(4) AGENT'S FEES.—Under such terms as the Secretary and the Corporation may negotiate, after consulting with the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, the Corporation may retain a percentage of any royalties or other compensation accruing to the Federal Government in connection with any licensing agreement entered into by the Corporation on behalf of the Federal Government.

(1) CONSULTATION WITH FEDERAL AGENCIES, AND WITH PRIVATE PARTIES.—

(1) CONSULTATION WITH FEDERAL AGENCIES.—In carrying out this title, the Board and the Corporation shall consult frequently with the Secretary, and such Federal agencies and departments as is appropriate, to ensure coordination and the maximum utilization of all related Federal resources to promote technology utilization and commercialization.

(2) CONSULTATION WITH PRIVATE PARTIES.—In carrying out this title, the Board and the Corporation shall solicit comments from private parties, including representatives of finance, industry, and organized labor on the role of the Corporation and the needs of private parties.

(j) AUDIT BY COMPTROLLER GENERAL.—The Comptroller General of the United States may audit the financial transactions of the Corporation. For the purposes of carrying out such an audit, the Comptroller General shall have access to all books, records, and property belonging to, or in the possession of, the Corporation. In the case of a person or entity which has entered into a financial relationship with the Corporation, the Comptroller General shall have access only to those books, records, and property belonging to, or in the possession of, the person or entity which pertain to the Corporation and which are necessary to carry out the audit. The Comptroller General shall make a report of each such audit to the Congress and the President.

(k) INFORMATION AND OTHER ASSISTANCE FROM FEDERAL AGENCIES.—Upon the request of the Corporation, the head of a Federal department or agency is authorized to—

(1) furnish to the Corporation such information which is available to the agency as the Board deems necessary for carrying out its functions; and

(2) detail for temporary duty, on a reimbursable basis, such personnel as the Corporation determines to be necessary to carry out its functions.

(1) MISCELLANEOUS PROVISIONS.—

(1) JURISDICTION.—

(A) IN GENERAL.—Whenever the Corporation is a party to any civil action under this title, such action shall be deemed to arise under the laws of the United States. No attachment or execution may be issued against the Corporation, or any property thereof, prior to entry of final judgment.

(B) CITIZENSHIP OF CORPORATION.—The Corporation shall be deemed to be a citizen of the District of Columbia for the purpose of

determining the original jurisdiction of the district courts of the United States in civil actions to which the Corporation is a party.

(2) BUSINESS ACTIVITY AND QUALIFICATION.—The Corporation shall be deemed to be qualified to do business in each State in which it performs any activity authorized under this title.

(m) UTILIZATION OF CORPORATION.—It is the sense of the Congress that all Federal departments, agencies, institutions of higher education, and laboratories, and all institutions of higher education and laboratories which are otherwise supported by Federal funds, should use the services of the Corporation to the maximum extent possible.

SEC. 305. ASSISTANCE TO BUSINESSES IN SECURING FINANCING.

(a) INFORMATION CLEARINGHOUSE.—The Corporation established under this title shall act as a one-stop clearinghouse for information to assist qualified concerns identify sources of business development and technology commercialization financing available through the Federal Government as well as through applicable State and local government programs and through private sources.

(b) AGENT OF THE FEDERAL GOVERNMENT.—The Corporation may act as an agent of the Federal Government for purposes of accepting applications for financial assistance and their submission to the appropriate Federal agency on behalf of a qualified concern.

(c) TECHNICAL ASSISTANCE FOR LENDERS AND BORROWERS.—The Corporation shall, upon request, provide technical assistance and services, as appropriate and needed, to lenders and borrowers under this title, and shall ensure that such lenders and borrowers have ready access to appropriate assistance in order to aid such lenders and borrowers in achieving the purposes of this title.

SEC. 306. SAVINGS PROVISION.

It is the intent of the Congress that this title shall be construed as complementing any other provision of Federal law relating to the licensing, utilization, or commercialization of the use of technology and shall not be construed as superseding any such provision, except as otherwise provided in this title.

SEC. 307. RULE OF CONSTRUCTION.

Nothing in this Act or this title shall be construed by the President, the Secretary of Commerce, the Corporation, any Federal agency or department, or any court to affect, alter, amend, modify, or change, or apply to, any program or activity (or any technology developed, derived, or provided through or under such program or activity by any means of any kind) of the Department of Energy, the Department of Transportation, the Department of Health and Human Services, or the Environmental Protection Agency or any office, bureau, commission, laboratory or facility of such agencies or departments.

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

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

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KANJORSKI] is recognized for 5 minutes in support of his amendment.

Mr. KANJORSKI. Mr. Chairman, the Kanjorski-Ridge amendment embodies a revised version of this language

adopted by the Banking Committee to utilize the fruits of this Nation's research as an engine for creating significant numbers of new jobs in private sector businesses.

This is accomplished by enhancing the ability of United States small- and medium-sized businesses to obtain information and licenses on technologies and process developed through Federal R&D. By making it easier for small- and medium-sized businesses to commercialize these technologies, tens of thousands of new jobs will be created which offer good wages and real opportunities for advancement to working men and women across this country. In the final analysis, I believe that this is what economic development is all about.

I am pleased to inform the Members that the language of the amendment I will offer was developed in collaboration with both the Committee on Science, Space, and Technology and the Committee on Energy and Commerce. Neither committee is opposing the amendment in the form in which it will be offered. Similarly, it is my understanding that Public Works Committee Chairman MINETA, and subcommittee Chairman WISE, both intend to vote for the amendment.

Mr. Chairman, despite the enormous potential for job creation under the amendment, the amendment has been the focus of some misunderstanding. In our revisions, developed with the assistance of the Science Committee and the Energy and Commerce Committee, we have corrected some of the causes of these misunderstandings. Nevertheless, I would like to take a minute, to outline what the amendment does, and just as importantly, what it does not do.

The amendment does not change current law; it supplements current law. Today, Federal agencies and labs are charged with the responsibility of attempting to transfer technologies they develop to private sector commercial application. Increasingly, some Federal laboratories are entering into cooperative research and development agreement [CRADA's] as part of their efforts to achieve technology transfer. These efforts are not changed under the amendment.

Today, universities which develop technologies and patentable inventions, during the course of federally-funded research, have the right to file patents, issue licenses, and receive royalties from the private sector commercialization of the technologies and patents. This does not change under the amendment.

Today, through the activities of Federal agencies, labs, and universities, initial efforts at technology transfer are decentralized and diffuse. This does not change under the amendment.

Under the amendment, all rights and responsibilities of Federal agencies,

labs, and universities are protected and preserved.

What the amendment does provide for is, first, the creation, by the Secretary of Commerce, of a comprehensive, integrated data base of all technologies, processes, and other proprietary rights to which the Federal Government has an interest. Currently, there is a great deal of effort underway to improve and expand data bases within the Department of Commerce. The language of the amendment will support and assist the Secretary in moving forward with these efforts.

Second, the amendment provides for several studies on the effectiveness of the Federal Government's overall technology transfer efforts and methods to enhance those efforts. If, after the completion of those studies, the President determines that it would not impair the operation of Federal policies and programs relating to technology utilization and commercialization, the President will establish a Business Development and Technology Commercialization Corporation. Following its creation, the President will provide for its conversion to private ownership.

The Corporation will be charged with undertaking an aggressive, multifaceted marketing effort to increase awareness by United States small- and medium-sized businesses of the availability of licenses to commercialize federally-held technologies. Working in conjunction Federal agencies, laboratories, and universities, the Corporation may also assist in the actual licensing of these technologies to U.S. businesses. In our view, the services of the Corporation represent an important opportunity to assist Federal agencies, laboratories, and universities in carrying out their technology transfer responsibilities. Under the language of the amendment, however, Federal agencies, laboratories, and universities are not required to utilize the services of the Corporation.

Third, the amendment authorizes the Corporation to serve as a clearinghouse of information for U.S. businesses on financing assistance which may be available through other Federal programs, through State or local governments, or through the private sector.

The driving principle throughout the amendment is the need to make it easier for U.S. businesses to have access to technologies developed through Federal funding. Today, only very large businesses and foreign interests have the resources to effectively learn of and pursue rights to these technologies. The amendment recognizes that small- and medium-sized businesses are the major job creating entities in this economy and that it is imperative that we make it easier for these businesses to have access to these new technologies.

Mr. Chairman, as important as improved job training and welfare reform

are, we will achieve only partial success on those fronts if we do not simultaneously take meaningful steps to encourage the development of thousands of new small businesses throughout this country to create tens of thousands of new jobs, at good wages, with real futures. That is what this amendment is all about. I urge the adoption of the amendment.

□ 1610

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

Mr. Chairman, the debate about technology transfer is as old as Government technology and inventiveness itself. Over the years we have learned a few lessons about this often misunderstood and of necessity complicated process, and what we are hearing today is another committee that has come up with their version of it, that obviously has not looked at the kind of success stories and lack of success stories that are really out there in the country.

In thousands of hours of testimony before the House Committee on Science, Space, and Technology, witness after witness has told us that the prime mission of Government laboratories has not been to invent better materials for filling teeth with cavities, or an orange drink which is a cheap substitute for orange juice, or a pen that can write upside down. Yet these are all commercial products which have come to the market place from the Federal laboratories.

What we have also learned is that it takes time and money to take what are normally processes or inventions not commercially ready products from the lab to the shelves of your retail store. This is because the mission of the labs is to support the needs of the Government. Tech transfer takes place when one of those Government needs can be transformed through engineering, time, and money, to a product which is consumer usable.

Throughout the years we have discovered that successful technology transfer is brought about when the following elements are in place.

First, involvement of the lab scientist who developed the invention.

Second, encouragement from the lab director to work with industry to commercialize the invention.

Third, incentives for all parties concerned to work together to commercialize the invention.

Fourth, decentralized and hopefully local economic interests who will take the time and invest the money necessary to bring an idea to production.

Such a system was put in place 14 years ago when Congressman THORNTON, among others, proposed with Senators Birch Bayh and BOB DOLE what has become known as the Bayh-Dole Act. This allowed universities and small businesses the right to own the inventions which were funded with

Government resources. It has been through the experience of this act that when the inventors of a product or process own the fruits of their genius that it is more likely to provide the economic incentive to commercialize an invention or, as Lincoln once said of the patent system, that it combined the leverage of incentive with the fire of genius.

Because of the Bayh-Dole Act, universities and small business have brought billions of dollars of federally-funded technology to the marketplace. The system was so successful that it was applied to Government operated and then federally-owned laboratories through the Federal Technology Transfer Act of 1986 and the National Competitiveness Technology Transfer Act of 1989.

According to GAO, since the passage of the Federal Technology Transfer Act, the number of inventions licensed by the Federal Government has increased by 27 percent.

Mr. KANJORSKI's bill, I know, is well motivated. But it does not comport with experience. It would potentially take away the incentives of entrepreneurs, both Federal and non-Federal, to work together. It would do so by recentralizing tech transfer, a system which was a failure before we started our reforms in 1980.

The Kanjorski bill would create a home shopping network for technology transfer. This is misguided because the National Technical Information Service, which has an annual operating budget of over \$30 million dollars, has been developing data bases for both domestic and foreign government technologies since the late 1940's. The National Technology Transfer Center in West Virginia, which does much of what is proposed in the Kanjorski bill, has a Federal appropriation of \$2 million for this fiscal year. Kanjorski is trying to recreate what already exists.

As Forbes magazine said about the Kanjorski bill:

The British press has long had a superb word for partly private, partly public organizations—"quango" for quasi-autonomous-national-governmental-organization. As the sound of the word suggests, quangos generally turn out to be quagmires of bureaucratic ineptitude.

Fortunately, Americans never took to quangos the way the Brits did. But now Representative PAUL KANJORSKI, Democrat of Pennsylvania, wants to create a dandy of a quango. KANJORSKI's bill would bring bureaucrats back into technology transfer if and when they deem the universities are not doing a good job. The bill would centralize the licensing of all federally funded research by creating a gargantuan quango called the Technology Transfer and Commercialization Financing Corporation—let's call it Tetracofico. The Government would own a nonvoting 60 percent stake in

Tetracofico; the other 40 percent would be sold to a private entity.

Also the bill would establish a massive database of all patents in which the Federal Government has an interest, many of which have never found a home, and create a 24-hour cable network to alert the public to the patents. Lita Nelson, director of MIT's technology licensing office, has experimented with such data and concludes that they produce mostly time-wasting nuisance industries. "Databases are a classic shotgun technique," says Nelson. "We feel that rifle-shot marketing directed at carefully chosen targets is a lot more effective. This year MIT will tally \$7.5 million in royalty revenues, up from \$2.5 million in 1986." Sighs the Farber Cancer Institute's Ashley Stevens: "Here—in the existing Bayh-Dole Act—you have a Government program that's worked in spades. Now Congress is trying to screw it up."

□ 1620

That is exactly the point, colleagues. What we are doing here is screwing up something that is working.

Let me tell Members, there are some other dangers, too, that we need to understand. The gentleman from Pennsylvania [Mr. KANJORSKI] put up a much fancier chart of his than I have here. I have the smaller version. But it does tell us something very disturbing.

Because by his own chart, what we notice is that everything coming out of the Federal agencies, coming out of the Federal labs, coming out of the universities, not just Federal agencies and Federal laboratories, out of the universities themselves, by his own chart all the arrows point to a centralized collection point. Then it goes to another centralized bureaucracy.

What is interesting about the centralized bureaucracy is that the gentleman from Pennsylvania [Mr. KANJORSKI] has that this amendment includes the marketing, the information, and the licensing portion of it. But he includes this big guidance with a big bag of dollars on it.

That has been dropped out of the amendment that we have before us today, because it became apparent that that costs \$12 billion by the original estimates. So that is not there anymore. Yet when we see the chart that was presented here on the floor, the chart still includes that. That is where they are headed.

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

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

Mr. WALKER. The point is that here we have this Tetracofico that includes these four items, including the giant money bag that we know from the original bill was a \$12 billion item. It is not here, but guess what is coming,

folks. Guess what is just around the corner. You create this quango, and this quango is going to end up being a gargantuan quango with a lot of real big dollars connected with it. Then and only then, after everything is passed through this centralized marketing, does it get out here to the new businesses.

The fact is the way the system now works is, these universities, these Federal agencies, these Federal labs can work directly with the new businesses right in their own communities or within their own States or nationally. They do not need to go through this centralized mechanism. They do not need a quango to deal with each other.

What is happening right now under the law, under the procedures in place, is that these agencies, these Federal labs and these universities are working with new businesses. We are creating technology transfer that is increasing on a regular basis. As I said, GAO says that under this act, it is up 27 percent. That is exactly the direction we ought to continue to go. To create the Tetracofico, to create this giant quango, this gargantuan new centralized bureaucracy, that is exactly what we do not need to do. I would urge that we defeat this amendment.

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

Mr. Speaker, one of the most challenging and important tasks for the 103d Congress is to create meaningful jobs for the 8½ million Americans who are currently unemployed and a similar number of people who are currently underemployed. That is what the amendment of the gentleman from Pennsylvania [Mr. KANJORSKI] is all about.

It would set up a process whereby for the first time we can effectively take advantage of the enormous amount of the money that the U.S. Government has spent on research and development both at Federal agencies and in universities and research centers across the country.

This activity has been going on for decades. Much fruit has been borne in terms of research based upon the money that has been spent. However, the information in many cases is lying fallow. It is not getting out to entrepreneurs. It is not getting out to American businesses.

Other people in other parts of the world are sending research experts here on a regular basis to look into the research that is being done in American institutions. They are taking advantage of this information. We have not yet fully taken such advantage.

The amendment of the gentleman from Pennsylvania [Mr. KANJORSKI] allows us to do that in a comprehensive way and for the first time. It allows that information which is lying fallow to be used, to be developed.

It will create tens of thousands of new jobs for Americans. It will also allow entrepreneurs and American businesses to reach out to that technology and to use it creatively and intelligently for the creation of new industrial enterprises, the creation of new wealth, and the creation of new employment opportunities for those Americans who so desperately need it.

Mr. Chairman, this is an important amendment. It goes a long way in unleashing the intellectual creativity of this Nation, which has not yet been tapped adequately. Under the amendment of the gentleman from Pennsylvania [Mr. KANJORSKI] that intellectual activity will be released, and we will have the opportunity to put it into practical, every day practice.

I encourage this amendment, and I hope that the Members of this body will endorse it enthusiastically.

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

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

Mr. KANJORSKI. Mr. Chairman, I thank the gentleman for working very closely in the establishment of this amendment.

I want to respond to my colleague, the gentleman from Pennsylvania [Mr. WALKER]. I notice that he talked about the Forbes magazine article.

Unfortunately, this amendment and the article that the bill, that that amendment addressed were quite different or quite uniquely changed. But above and beyond that, I would ask my fellow Members to think about their districts and identify in their particular districts what new industries and what new jobs have been created over the last 10 years, for instance, as a result of expenditure of American research and development money.

I know the gentleman from Pennsylvania [Mr. WALKER] comes from a very profitable and very economically sound district in southern Pennsylvania around the Lancaster area of Pennsylvania.

But I can speak for many of my colleagues in the 21-Member districts in Pennsylvania, and they have not been as fortunate as the district of the gentleman from Pennsylvania [Mr. WALKER] in getting new research and development jobs coming into their districts.

I can look across the Ohio and New York and Michigan and Wisconsin and what has been referred to very often as the rust belt of America. I can assure my fellow Members that many of these jobs that the gentleman from Pennsylvania [Mr. WALKER] talks about are not coming out, because the average entrepreneur, small and middle-sized businessman does not have the opportunity to know what is in the Federal inventory and certainly does not have the wherewithal to come down to Washington to cap it like the giant, gi-

gantic corporations of America and the foreign corporations of the world that do take advantage of our research and development.

I guess we could argue that philosophical point all night. All I would like my colleagues to understand is that we do not change the laws that the gentleman from Pennsylvania [Mr. WALKER] referred to. All we do is supplement those laws, and all we primarily do is create a vehicle so average American businessmen of small- and medium-size companies and average American entrepreneurs can partake in the research and development inventory of America on an equal, level playing field. And we do it by using good old private sector technology, American technology, and take the job out of bureaucracy and out of government and put it into the hands of private enterprise to market, to assist, and to get this technology into small businesses.

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

Mr. WALKER. Mr. Chairman, will the gentlewoman yield?

Ms. MOLINARI. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentlewoman for yielding to me.

My colleague from Pennsylvania explained to the House that the amendment that we have before us is substantially changed from the bill which the Forbes article found as so onerous.

The gentleman is correct. I pointed out in my speech that there is a difference. The difference is that he has taken out the \$12 billion of guidance money that was in his original bill.

The point is, however, that he is still promoting, in a "Dear Colleague" letter that was sent around today and in a chart that was used on the floor, the Tetracofico that has the money bag still in it.

So when Members buy into this concept, understand, it has changed in the amendment. But the future holds the idea that we are going to spend \$12 billion for this gargantuan quango at some point in the future.

The other thing that I think we need to understand is that this monument to private enterprise that the gentleman talks about is, in fact, 60-percent owned by the Government.

□ 1630

I do not know too many entrepreneurs out there who regard companies owned 60 percent by the Government as private enterprises. This is a Government bureaucracy. It is a little like when President Clinton runs around the country telling everybody that this huge health bureaucracy that he is setting up is really private enterprise in action. Nobody in the country believes that. No one in the country should believe that this is anything

other than a brand new gargantuan Government bureaucracy being interposed in the middle of what needs to be done in terms of technology transfer.

Mr. Chairman, I agree with everybody who has spoken about the need to make certain that the high technology that we are developing gets spun off into businesses so they can create jobs in this country. The gentleman from Pennsylvania somewhat depreciates my district for the fact that we have been successful in many high-tech industries in my district doing this. Yes, he is right, and we ought to have that model and we ought to be using it around the country. We ought to be making certain that other places also get the opportunities that are now available.

The fact is it does work. High tech can produce jobs, and we can put together a system that allows technology to be transferred into the private sector, but the system is not some huge new centralized bureaucracy. That did not work before 1980. We found it was an absolute unmitigated failure. What we are doing here is failing to learn from history. We are going here is failing to learn from history. We are going back to exactly what we were doing prior to 1980, and we are now going to wade in 15 years later into the brave new world of back to the future.

Mr. Chairman, I have to say that this is not the right way to get the tech transfer we want done. This is going to get in the way of tech transfer, it is going to be a disaster, and in my view we ought to stick with what we have now shown works. Let us get tech transfer producing new jobs, but let us do it in a way that we know actually works.

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI] and the gentleman from Pennsylvania [Mr. RIDGE], my neighbor from across the border.

I would like to focus at the moment on one aspect of this program, the Economic Development Administration, which is not a new program and not an addition, but something that has been in existence for a number of years, but which has from time to time been threatened by budgetary proposals by the administration.

One program that has been administered by the EDA is called the Trade Adjustment Assistance program for firms whose central missions have been threatened by foreign competition. We have administered this program through a series of 12 Trade Adjustment Assistance Centers, including a Great Lakes Trade Adjustment Assistance Center, which is based in Ann Arbor, MI and which serves the area in my congressional district.

This is a program which, unlike all the other programs out there which we only hear about through the agencies themselves and through the committees, this is a program that I can say to my colleagues that I know specifically has provided support to specific firms in my district who are going out of business, who needed help to retool, to respond to the competition. This program, the trade adjustment assistance center, has come in. They have provided that technological assistance with a very minimal investment, and they have been able to turn their business around.

One business in my district, Thompson Aluminum Castings, has called this in their opinion the only Federal program that really works. The problem has been that over the years, in the search for funds for other programs, the administration has proposed now twice that this program be eliminated. It was reauthorized in the budget, the 5-year budget resolution which we passed last summer.

It is my understanding as a result of the hearings held by the subcommittee of the gentleman from Pennsylvania [Mr. KANJORSKI], on which I am privileged to serve, that the EDA will under the provisions of this bill continue to administer the Trade Adjustment Assistance Centers, unless and until such time that these centers are found to have another place within the Federal budget.

Mr. Chairman, I would ask the gentleman from Pennsylvania [Mr. KANJORSKI] whether my understanding is correct, that the Trade Adjustment Assistance Centers, which have been so beneficial to the firms in my district, are indeed authorized and will continue to be administered by the EDA under the terms of this amendment and this bill.

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

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

Mr. KANJORSKI. I thank my colleague, the gentleman from Ohio.

Mr. Chairman, I want to assure the gentleman, as we had at the committee level, that his inquiry is absolutely correct, and that his understanding is absolutely correct, that this will be continued, this program will be continued to be administered by the Economic Development Administration.

Of course, it is the policy of our subcommittee and the subcommittee of the gentleman from West Virginia [Mr. WISE] to see that that continues, because you know we are all involved, particularly now since the passage of NAFTA, with the important of what this means. I thank the gentleman from Ohio, and I thank him for the assistance in drafting the amendment we have presently before the floor.

Mr. FINGERHUT. Mr. Chairman, I thank the gentleman for his response.

I further yield to the gentleman during the time that I have remaining in my 5 minutes.

Mr. KANJORSKI. I thank my colleague from Ohio for yielding time to me.

I want to respond to some of the things my colleague, the gentleman from Pennsylvania [Mr. WALKER] has said.

I do not believe the gentleman understands the impact of the present amendment before the floor. I way that with all due respect, insofar as this amendment did go through some significant change in working its process with his committee and with other committees in the Congress so there would not be a conflict on the floor here today.

I want to assure the gentleman that there is nothing in this amendment that establishes a 60-40 percent of anything. The corporation involved is 100 percent private. Further, there is absolutely no assistance or funds authorized in this bill of any amount, certainly not \$12 billion, but of no amount, and the only financial assistance offered in the Department of Agriculture or in this amendment as it is presently offered is to direct those individuals that will be using the technology to the existing sources of financing today in the Federal Government.

I do not know whether he gets that inquiry, but I can tell the Speaker that in my office I keep maybe half of a staff member busy full time just helping people find out where to go in the Federal Government and in the state government to get assistance to help create jobs and to build industry.

Mr. Chairman, I want to assure the gentleman that as he has described my bill, it is not correct. We intend to work with him, as we intend to work with the other committees, as this goes through the process, but I do tell the Members very seriously that if the gentleman is fortunate enough in this district not to need this type of bill and that the present status quo is operating, it is not sufficiently operating in my part of Pennsylvania.

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

Mr. Chairman, I am somewhat reluctant to get involved in this fight, because it is almost like a family feud. We have all Pennsylvania Congressmen on the floor on this issue.

I thought it was interesting, Mr. Chairman, to point out just a couple of short paragraphs in testimony before the committee on this particular legislation, or the concept of it.

The testimony was this, and this comes from the Office of Technology Assessment. These are people who are unbiased and who come before the Congress to give us their unbiased professional opinion. Here is what he said. Mr. Chairman this comes from the senior analyst.

He said, "There are many barriers that get in the way of moving this technology out to the private sector for commercialization. Often technology in the Federal laboratory is just sitting there. No one in the lab will do the work, since it is not related to their mission, to move it to the next step. The private sector is not willing to take it to the next step, and therefore, nothing happens."

He also noted that, "There is relatively little awareness in the private sector, particularly among small and medium size firms, of the potential of Federal technology."

I know this to be very true, because Mr. Chairman, every year I have an export conference in Wisconsin. We have as many as 950 to 1,000 people. I have been doing this for the last 12 years now. The one thing that always strikes me is that these small companies do not have the vaguest idea that the Federal Government spends billions of dollars on research and development that is just sitting there and they could use it, do not even know it is there.

Do the Members know who does know it is there? All these foreign companies. They are all over the place. Foreign companies spend a million dollars just to have people looking around for American research and development. The Japanese a couple of years ago, I do not know how many they have now, but the Japanese 2 years ago had 22 people full time right in this city looking for our research and development.

That is why this amendment is so important, but the problem is that we always have these turf battles. Some guy said, "Hey, it should have been before my committee." Another guy said, "It should have been before my committee." Some gentlewoman says, "It should have been before my committee."

I am not interested in whose committee it should have been before. I am interested in getting this on the floor, looking at this issue, voting on it, so all our small entrepreneurs, our small business people, could use the research and development that the taxpayers, that you and I and everyone else represent, have paid millions and millions of dollars for.

That is what I am looking at here today. That is why this amendment is so important. I hope the people in the House vote for this amendment today for the good of jobs, for the good of our economy, so we can have this research and development help our entrepreneurs and our small business people.

□ 1640

Mr. KANJORSKI. Mr. Chairman, will the gentleman from Wisconsin yield?

Mr. ROTH. I am happy to yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Chairman, I absolutely agree with the gentleman

from Wisconsin and the testimony cited was testimony by impartial people before our committee on this bill.

Mr. Chairman, I would like to call the attention of the gentleman and my colleague to one thing: Does the gentleman recall that one of the witnesses testified that the 1992 committee report of the Japanese Government set out where their research and development future lies or where they were intending to get their future research and development, and the line set out in the Government Report Committee was the United States Government as the major supplier of research and development to the Japanese industry?

Mr. ROTH. Mr. Chairman, just as an aside, I want to say this is not only a problem here but we have a thing called the Export Administration Act. Do my colleagues know because of all the regulations, of all the licenses that our companies have to obtain to sell products overseas that we are stifling our companies from exporting by \$30 billion a year? That is 600,000 jobs in America.

Mr. Chairman, that is what we have to change. These foreign companies and foreign countries are over here at the Commerce Department finding out what kind of licenses our American companies need, what company is looking for what license. Then they quickly run to the other company and say, "Hey, you don't have to wait for 3 months or 6 months for the Americans to license a product to sell it here. Why, we can sell it to you overnight."

Mr. Chairman, that is why business, industry and labor have to start working together in America so we can have the jobs and the economy our people need.

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

Mr. Chairman, as a cosponsor, I rise today in support of H.R. 2442, the EDA and ARC authorization bill and in strong support of the amendment offered by the gentleman from Pennsylvania. I believe that H.R. 2442 will address many of the serious economic problems facing our local communities and that the Kanjorski amendment will enhance our efforts to rebuild our economy and ensure that emerging technology companies can access vital federally supported research and development.

The Kanjorski amendment is a bipartisan amendment which simply builds on our current technology transfer structure. It improves the structure and seeks to make it stronger and more efficient. It does not call for a centralized system, nor would it prohibit universities from filing patents, issuing licenses, receive royalties from the private sector commercialization of technologies and patents development through federally funded research. What the Kanjorski amend-

ment seeks to accomplish, is to make it easier for businesses to have direct access to new technologies developed with Federal funds. We are simply trying to get a better return on our R&D investment dollars.

Perhaps the greatest strength of this amendment is the implementation of a nationwide data base of information on federally funded new technologies. A comprehensive data base on federally funded new technologies would end the practice of reinventing the wheel in the public and private sector. Access to this data base would give small and medium size businesses the same competitive edge as large multinational corporations or major research institutions.

The amendment will create real jobs and expand thousands of businesses by simply increasing access to federally funded technologies and establishing a clearinghouse of information for U.S. businesses on financing assistance available through Federal programs, through State and local governments, or through the private sector. How many of my colleagues have been contacted by local businesses and constituents to inquire about the availability of Federal assistance for emerging technology companies? The Kanjorski amendment would create a source of critical information for them.

I commend the gentleman from Pennsylvania for his amendment and ask my colleagues to join me in supporting this important effort to ensure that federally funded research and development dollars result in real job creation and truly assist small and medium size businesses to compete in our rapidly advancing technical world. Our ability to compete in a global economy will be seriously jeopardized if we are unable to transfer critical technology from the public to the private sector.

AMENDMENT OFFERED BY MR. WALKER TO THE AMENDMENT OFFERED BY MR. KANJORSKI

Mr. WALKER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER to the amendment offered by Mr. KANJORSKI. After section 307, insert the following new section: **SEC. 308. EXEMPTION.**

Any agency or department of the Federal Government, and any office, bureau, commission, laboratory, or facility thereof, and any entity that receives funding from the Federal Government, whose technology transfer activities are subject to the Federal Technology Transfer Act of 1986 (15 U.S.C. 3701 et seq.), chapter 18 of title 35, United States Code (popularly known as the Bayh-Dole Act), the Omnibus Trade and Competitiveness Act of 1988 (P. L. 100-418), or the National Competitiveness Technology Transfer Act of 1989 (P.L. 101-189) shall be exempt from the requirements of this title.

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

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

There was no objection.

Mr. WALKER. Mr. Chairman, it is rather clear that to some extent the fix is in here, and I am a little concerned about that because the bottom line is that we are going to do real damage if we allow this to go ahead in its present form.

Mr. Chairman, the gentleman from Pennsylvania [Mr. KANJORSKI] has told us that what he intends his new program to be, this new quango, he intends to be complementary to what is already in place. That is what this amendment does. This amendment says that it has to be complementary, that those agencies and departments, universities and so on who are working under the present technology transfer programs, whether it be the National Technology Center in West Virginia, whether it be the National Technology Information System, whatever it is, if they are working under those programs, they would be exempt from having to participate in this program.

Mr. Chairman, it seems to me that at the very least, those people out there who think they have a program that is working and is transferring technology and is doing the right kind of job for the country ought to be able to go ahead and do all of that without being forced into the new regime that is anticipated by this amendment.

Mr. Chairman, all my amendment does, it is a very simple kind of thing. It just says that they are going to be exempt from the requirements of the title if, in fact, they are already participating under that which we have in place and which is now working. I would hope that at the very least, that if we are going to go ahead and do this thing, which I happen to think is wrong, that we will not have an adverse impact on the things that are already in place and that we will allow those institutions that are presently doing a good job of technical transfer through the established mechanisms to keep in place that which is working.

Mr. Chairman, that is all my amendment does. I would urge its approval as an amendment to the amendment.

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

Mr. Chairman, I do not want to delay this. I know what my friend, the gentleman from Pennsylvania, wants to accomplish. I want to assure him that in the amendment as published in section 306, the savings provision covers exactly what he should worry about, in that we do not interfere or supersede with any existing law operation. As a matter of fact, in setting this up, I worked a great deal with my friend, the gentleman from West Virginia, Mr. MOLLOHAN's transfer center in West Virginia. It is an ideal type of operation. We want to encourage that type of operation.

Mr. Chairman, there is nothing in this law that interferes with or supple-

ments existing law. What it does is allows us to cover the loopholes in the law.

Mr. Chairman, what I would suggest as to why we cannot accept the amendment of the gentleman from Pennsylvania [Mr. WALKER] is that the gentleman's amendment prevents the labs from using the services.

Mr. Chairman, let me explain what that means. There are 1,600 colleges and universities in the United States. Several hundred of them, 200, 400, 600, do a great job, but there are also a lot of colleges and universities in America that do not have a vice president in charge of marketing, do not have an entire financial operation to market their technology because they are not in that business and as a result they are not having a great deal of success in using it.

Mr. Chairman, what this amendment allows is that they could use the services of this corporation if they see fit. The same thing applies to the national laboratories, to the bureaus, to the agencies, to the departments of the U.S. Government. They are not compelled to use it in any stretch of the imagination but they are allowed to use it if they do not feel they are doing an adequate job or the job they are doing is too expensive.

Mr. Chairman, what the amendment of the gentleman from Pennsylvania, [Mr. WALKER] would do is to disallow them the opportunity to use this corporation or this marketing technique, and if we were to approve that, we would have gone to ground zero because we would be right back, that there is no one here that under existing law could come and make arrangements with this new entity to disperse and market their technology or their research and development.

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

Mr. KANJORSKI. I have a very limited amount of time.

Mr. Chairman, I do not think we should pursue it. I think we have given the answer to my friend, the gentleman from Pennsylvania. I am telling the gentleman there is a savings provision here that we do not interfere with any existing law, the current law. What we do is create a supplement to those entities that need further marketing, and the testimony before the Committee on Banking, Finance and Urban Affairs was, there is a great deal of that need in this country today.

(On request of Mr. WALKER and by unanimous consent Mr. KANJORSKI was allowed to proceed for 2 additional minutes.)

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

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

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

Mr. Chairman, I am acting here in large part on the advice of counsel.

There is a feeling that the protection that the gentleman says is there does not really exist with regard to the section and also that at the very least, then, if what the gentleman is saying is right, this amendment is duplicative.

Mr. KANJORSKI. No.

Mr. WALKER. Mr. Chairman, if that is the case, there is no harm in passing it and it does correct a fault in the bill that we believe is there.

□ 1650

I am not trying to be malicious with this. I am trying to correct something which I think needs to be corrected, and it is an attempt.

I will tell the gentleman that all those thousands of universities that you have out there, they are not participating under the Federal Technology Transfer Act. They are not research universities. They would still be eligible to participate under this amendment. We would assure those who are doing a good job under the present circumstance could continue to do so.

Mr. KANJORSKI. Under our savings provision, they are allowed to do so, I say to the gentleman from Pennsylvania [Mr. WALKER], and I assure the gentleman as this process goes on, we want to make sure we talk with you and the interests of these research universities to make sure we do not interfere with their rights. If they are doing a good job, and many of them are, I have nothing against MIT, Stanford, Harvard, Caltech. They are doing fantastic jobs.

Mr. WALKER. What about Penn State and the University of Pennsylvania?

Mr. KANJORSKI. There are those universities and colleges throughout America that do not have the marketing ability.

Mr. WALKER. If the gentleman would yield further, then why not take this amendment? All this amendment does is corrects for exactly what you just said you want to do. I do not understand why you will not take this amendment that just makes certain that we can continue to have the pattern in place that is presently working.

Mr. KANJORSKI. As I read the gentleman's amendment, it runs the risk of exempting the authorizations and the abilities of my amendment to go into operation.

Mr. WALKER. No.

Mr. KANJORSKI. We will be very happy, I say to the gentleman from Pennsylvania [Mr. WALKER], when we get an opportunity, as you know, we have not had a chance to pass this through counsel. We have not had a chance to work with it. As I understand it, it was drafted on the floor this afternoon. I do not know the ramifications of it. I am telling you it is the intent of my committee, and as myself, the drafter of this amendment, it is my

intent that we require no one to perform or operate with this marketing operation that they do not desire to do so, and we have no intention of interfering in the present and current law.

Mr. WALKER. If the gentleman will yield further, my concern on that is there was no attempt to work with me at my committee when this measure was coming through. The gentleman is wrong. This was not drafted on the floor this afternoon. It was, in fact, drafted, and as you can see, it is in print. So it had to be drafted long before we came to the floor.

But the fact is that there was no attempt to work with us. Some of these things could have been worked out early if there had been any attempt to work with us at all. So I am not very much swayed by the idea that at some point in the future we are now going to work together on this. It seems to me it is important what we do is pass some corrective language now.

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

Mr. Chairman, Members of the House, I rise against the Walker amendment, and I rise to speak in favor of this bill.

As I understand it, the Walker amendment would make it impossible to go forward with the intent of their bill and, therefore, I would hope that we would not go along with that amendment.

If there are legitimate concerns, I think as the author of the bill has said, those concerns can be worked on, but I want to spend my time today talking about what I think the Kanjorski-Ridge amendment is really about.

In its simplest form, it is about jobs. It is about our willingness as a Government and as a people to really help small, struggling businesses and ultimately, I think, it is about our very ability to compete with foreign nations that, quite frankly, up until now have given their small business people much more help than our Government has been willing to do.

Now, right now, the American taxpayer is spending millions and, in fact, billions of dollars for research in our labs, in our colleges, in our universities, and in the private sector, and a lot of that research could be brought to bear in our small businesses. It could help to modernize, stay competitive, and, frankly, innovate an entire industry.

But the fact is too often this good work gathers dust on a Government shelf. We are not doing enough to share the fruits of our research, and a lot of it is simply going to waste.

If we look at the competition overseas, the question is not whether we can afford to do a better job of this. The question is whether we can afford not to do a better job of this.

That is why I think this approach is so important, and I commend the gen-

tleman from Pennsylvania and the Republican gentleman from Pennsylvania for bringing this amendment forward. I will put Government innovation and technology at the fingertips of even the smallest business, and it serves as a clearinghouse of information that is now scattered across a maze of labs and agencies.

Best of all, it breaks down the bureaucracy, shreds the red tape, so you do not need a high-powered lobbyist, which is the gentleman's point, or a handful of Government contacts to get access to this information.

At the same time we launch a special study to see if we need a business development and technology commercialization corporation. This kind of public-private partnership would help our agencies license and market their research, and it would spread the word about the resources we have available.

Now, of course, we would not force Federal agencies and labs to take part in the new program. The idea is not to replace today's technology-transfer programs, but to add to them.

I think all of us could agree that we have got to do much more to help small business, and this is a place to start. The amendment will not affect licensing or transfer agreements that are already in place. It will not tie the hands of researchers who want to file patents and earn royalties for their work, and it will not bargain away the rights of our agencies or leak out sensitive information. But it will help bring American businesses into the information age. It will jump-start a bureaucracy that can do a lot more to help small business, if just we can focus our research and our resources to get the job done.

So I urge Members today to reject the Walker amendment, to stay with the Kanjorski-Ridge amendment, to say to all of American business that American business, that America's Government, mean business.

In my opinion, there is no more important measure in front of this Congress to help small business, to rejuvenate our economy, and to get Government, as it always should, to help and support our small businesses across this country.

I commend the gentlemen from Pennsylvania, both of them, and urge Members to vote against the Walker amendment and for the Kanjorski-Ridge amendment.

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

Mr. Chairman, I never like to argue with my friend, the gentleman from Pennsylvania [Mr. WALKER], because I know that when he drafts an amendment it is always well drafted. I just have a question. I wondered if the gentleman from Pennsylvania would answer a question for me.

I have read this amendment, and the reason I like the Kanjorski-Ridge

amendment is because it sets up this clearinghouse where my small-business people from Wisconsin can come and find out if there is something available in R&D or entrepreneurs, something available for them to use.

Mr. WALKER. Mr. Chairman, if the gentleman will yield, let me say to the gentleman that they can already do that through the NTIS.

Mr. ROTH. Let me pose my question. As I read your amendment, if I interpret your amendment correctly, in other words, what I am saying, I say to the gentleman from Pennsylvania [Mr. WALKER], is that when our people come, it is one-stop shopping for them. They can come here and they find out if there is something available in their area. But as I read your amendment, especially the last sentence, "shall be exempt from the requirements of this title," it means we would basically be doing away with that clearinghouse, as I interpret your amendment.

Mr. WALKER. If the gentleman will yield further, under the present system, under the NTIS, the National Technology Information System, right now, your businesses and so on can come to them and get that information right now. It is available to them through that particular entity right now.

Mr. ROTH. But they have to shop all over.

Mr. WALKER. No. This is a one-stop shopping center. NTIS is a one-stop shopping center for exactly the information you are talking about. What we are doing is creating a brandnew system.

All I am saying is if somebody has been dealing with NTIS or dealing with the National Technology Center, the fact is I just would like to see them exempt from having to deal with this.

Let me make one other point. What I am wondering is, there are a certain number of groups that have already been exempted. In a deal made with Chairman DINGELL, we already exempted a bunch of people from this, and now what we are doing is bogging down and saying, "Well, we made our deal with Chairman DINGELL so he would not oppose this on the floor." But all these other people out there who were not a part of Chairman DINGELL's deal are now going to be covered by this thing.

□ 1700

If in fact Chairman DINGELL would exempt his people, there are some others you should exempt also.

Mr. ROTH. I thank the gentleman for his comments.

I am trying to get at the substance or the truth of exactly what this amendment would do because I want to cast an informed vote here. This is very important.

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

Mr. ROTH. I yield to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. I thank the gentleman for yielding.

In response to the gentleman from Pennsylvania [Mr. WALKER], he indicated this one-stop shopping is already being done. If that is the case and—this is nothing against the NTIS—but the Department of Agriculture and NIH have just opted out of NTIS. Now, we are not castigating NTIS. What we want to do with our amendment and these existing entities is to finally get together and say we are all on the same team, we want to do the most effective job we can to get tax-payer-funded research and development out there, particularly in the private sector in the small-business area, and for them to obtain it as reasonably and as cheaply and as efficiently as they can.

Mr. ROTH. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, the fact is the Department of Agriculture and NIH opted out of the licensing procedure at NTIS.

The technologies available are still at NTIS. You can still find out what the technologies are that can be transferred to you through NTIS. Those are still available for the Department of Agriculture and NIH, but they are not participating in the licensing system anymore. So, for technology transfer, it is exactly as it has always been.

Mr. ROTH. I will take back my time and thank the gentleman from Pennsylvania [Mr. WALKER] for this explanation.

Mr. Chairman, I am going to ask my friends and colleagues to vote against this Walker amendment because I do feel it would gut this provision of the clearinghouse and it would hurt small business and entrepreneurs. That is precisely what I am trying to do with this legislation, to help our entrepreneurs so that this one-stop shopping for research and development, which all American taxpayers have paid for, is available.

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

Mr. Chairman, I rise in support of the Kanjorski-Ridge amendment to the EDA Reauthorization Act.

First of all, I would like to thank my friend and colleague from the eastern half of the great Commonwealth of Pennsylvania, [Mr. KANJORSKI], for his determination in crafting the tools this Nation so gravely needs to spur economic development and job creation.

History has shown us that it is the small- and medium-sized businesses in this Nation that must thrive in order for new jobs to be created.

This amendment gives small- and medium-sized companies—especially those just starting out or restructuring—much needed access to information and technologies that they commonly cannot use due their limited size and resources.

The information and technologies that we are talking about have been funded by the American taxpayer and should be available to growing American companies to benefit American workers.

For just defense research and development, in fiscal year 1994 alone, U.S. taxpayers have invested \$35 billion.

And the staggering taxpayer investment for all research and development is \$70 billion.

Through research in Federal laboratories and universities, tens of thousands of patents and technologies have been produced. Unfortunately, American businesses have not had access to nor benefited from these technologies. They are either collecting dust or, even worse, they are being used by our foreign competitors.

For example, videotape recorders [VTR's]—the predecessor of VCR's, semiconductor chips, automobile tires, and flat-panel displays were designed with technologies discovered in this country. Now, our foreign competitors hold patents and have vastly superior market shares on these products.

These technologies, ladies and gentlemen, are worth tens of billions of dollars in assets and will generate millions of new jobs.

The Kanjorski-Ridge amendment would commercialize many of these technologies for private sector U.S. businesses.

This amendment also creates a comprehensive technology data base.

What an incredible resource for a small-business person embarking on a new venture—a user-friendly, standardized list of all patents, licenses, technologies, and processes held by the Federal Government that anyone can tap into to revitalize his company.

Mr. Chairman, our economy has been undergoing a transition, from defense-related industries to peacetime manufacturing. The Federal Government can—and should—be a facilitator in this conversion.

In the role, this amendment establishes a public/private partnership, which will be called the Business Development and Technology Commercialization Corporation. This corporation will market Federal technologies, provide technical assistance to companies utilizing these technologies, and act as a clearinghouse for information.

Through this amendment, we can provide a temporary means of stimulating the economy to convert from defense production to peacetime production. Businesses will be able to hire the workers that have been and are being displaced as a tragic irony of peace. As we beat our swords into plowshares. This amendment will establish a partnership among the Federal Government, the State, and business.

The only way we can truly incite prosperity for our future generations is to concentrate on employment, edu-

cation, local and national infrastructure, and industrial conversion and commercialization.

As I stated before, the information and technology we are releasing to American businesses today has been financed by American taxpayers. The United States needs this amendment to pass so that we can compete in the global market.

I urge support of the Kanjorski-Ridge amendment. It is a giant step in the direction of revitalizing the U.S. economy and U.S. competitiveness.

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

As one of the initial authors of the Federal Technology Transfer Act back in the mid-1980s, I take a back seat to no one in my support for getting into the hands of the private sector the various innovations and technological breakthroughs achieved in the Federal laboratories.

That act contains a number of reforms designed to move research results from the dusty shelves to businesses that will turn the research into products enhancing our overall economic development. Included are incentives for the scientists and labs to actively participate in this transfer activity. The Kanjorski amendment will undermine these incentives by centralizing transfer responsibilities in some kind of a Government-established corporation.

Even the Clinton administration, no shrinking violet when it comes to Government expansion, is opposed to this idea.

We already have two national centers which coordinate and make available information on developments taking place in the laboratories. This new corporation would be duplicative of those activities.

Finally, we have no cost estimate, as I understand it, for the Kanjorski amendment, but his original bill provides for a \$12 billion authorization. That is way, way beyond what we can afford.

So, for all these reasons, I urge rejection of this amendment.

Mr. GONZALEZ. Mr. Chairman, I rise in support of the amendment offered by Representative PAUL KANJORSKI known as the "Economic Growth and Technology Commercialization Act of 1994." This amendment would foster economic growth and assist in creating new employment opportunities by facilitating the utilization and commercialization of technologies, processes, and other proprietary rights of the Federal Government.

A version of this amendment was reported out by the Banking Committee; however, Chairman KANJORSKI of the committee's Economic Growth and Credit Formation Subcommittee has agreed to offer this amendment under a compromise reached with several other committees.

The amendment would require the Secretary of Commerce to maintain a data base regarding all technologies, processes, and other proprietary rights owned by the Federal Government.

This amendment would also establish a Business Development and Technology Commercialization Corporation. This corporation would make information on these federally developed technologies to small- and medium-

size businesses in the United States and assist them in obtaining licenses to commercialize these technologies. This in turn will result in the creation of thousands of new jobs across this country.

I ask that the House pass this amendment in order to provide additional employment opportunities through the utilization and commercialization of Federal technologies and processes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] to the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI].

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

RECORDED VOTE

Mr. WALKER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 270, noes 135, not voting 32, as follows:

[Roll No. 162]

AYES—270

Abercrombie	de Lugo (VI)	Herger
Ackerman	Deal	Hinchey
Andrews (ME)	DeFazio	Hoagland
Andrews (NJ)	DeLauro	Hochbrueckner
Andrews (TX)	Derrick	Holden
Applegate	Deutsch	Horn
Bacchus (FL)	Diaz-Balart	Hoyer
Baesler	Dicks	Hughes
Barca	Dixon	Hutto
Barcia	Dooley	Inslee
Barlow	Durbin	Jacobs
Barrett (WI)	Edwards (CA)	Johnson (GA)
Becerra	Edwards (TX)	Johnson (SD)
Bellenson	Ehlers	Johnston
Bentley	English	Kanjorski
Bereuter	Eshoo	Kaptur
Berman	Evans	Kennedy
Bevill	Ewing	Kennelly
Bilbray	Faleomavaega	Kildee
Bishop	(AS)	Klecza
Blute	Farr	Klein
Boehlert	Fazio	Klink
Bonior	Fliner	Kopetski
Borski	Fingerhut	Kreidler
Boucher	Fish	LaFalce
Brewster	Foglietta	Lambert
Brooks	Ford (TN)	Lancaster
Browder	Franks (CT)	Lantos
Brown (CA)	Franks (NJ)	LaRocco
Brown (OH)	Furse	Laughlin
Bryant	Gedjenson	Lazio
Buyer	Gephardt	Leach
Byrne	Geren	Lehman
Canady	Gibbons	Levin
Cantwell	Gillmor	Levy
Cardin	Gilman	Lewis (GA)
Carr	Glickman	Lipinski
Chapman	Gonzalez	Long
Clay	Gordon	Lowe
Clement	Green	Machtley
Coleman	Greenwood	Maloney
Collins (IL)	Gunderson	Mann
Collins (MI)	Gutierrez	Manton
Condit	Hall (OH)	Margolies-
Conyers	Hall (TX)	Mezvinsky
Costello	Hamburg	Markey
Coyne	Hamilton	Martinez
Cramer	Harman	Mataui
Danner	Hastings	Mazzoli
Darden	Hayes	McCloskey
de la Garza	Hefner	McCurdy

McDade	Price (NC)	Spratt
McDermott	Quillen	Stark
McHale	Quinn	Stenholm
McKinney	Rahall	Strickland
Meehan	Rangel	Studds
Meek	Ravenel	Stupak
Menendez	Reed	Sundquist
Mfume	Regula	Swett
Mineta	Reynolds	Swift
Minge	Richardson	Synar
Mink	Roemer	Tanner
Moakley	Romero-Barcelo	Tauzin
Mollohan	(PR)	Taylor (MS)
Montgomery	Rose	Tejeda
Moran	Roth	Thurman
Murphy	Roukema	Torkildsen
Murtha	Rowland	Torres
Myers	Roybal-Allard	Torricelli
Nadler	Sabo	Towns
Neal (MA)	Sangmeister	Trafiacant
Neal (NC)	Santorum	Tucker
Norton (DC)	Sarpalius	Unsoeld
Oberstar	Sawyer	Upton
Obey	Schenk	Valentine
Oliver	Schiff	Vento
Ortiz	Schroeder	Viscolosky
Orton	Schumer	Volkmer
Pallone	Scott	Vucanovich
Parker	Serrano	Waters
Pastor	Shays	Watt
Payne (NJ)	Shepherd	Waxman
Payne (VA)	Sisisky	Weldon
Pelosi	Skaggs	Wheat
Penny	Skelton	Whitten
Peterson (FL)	Slattery	Williams
Petri	Slaughter	Wise
Pickett	Smith (IA)	Woolsey
Pomeroy	Smith (MI)	Wyden
Porter	Smith (NJ)	Wynn
Poshard	Snowe	Yates

NOES—135

Allard	Gilchrest	Mica
Archer	Gingrich	Michel
Armey	Goodlatte	Miller (FL)
Bachus (AL)	Goodling	Molinar
Baker (CA)	Goss	Moorhead
Baker (LA)	Grams	Morella
Balenger	Hancock	Nussle
Bartlett	Hansen	Oxley
Barton	Hastert	Packard
Bateman	Hefley	Paxon
Bilirakis	Hobson	Peterson (MN)
Billey	Hoekstra	Pickle
Boehner	Hoke	Pombo
Bonilla	Huffington	Portman
Bunning	Hunter	Pryce (OH)
Burton	Hutchinson	Ramstad
Callahan	Hyde	Roberts
Calvert	Inglis	Rogers
Camp	Inhofe	Rohrabacher
Castle	Istook	Ros-Lehtinen
Clinger	Johnson (CT)	Royce
Coble	Johnson, Sam	Saxton
Collins (GA)	Kasich	Schaefer
Combest	Kim	Sensenbrenner
Coppersmith	King	Shaw
Cox	Kingston	Shuster
Crane	Klug	Skeen
Crapo	Knollenberg	Smith (OR)
Cunningham	Kolbe	Smith (TX)
DeLay	Kyl	Solomon
Dickey	Lewis (CA)	Spence
Doolittle	Lewis (FL)	Stearns
Dorman	Lightfoot	Stump
Dreier	Linder	Talent
Duncan	Livingston	Taylor (NC)
Dunn	Lloyd	Thomas (CA)
Emerson	Manzullo	Thomas (WY)
Everett	McCandless	Thornton
Fawell	McCollum	Walker
Fields (TX)	McCrery	Walsh
Fowler	McHugh	Wolf
Frank (MA)	McInnis	Young (AK)
Galleghy	McKeon	Young (FL)
Gallo	McMillan	Zeliff
Gekas	Meyers	Zimmer

NOT VOTING—32

Barrett (NE)	Dellums	Frost
Blackwell	Dingell	Grandy
Brown (FL)	Engel	Hilliard
Clayton	Fields (LA)	Houghton
Clyburn	Flake	Jefferson
Cooper	Ford (MI)	Johnson, E. B.

McNulty
Miller (CA)
Owens
Ridge
Rostenkowski

Rush
Sanders
Sharp
Stokes
Thompson

Underwood (GU)
Velazquez
Washington
Wilson

□ 1728

The Clerk announced the following pair:

On this vote:

Mr. Dellums for, with Mr. Barrett of Nebraska against.

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

Mr. SMITH of Michigan changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1730

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

Mr. Chairman, following a short colloquy with the gentleman from Connecticut [Mr. GEJDENSON], I will make a unanimous consent request with the gentleman from Florida [Mr. GOSS]. Members should be advised that if we are able to work this out, there will be one more vote, within half an hour, most likely around 6:15, and that is the purpose of what we are going through right now.

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

Mr. WISE. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Chairman, is it the Chairman's interpretation that the EDA is authorized to use defense conversion funds under title 9 of the Public Works and Economic Development Act of 1965 to support tourism promotion and development programs by entities and communities which currently qualify for such assistance?

Mr. WISE. That is my interpretation and I believe that if communities making the transition from defense determine that tourism is an important economic diversification option, funds under this title should be available from EDA to support those efforts.

Mr. GEJDENSON. Mr. Chairman, I thank the chairman of the subcommittee, the gentleman from West Virginia [Mr. WISE], for his efforts here today, and his historic efforts in economic development.

AMENDMENT OFFERED BY MR. GOSS

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

The Clerk read as follows:

Amendment offered by Mr. GOSS:

TITLE II—APPALACHIAN REGIONAL COMMISSION

SEC. 201. ABOLISHMENT OF APPALACHIAN REGIONAL COMMISSION AND ITS PROGRAMS.

(A) ABOLISHMENT OF APPALACHIAN REGIONAL COMMISSION.—The Appalachian Regional Commission is hereby abolished.

(b) REPEAL OF ACTS.—The Appalachian Regional Development Act of 1965 (40 U.S.C. App. 1 et seq.) is repealed.

SEC. 202. CONCLUSION OF BUSINESS OF APPALACHIAN REGIONAL COMMISSION.

(a) AUTHORITY OF PRESIDENT TO CONCLUDE BUSINESS AND HONOR CONTRACTS.—The Presi-

dent shall provide for the conclusion of any outstanding affairs of the Appalachian Regional Commission, including matters affecting the disposition of personnel. The President may take any action that (if this title had not been enacted) would have been authorized as of the effective date of this title under the Act repealed by section 201(b) and is necessary or appropriate to administer and fulfill the terms of any grant, contract, loan, or other obligation made by the Appalachian Regional Commission pursuant to the Act repealed by section 201(b).

(b) EFFECT OF ABOLISHMENT ON EXPENDITURE OF FUNDS ALREADY RECEIVED.—Section 201 may not be construed to prevent the expenditure of any funds received from a grant or loan under the Act repealed by section 201(b). Any grant or loan made under such Act before the effective date of this title shall be subject to any laws and regulations that would have applied to the grant or loan if this title had not been enacted.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

SEC. 204. EFFECTIVE DATE.

This title shall take effect on the 1st day of the 1st fiscal year that begins after the date of the enactment of this Act.

Conform the table of contents accordingly.

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

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

There was no objection.

Mr. WISE. Mr. Chairman, I ask unanimous consent that all debate be limited to 30 minutes, to be equally divided, 15 minutes on each side.

Mr. Chairman, if I might explain, the goal is, in order to permit Members to make the ceremony honoring the former First Ladies, that we be able to be out of the House around 6:30. If this unanimous-consent request is granted, that will mean there will be a vote at approximately 6:10 p.m. It is my understanding that the gentleman from Minnesota [Mr. GRAMS] has an amendment, which it is my intention and the Chair's intention to endorse. An amendment will then be offered by the gentleman from Colorado [Mr. HEFLEY], at which time the Committee will rise, and take up that amendment as the first order of business tomorrow morning.

Mr. Chairman, with that, I ask unanimous consent that debate be limited to 30 minutes, to be equally divided between the gentleman from Florida [Mr. GOSS] and myself.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia [Mr. WISE]?

There was no objection.

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] will be recognized for 15 minutes, and the gentleman from Florida [Mr. GOSS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Florida [Mr. GOSS].

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

Mr. Chairman, we hear over and over on this floor the importance of deficit reduction and responsible congressional oversight. Yet time and again this Congress is quick to create massive new spending programs, and glacially slow to terminate wasteful or obsolete ones.

During consideration of this year's budget resolution, I put forth a list of 76 specific spending cuts to save \$285 billion over 5 years—termination of the ARC and the EDA were 2 of these cuts. Since the majority leadership seems determined to prevent any comprehensive spending cut package from reaching the floor this year, I am happy to come here to argue the merits of each specific spending cut on an individual basis.

The Appalachian Regional Commission [ARC] was created in 1965 to address the issue of poverty and economic deterioration in a broad swath of the Eastern United States known as Appalachia. The region includes all of West Virginia and parts of 12 other States, encompassing 195,000 square miles and a population of about 21 million.

The ARC is a joint Federal-State effort, with the majority of the funding coming from the Federal Government. Cumulative through 1993, the Federal Government has spent \$6.4 billion on ARC development programs.

Most experts agree that it is impossible to say for certain whether the ARC has had a real impact. There are signs that conditions in the Appalachian region have improved. According to a February 1993 ARC report, since 1965: Per-capita income has risen, the percentage of people graduating from high school has more than doubled, and the infant mortality rate is now down to the national average. Perhaps most tellingly, the percentage of people living below the poverty line is down from around 30 to 15.2 percent—virtually equal to the national average of 14.5 percent. It certainly sounds as if the ARC has met its goal of addressing the disparate poverty levels in this region of the United States compared to the rest of the nation.

But, Mr. Chairman, within the Federal Government there are numerous examples of temporary commissions lasting for decades, programs that have outlived their original purpose but continue to survive for political reasons, and those that are simply wasteful.

The ARC has not been authorized for over 10 years—since 1982; and other multi-state regional development agencies were terminated in 1981. But we continue to subvert the budget process by spending hundreds of millions of tax dollars a year to keep the ARC alive.

I respectfully suggest that it is time to fold the tent at the ARC—at least the Federal component of it—and move on. The remaining economic hardship

in the Appalachian region is comparable to other areas of the country that do not receive such targeted assistance. And in an era where the deficit is hovering around \$200 billion and the debt is \$4.3 trillion and climbing, we cannot really afford to continue funding programs like the ARC.

CBO estimates that eliminating the ARC will save some \$1.4 billion in budget authority and \$690 million in outlays over 5 years. The Concord Coalition, Citizens Against Government Waste, the Heritage Foundation, and other independent groups all have called for this program's termination.

While making these cuts alone will not put an end to deficit spending, it is a positive first step towards fiscal responsibility; one I urge my colleagues to take today.

□ 1740

Mr. WISE. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise in strong opposition to this amendment. I believe the gentleman from Florida is well-intentioned, but I need to talk a little bit about the Appalachian Regional Commission, the ARC. The Appalachian Regional Commission has been a unique adventure for this Government, because what it is is a true joint Federal-State partnership by which there is a Federal cochair nominated by the President, confirmed by the Senate. And there is then the 13 governors create a state cochair.

The result is that the 13 governors have equal say with the Federal Government in the disposition of these funds. The governors are the 13 governors that participate in the Appalachian Regional Commission. They make the decisions. So we truly have the local and the State and the Federal working together.

The gentleman talked about distressed counties. The fact that many of the counties are doing better, and they are. But that is why over the many years the Appalachian Regional Commission has targeted more and more of its money to the truly most distressed. One-third of the counties, the 400 counties still in the Appalachian region have, for instance, unemployment that is 150 percent of the national average.

In 1991, the per capita income in Appalachia was \$15,816 or 83 percent of the United States per capita income of \$19,000. In 7 of our 13 states in the Appalachian region, more than 20 percent of the children under 18 live in poverty.

So what the ARC was created to do was to create a regional alliance to work on problems within the region. And indeed, I think it has worked well. It has worked well, but the job is, as I think I just illustrated in my statistics, is not done.

I do believe this point has to be made. Does this little extra that these states are getting over and above mean

that they get a disproportionate share of Federal funding? Absolutely not. In fiscal year 1992, Appalachia, with 8.3 percent of the United States population, received, with the ARC monies which are minimal, 7.4 percent of total Federal expenditures. The highway system that was authorized in 1965 is roughly 3,000 miles. Of that, a little over two-thirds has been completed. Should the Appalachian Regional Commission be eliminated at this point, then many of our States that have highway projects either under construction, on line, engineered, they will not be able to complete that.

Let me just say, those of my colleagues who are interested in ISTEA, with the exception of 300 of the 3,000 miles, 2,700 miles of the ARC system are listed by Members' states as being priority highways for national highway designation. That is a very, very important factor that must be considered.

There is some good news about the Appalachian Regional Commission. It has been partially successful. The gentleman from Florida, I believe, acknowledged this.

For instance, in a most recent study that was quoted earlier in the debate, partially funded by the National Science Foundation, it was found that by matching the 400 ARC counties with 400 similar counties, similarly situated in terms of poverty, unemployment, and so on, it was found that the Appalachian counties, because of the ARC, were growing faster, that their income growth increased 48 percent faster than the other counties, that they grew, their population grew 5 percent more, and that the per capita income increase was 17 percent more. That is good news.

But as I just mentioned, that is because Appalachia has had further to come, the result being that we still are below the per capita income in a significant way.

We also suffered many of the reverses that many of my colleagues in other parts of the country have suffered. The interesting thing is that in many ways we took it in Appalachia even harder. Technological changes and adverse economic effects of the early 1980's hit mining and manufacturing proportionately much harder in the Appalachian region than it did in other areas.

I might point out, Mr. Chairman, that the job needs to be continued. Other statistics come forward.

For instance, such as 37 percent of Appalachia's 300 nonmetropolitan counties are considered severely distressed compared to 19 percent of the nonmetropolitan counties in the rest of the Nation. Appalachia, particularly the part encompassed within the 13 counties of the ARC, Appalachia did not know what it was in the 1980's to participate in the defense buildup, for instance.

Appalachia did not know what it was to enjoy the gains and the benefits of

some of the economic growth that occurred. I had a friend of mine talk about defense conversion, which is part of the EDA. And we will be dealing with that tomorrow.

□ 1750

A friend of mine pointed out that we have never had anything to worry about being converted from.

Mr. Chairman, I would urge Members to reject this amendment.

Finally, Mr. Chairman, there are other unique applications, regional applications, which have survived the test of time. I think many would say they should not be dismantled.

For instance, there is the TVA, the Tennessee Valley Authority. There is the Bonneville Power Administration. There are other areas where regions have worked together.

Mr. Chairman, I would urge my colleagues to reject this amendment. The ARC funding, and we will be accepting an amendment by the gentleman from Minnesota shortly, will essentially keep it at the administration's levels, I believe \$214 million, even perhaps less than that essentially, so there is no great rapid increase of this program. I would urge rejection of this amendment.

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

Mr. GOSS. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from Florida [Mr. Goss] has 8½ minutes remaining.

Mr. GOSS. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, I rise today in strong support of the Goss amendment to the Economic Development Act to eliminate the Appalachian Regional Commission. The ARC is another of many archaic programs in the domestic discretionary budget that has long ago outlived its usefulness.

I was elected on a promise to fight for real change. But here we are today, very little having changed. I have spent my first term in Congress watching a broken budget process continue to generate massive new taxes, higher spending, and a ballooning Federal debt.

Last year and again this year, proponents of President Clinton's so-called deficit reduction plan went out of their way to pat themselves on the back for a job well done. Well, it was taxes well raised. That plan was primarily a massive tax increase, including higher income taxes, higher taxes on Social Security, higher gas taxes, and higher Medicare taxes. Except for national defense, spending was hardly cut at all, and few programs were eliminated.

As for the Federal budget deficit, a problem supposedly solved by last

year's tax increase, a recent CBO report tells the real story. The April 1994 report, "An Analysis of the President's Budgetary Proposals," shows the deficit going up, not down. These numbers, incidentally, have deteriorated since January.

Mr. Goss' amendment to eliminate ARC represents one step toward fiscal sanity, saving taxpayers a total of \$690 million over the next 5 years. Most important, a vote for this amendment sends an important message to working Americans that we are willing to protect their interests over the demands of special interests.

The ARC is a uniquely embarrassing piece of congressional pork, and has earned the questionable distinction of making Citizens Against Government Waste's list of prime cuts. According to that report, "The ARC, which duplicates 14 other Federal and State programs, is another well-intended agency that has outlived its usefulness, except to pork barrel practitioners.

The fiscal insanity has to stop sometime, somehow, somewhere. A vote for this amendment is a vote against the ARC's pork barrel express. I urge my colleagues on both sides of the aisle to take this small step for fiscal sanity by voting yes on the Goss amendment to eliminate the Appalachian Regional Commission. The American people are counting on you.

Mr. WISE. Mr. Chairman, if the gentleman will yield, I would point out to the previous speaker that the amendments that the gentleman from Minnesota [Mr. GRAMS] will be offering, which it is our intention to accept, will mean that \$62 million less will be spent next year on the Appalachian Regional Commission, almost a quarter of the program itself, than is in this year's appropriation, and that will essentially mean that the President's budget request, which was essentially a freeze, will be met.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. OBERSTAR], previous chair of the Subcommittee on Economic Development of the Committee on Public Works and Transportation.

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

Mr. Chairman, several years ago at hearings on ARC that the gentleman from Pennsylvania [Mr. CLINGER] and I conducted, a witness from Sneadville, KY, Mayor Charlie Turner, said:

Before the ARC came along, we was so far down we had to look up to see bottom.

What the Appalachian Regional Commission did in the years when it was receiving significant amounts of funding was to lift the level of poverty from 31 percent in Appalachia, to reduce that level of poverty down to 14 percent, to lift the per capita income from the mid 40's percent of national per capita income to 86 percent of national

per capita income. This is a program that works. We created, in 20 years, 1.5 million jobs at an average cost of \$2,400 a job, documented, congressional hearings, GAO study.

In EDA every year we return more money in Federal, State, and local taxes from jobs created by EDA than the Federal Government invested in 20 years of the EDA programs, \$6.5 billion every year in tax dollars from the 1.4 million jobs created in the EDA program nationwide, helping out counties and regions of high unemployment and severe economic distress.

That \$4.5 billion of Federal funds leverages an additional \$9 billion in private and local investments in EDA projects nationwide, helping communities lift themselves up by the bootstraps. That is what happened in ARC all through this region.

Mr. Chairman, I shall never forget the testimony of Tilda Kemplin, director of a child development program at Duff, TN, who said:

Gentlemen, when you go back to Washington, remember our experience and look over the top of the dollar, try not to see George Washington, but see a child and see the needs and how this program has helped."

The CHAIRMAN. The Chair would advise both sides that they have 6½ minutes remaining of debate.

The Chair recognizes the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. KNOLLENBERG].

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

Mr. Chairman, I rise today in support of the amendment offered by my colleague, the gentleman from Florida.

What we have before us today in H.R. 2442 is nothing more than super pork.

In many ways, the ARC was the centerpiece of President Johnson's so-called Great Society program. In 1965, Johnson actually launched the Great Society initiative from the porch of a poor Appalachian resident.

Yet 30 years and billions of dollars later, the Appalachian region is no better off than it was before.

It is just another example of why big government doesn't work—and why it cannot work.

Believe it or not, this legislation actually contains language that would try to expand those areas considered part of the Appalachian Regional Commission [ARC].

With the level of funding that some Members in this House are likely to authorize, maybe I should vote 'yes', and try extending the ARC to Michigan.

I would hope that given our country's need for fiscal responsibility that we would simply eliminate this program and save the taxpayers of this country valuable dollars.

I strongly urge my colleagues to support the Goss amendment.

Mr. WISE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

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

Mr. Chairman, I am pleased to rise in opposition to this amendment for a variety of reasons. I think that we should remember the fact that the Appalachian Regional Commission is one of only two Federal agencies that exist whose mission is to try to do something about job generation at the local level and at the rural level. The two programs I am speaking of are ARC and EDA, and these are the only two programs that really have a focus on the economic problems, the distress problems that are peculiar to rural areas.

The focus of the programs has always been in those distressed areas of rural America. I think that is an important thing to bear in mind on my side of the aisle, because so many of us represent those kinds of areas that do have problems that have existed over the years.

It is true, Mr. Chairman, that the Appalachian region has enjoyed some measure of improvement over the period of time, but it is also true that because of the fact that the economy of that region was largely built on extractive industries, now because of the disappearance of those industries we are having a transition problem to new forms of an economy, and the program is still vital, I think, for that region.

Mr. Chairman, the gentleman from West Virginia [Mr. WISE] has already mentioned some of the statistics, I think, that bear this out. In May 1992, only one-third of Appalachia's 19 metropolitan counties had unemployment rates of at least 150 percent of the national average, and 37 percent of the Appalachia's 300 nonmetropolitan counties are considered severely distressed.

□ 1800

Mr. Chairman, it is not. We have had some success but we have also started from a much lower base and have only now really gotten to the point where we have the hope that the synergism that the Appalachian Regional Commission provides can take us on to the next level. This is a program that has worked because of the unique character of it. It is a Federal, State, and local partnership which has worked very well. This is not something that is imposed from the top down. It is something that comes up from the bottom, the local region.

Mr. Chairman, I urge as strongly as I can that this is a program that has worked, that continues to work, but which is still vitally needed to ensure the economic survival of a region of this country.

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. GRAMS].

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

Mr. Chairman, I rise in support of the Goss amendment to terminate Federal funding for the Appalachian Regional Commission.

I had planned to offer sunset amendments to H.R. 2442, which would have prohibited the Appropriations Committees from circumventing the will of the authorizing committees—or the will of Congress—and would have ensured funding for the EDA and the ARC is established under the legitimate oversight process. But in the interest of time, I will not offer these amendments today.

I do, however, want to take this opportunity to reemphasize the importance of sunset amendments. Too often in the past, the Appropriations Committee has skirted the legislative process by appropriating funds to unauthorized programs or programs whose authorizations had expired and not been extended. By abusing this tactic, the Appropriations Committee has on many occasions cut into the jurisdiction of many authorizing committees, and violated the rules of the House.

The programs before us today are perfect examples of this abusive practice. Both the EDA and the ARC have gone without reauthorization since September 30, 1982.

That's right, 1982.

Since that time, Congress has appropriated \$5.3 billion—\$3.4 billion for the EDA and \$1.9 billion for the ARC—for these programs without a single review. That, my colleagues, is not good government.

Authorizing committees are responsible for ensuring that every tax dollar spent is used for a legitimate and beneficial purpose. Appropriating funds from programs without regular review increases the likelihood that Congress is spending public funds for programs that are wasteful or have outlived their purpose. We owe it to the American taxpayer to ensure that their hard-earned dollars are being well spent. In addition, we owe it to our own authorizing committees to make sure that their jurisdiction is not being intruded upon by the Appropriations Committees.

Like the Hefley amendment on EDA to follow, the Goss amendment, if adopted, would effectively sunset the ARC immediately—and that's a good idea. If, however, this amendment is not adopted, I would strongly encourage my colleagues to revisit the merits of both the ARC and the EDA when this authorization expires in 1996. We can't afford to allow another 12 years to go by while we continue to appropriate funds for programs which have outlived their purposes.

I encourage my colleagues to stand for good government and support the Goss amendment.

Mr. WISE. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, I thank my colleague and good friend, the gentleman from West Virginia, for yielding me the time.

Mr. Chairman, I rise in strong opposition to the amendment offered by my colleague, the gentleman from Florida.

The Appalachian Regional Commission [ARC] was created in 1965 as an answer to a century of neglect and exploitation in one of the most economically distressed regions of America.

Since its inception, the ARC has had an extraordinary impact on the quality of life and economic health of those who live in Appalachia.

By targeting resources through unique Federal, State, and local partnerships, the ARC has encouraged public and private investments in the Appalachian region. And it has proved to be a good investment—in many cases leveraging its dollars at a ratio of better than 6 to 1.

ARC funding has produced measurable results in Appalachia. Living conditions have improved dramatically since the creation of the organization. The percentage of people living in poverty has gone down, while per capita income has gone up. More people are finishing high school. And infant mortality has fallen.

More specifically, ARC funding has helped to complete more than 2,000 miles of planned highway network, enhance quality job training and readiness programs, improve access to health care, and create more than two million new private sector jobs.

But despite this significant progress, much of Appalachia still lags behind the Nation in key indicators such as per capita market income, rates of poverty and unemployment, the condition of infrastructure, levels of literacy, and access to health care. The ARC cannot be expected to overcome a century of neglect in the course of one generation. And some of the progress we have made has been negated. For example, during the 1980's some of the economic gains achieved in Appalachia were lost as a result of the severe recession, the decline of basic-industry America, and the low levels of Federal funding provided for ARC and other domestic programs. Federal spending cuts that began in 1981 at the EDA, HUD, HHS, EPA, and Farmer's Home have threatened to reverse the progress in the region.

For these reasons, I urge my colleagues to continue their support for this important Agency.

Mr. WISE. Mr. Chairman, how much time does each side have remaining?

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] has 2½ minutes remaining and the gentleman from Florida [Mr. GOSS] has 3 minutes remaining.

Mr. GOSS. Mr. Chairman, I have no further speakers, and I want to wrap this up because I think the case has been made.

Mr. WISE. Mr. Chairman, am I correct the gentleman from Florida has the right to close?

The CHAIRMAN. The gentleman from West Virginia would have the right to close.

Mr. WISE. Mr. Chairman, if I have the right, I will wait.

Mr. GOSS. Mr. Chairman, I assumed I had the right to close.

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] has the right to close.

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

Mr. Chairman, I congratulate the gentleman from West Virginia for making a case very well on behalf of his constituency which is exactly what he should do. I would do the same.

Mr. Chairman, Florida is a megadonor State. I understand how the gentleman from West Virginia feels. We get picked on in Florida unmercifully and one of the reasons we argue so much for fair play for Florida is that we want to level the playing field. I am simply saying that you have had a very successful program, it has had great success in many ways, and it has, in fact, leveled the playing field in Appalachia to a large degree. Not all the problems are solved any more than the problems in Florida are solved and I am sorry to report that I could probably show the gentleman an impoverished area in my district, even though it does not show up on this county needs area, that is just as distressed as some of the places in Appalachia and probably just as distressed as some of them back in 1963 when this program had its genesis.

Mr. Chairman, I feel that the interest here is fair play. I am appealing to every Member of this body who is outside the Appalachian belt, who has got a needy county, and we will have the map here, to consider whether they are getting a fair shake by continuing this program. In my view, it is duplicative. We have other agencies that are doing the kinds of things that Appalachia needs and the poverty areas that are still needed to bring them forward, that 14 or 15 percent that are below the level, which is true every place else in our country and most other districts.

Mr. Chairman, I am going to ask my colleagues to look closely at this map and find out whether they feel an extra tilt is still needed for the Appalachian region. I suspect most Members will agree with the NTU and the citizens against Government waste and so on to say this program is a job well done, declare victory and now let us deal with the rest of the Nation.

Mr. Chairman, I also need to point out that I think that there is a duplication going on now with other agencies. The gentleman mentioned highway funds. I pointed out there are \$60 million of nonhighway funds. There are other problems and other ways of deal-

ing with highways and roads all across our Nation. I simply want to make the point that this does not preclude any place in Appalachia from building highways, it just puts them on the same footing with the rest of us who are also trying to build highways. Many of us in growth areas feel we are just as far behind the curve as the people in Appalachia.

Mr. Chairman, I think these are fair arguments and there is no mean-spiritedness behind this as I am sure the gentleman understands. This is merely an effort to level the playing field at this time, especially since this is not an authorized program.

Mr. Chairman, I thank the gentleman for his understanding on that point.

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

Mr. WISE. Mr. Chairman, before I yield time to the next speaker, I yield myself 30 seconds simply to reply that the ARC is trying to level the playing field but is trying to get much of the Appalachian region on the playing field. It can indeed be a model for many of those areas that are distressed in other parts of the country.

Mr. Chairman, to conclude debate on our side, I yield 2 minutes to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, many of the speakers on this amendment this afternoon have no idea of the depth of poverty with which we are trying to deal in most of Appalachia.

Mr. Chairman, I submit to the gentleman from Florida that the unemployment rate in Naples or Fort Myers, FL, is not 30 or 40 percent as it is in Letcher County, KY.

Mr. GOSS. Mr. Chairman, will the gentleman yield on that point?

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

□ 1810

Mr. GOSS. I would only point out I was not speaking of Fort Myers or Naples. I was speaking of Immokalee, Tice, and Alva, and places like that that are just as distressed.

Mr. ROGERS. The poverty rate in those counties is nowhere near what it is in the Appalachian area. We are making some progress through the Appalachian Regional Commission, because this is a program used by the Federal Government to leverage private, local, county, State, and other funds, and it works.

Let me give you one example. Seven years ago the ARC helped fund a program in my district that came to be known as Forward in the Fifth, an effort to try to get kids back in school and get parents involved with their kids in school. After 7 years now, we are able to say today that fully 50 percent, we have a better than 50-percent improvement in the dropout rate, because of that program.

Ten percent of those kids are going to college, more than they were in the

earlier days. So there is some remarkable, remarkable progress that is taking place.

Do not dump on the poorest part of the country, I urge you.

This is a tiny program. President Clinton is talking about sending three times this amount of money just for a quick aid for South Africa. If you can help South Africa, surely you can help the poorest parts of this country by keeping this modest program in place, encouraging people to help themselves. That is what the ARC does.

Please, help us with this program. Do not vote for the Goss amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GOSS].

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

RECORDED VOTE

Mr. GOSS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 143, noes 261, not voting 33, as follows:

[Roll No. 163]

AYES—143

- | | | |
|--------------|--------------|---------------|
| Allard | Hancock | Miller (FL) |
| Archer | Hansen | Minge |
| Army | Harman | Moorhead |
| Baker (CA) | Hastert | Nussle |
| Baker (LA) | Heffley | Oxley |
| Ballenger | Heger | Paxon |
| Barton | Hoekstra | Penny |
| Bereuter | Hoke | Peterson (MN) |
| Bilirakis | Horn | Petri |
| Boehner | Huffington | Pombo |
| Bonilla | Hutchinson | Porter |
| Burton | Hyde | Pryce (OH) |
| Buyer | Inglis | Ramstad |
| Calvert | Inhofe | Ravenel |
| Camp | Istook | Roberts |
| Canady | Johnson (CT) | Rohrabacher |
| Castle | Johnson, Sam | Ros-Lehtinen |
| Coble | Kasich | Roth |
| Collins (GA) | Kim | Roukema |
| Combest | King | Royce |
| Condit | Kingston | Saxton |
| Cox | Klein | Schaefer |
| Crane | Klug | Schenk |
| Crapo | Knollenberg | Sensenbrenner |
| Cunningham | Kolbe | Shaw |
| DeLay | Kyl | Shays |
| Diaz-Balart | Lazio | Slattery |
| Dickey | Levy | Smith (MI) |
| Doolittle | Lewis (CA) | Smith (TX) |
| Dorman | Linder | Solomon |
| Dreier | Livingston | Stearns |
| Duncan | Machtley | Stenholm |
| Dunn | Mann | Stump |
| Ehlers | Manzullo | Swett |
| Ewing | Margolies- | Talent |
| Fawell | Mezvinsky | Tauzin |
| Fields (TX) | McCandless | Thomas (CA) |
| Fowler | McCollum | Thomas (WY) |
| Franks (CT) | McCrary | Thurman |
| Gallegly | McCurdy | Torkildsen |
| Gilchrest | McHugh | Upton |
| Gingrich | McInnis | Walker |
| Goodling | McKeon | Weldon |
| Goss | McMillan | Wolf |
| Grams | Meehan | Young (AK) |
| Greenwood | Meyers | Young (FL) |
| Gunderson | Mica | Zeliff |
| Hall (TX) | Michel | Zimmer |

NOES—261

- | | | |
|--------------|--------------|--------------|
| Abercrombie | Bacchus (FL) | Barlow |
| Ackerman | Bacchus (AL) | Barrett (WI) |
| Andrews (ME) | Baesler | Bartlett |
| Andrews (TX) | Barca | Bateman |
| Applegate | Barcia | Becerra |

- | | | |
|--------------|---------------|----------------|
| Bellenson | Hamburg | Payne (VA) |
| Bentley | Hamilton | Pelosi |
| Bevill | Hastings | Peterson (FL) |
| Bilbray | Hayes | Pickett |
| Bishop | Heimer | Pickle |
| Bliley | Hinchee | Pomeroy |
| Blute | Hoagland | Portman |
| Boehlert | Hobson | Poshard |
| Bonior | Hochbrueckner | Price (NC) |
| Borski | Holden | Quillen |
| Boucher | Hoyer | Quinn |
| Brewster | Hughes | Rahall |
| Brooks | Hunter | Rangel |
| Browder | Hutto | Reed |
| Brown (CA) | Inslee | Regula |
| Brown (OH) | Jacobs | Reynolds |
| Bryant | Johnson (GA) | Richardson |
| Bunning | Johnson (SD) | Roemer |
| Byrne | Johnston | Rogers |
| Callahan | Kanjorski | Romero-Barcelo |
| Cantwell | Kaptur | (PR) |
| Cardin | Kennedy | Rose |
| Carr | Kennelly | Rowland |
| Chapman | Kildee | Roybal-Allard |
| Clay | Kleccka | Sabo |
| Clement | Klink | Sangmeister |
| Clinger | Kopetski | Santorum |
| Coleman | Kreidler | Sarpalilus |
| Collins (IL) | LaFalce | Sawyer |
| Collins (MI) | Lambert | Schiff |
| Conyers | Lanacoaster | Schroeder |
| Coppersmith | Lantos | Scott |
| Costello | LaRocco | Serrano |
| Coyne | Laughlin | Shepherd |
| Cramer | Leach | Shuster |
| Danner | Lehman | Sisisky |
| Darden | Levin | Skaggs |
| de la Garza | Lewis (GA) | Skeen |
| de Lugo (VI) | Lightfoot | Skelton |
| Deal | Lipinski | Slaughter |
| DeFazio | Lloyd | Smith (IA) |
| DeLauro | Long | Smith (NJ) |
| Derrick | Lowey | Smith (OR) |
| Deutsch | Maloney | Snowe |
| Dicks | Manton | Spence |
| Dixon | Markey | Spratt |
| Dooley | Martinez | Stark |
| Durbin | Matsui | Strickland |
| Edwards (CA) | Mazoli | Studds |
| Edwards (TX) | McCloskey | Stupak |
| Emerson | McDade | Stupquist |
| Eshoo | McDermott | Swift |
| Evans | McHale | Synar |
| Everett | McKinney | Tanner |
| Faleomavaega | Meek | Taylor (MS) |
| (AS) | Menendez | Taylor (NC) |
| Farr | Mfume | Tejeda |
| Fazio | Miller (CA) | Thornton |
| Fields (LA) | Mineta | Torres |
| Filner | Mink | Torricelli |
| Fingerhut | Moakley | Towns |
| Fish | Molinar | Trafficant |
| Foglietta | Mollohan | Tucker |
| Ford (MI) | Montgomery | Unsoeld |
| Ford (TN) | Moran | Valentine |
| Frank (MA) | Morella | Vento |
| Franks (NJ) | Murphy | Visclosky |
| Furse | Murtha | Volkmer |
| Gallo | Myers | Vucanovich |
| Gejdenson | Nadler | Walsh |
| Gekas | Neal (MA) | Waters |
| Gephardt | Neal (NC) | Watt |
| Geren | Norton (DC) | Waxman |
| Gibbons | Oberstar | Wheat |
| Gillmor | Obey | Whitten |
| Gilman | Olver | Williams |
| Glickman | Ortiz | Wilson |
| Gonzalez | Orton | Wise |
| Goodlatte | Packard | Woolsey |
| Gordon | Pallone | Wyden |
| Green | Parker | Wynn |
| Gutierrez | Pastor | Yates |
| Hall (OH) | Payne (NJ) | |

NOT VOTING—33

- | | | |
|--------------|-----------|----------------|
| Andrews (NJ) | Dingell | Johnson, E. B. |
| Barrett (NE) | Engel | Lewis (FL) |
| Berman | English | McNulty |
| Blackwell | Flake | Owens |
| Brown (FL) | Frost | Ridge |
| Clayton | Grandy | Rostenkowski |
| Clyburn | Hilliard | Rush |
| Cooper | Houghton | Sanders |
| Dellums | Jefferson | Schumer |

Sharp
Stokes

Thompson
Underwood (GU)

Velazquez
Washington

□ 1830

The Clerk announced the following pairs:

On this vote:

Mr. Barrett of Nebraska for, with Mr. Stokes against.

Mr. Grandy for, with Mr. Dingell against.

Messrs. LIVINGSTON, HANCOCK, BAKER of California, and HERGER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. ENGLISH of Arizona. Mr. Chairman, I was unavoidably absent during rollcall vote No. 163. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GRAMS

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

The Clerk read as follows:

Amendment offered by Mr. GRAMS: In the amendment made by section 205(a), strike "\$125,000,000 per fiscal year for each of fiscal years 1995 and 1996 and insert "\$100,000,000 for each of fiscal years 1995 and 1996".

In the amendment made by section 209, strike "\$85,600,000" and insert "\$83,400,000".

Mr. GRAMS. Mr. Chairman, I am pleased to offer this amendment which, to my understanding, has been accepted on both sides of the aisle. This amendment would simply reduce the level of funding for the Appalachian Regional Commission from its current level of \$214.2 to \$187 million, the level requested by the Clinton administration.

Given our current fiscal crisis, there is no reason why Congress should authorize more funds for the ARC than they have requested. At a time when other Federal programs are facing cuts or total elimination, it makes no sense for us to be so generous with the taxpayers' money.

This practice is particularly disconcerting considering the fact that many of the programs supported by the ARC duplicate activities funded by other Federal agencies, such as the Transportation Department's federal highway program and HUD's CDBG program. In addition, while the ARC allocates funds for poor rural communities, these areas are no worse off today than rural communities in Minnesota or the 35 other States that do not benefit from this program.

This \$27.2 million should be put to other, more constructive purposes—including deficit reduction or family tax relief. For these reasons, I urge my colleagues to stand up for what is right by supporting this amendment today.

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

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

Mr. WISE. Mr. Chairman, having reviewed this amendment offered by the

gentleman from Minnesota [Mr. GRAMS], I strongly believe in the work of the Appalachian Regional Commission. I believe the results of the last vote reaffirm the congressional commitment to the people of Appalachia and to the Commission, but recognizing the tough budgetary times, appreciating the cooperative spirit in which the gentleman has worked, I reviewed the amendment and believe it is fiscally responsible.

Mr. Chairman, our side will accept the amendment.

Mr. GRAMS. Mr. Chairman, I thank the gentleman from West Virginia [Mr. WISE] for his cooperation and his help as well. I say to the gentleman, "Thank you very much, Mr. Chairman."

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. GRAMS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: Strike title I and insert the following new title:

SEC. 101. ABOLISHMENT OF ECONOMIC DEVELOPMENT ADMINISTRATION AND ITS PROGRAMS.

(a) ABOLISHMENT OF ECONOMIC DEVELOPMENT ADMINISTRATION.—The Economic Development Administration is hereby abolished.

(b) REPEAL OF ACTS.—The Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) and the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6701 et seq.) are hereby repealed.

SEC. 102. CONCLUSION OF BUSINESS OF ECONOMIC DEVELOPMENT ADMINISTRATION.

(a) AUTHORITY OF SECRETARY OF COMMERCE TO CONCLUDE BUSINESS AND HONOR CONTRACTS.—The Secretary of Commerce shall provide for the conclusion of any outstanding affairs of the Economic Development Administration, including matters affecting the disposition of personnel. The Secretary of Commerce may take any action that (if this Act had not been enacted) would have been authorized as of the effective date of this Act under the Acts repealed by section 101(b) and is necessary or appropriate to administer and fulfill the terms of any grant, contract, agreement, loan, obligation, debenture, or guarantee made by the Secretary pursuant to the Acts repealed by section 101(b).

(b) EFFECT OF ABOLISHMENT ON EXPENDITURE OF FUNDS ALREADY RECEIVED.—Section 101 may not be construed to prevent the expenditure of any funds received from a grant or loan under the Acts repealed by section 101(b). Any grant or loan made under such Acts before the effective date of this Act shall be subject to any laws and regulations that would have applied to the grant or loan if this Act had not been enacted.

(c) CONTINUANCE OF ECONOMIC DEVELOPMENT REVOLVING FUND TO FINISH BUSINESS.—

(1) AUTHORIZED PURPOSES.—The Economic Development Revolving fund established by section 203 of the Public Works and Eco-

nomics Development Act of 1965 (42 U.S.C. 3143) shall continue in existence for the following purposes:

(A) COLLECTIONS AND REPAYMENTS.—To receive collections and repayments in connection with assistance extended under the Acts repealed by section 101(b) that would have been required under the Acts repealed by section 101(b) to be deposited in the Economic Development Revolving Fund if this Act had not been enacted.

(B) PAYMENT OF OBLIGATIONS.—To pay obligations and make expenditures in connection with the Acts repealed by section 101(b) that would have been required under the Acts repealed by section 101(b) if this Act had not been enacted.

(2) TERMINATION OF FUND.—

(A) CERTIFICATION.—When, in the discretion of the Secretary of Commerce, the Economic Development Revolving Fund is no longer necessary to carry out the activities under paragraph (1), the Secretary of Commerce shall certify to the Secretary of the Treasury that the Economic Development Revolving Fund is no longer necessary.

(B) TERMINATION.—Upon receipt of the certification under subparagraph (A), the Secretary of the Treasury shall deposit into the general fund of the Treasury as miscellaneous receipts any moneys remaining in the Economic Development Revolving Fund. The Secretary of the Treasury shall take any action necessary to terminate the Economic Development Revolving Fund. The Secretary of the Treasury shall deposit into the general fund of the Treasury any collections and repayments made after the termination of the Economic Development Revolving Fund in connection with the Act repealed by section 101(b).

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

SEC. 104. EFFECTIVE DATE.

This Act shall take effect on the 1st day of the 1st fiscal year that begins after the date of the enactment of this Act.

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

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

There was no objection.

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

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

Mr. WISE. Mr. Chairman, at this point, since we worked this out in advance, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DEAL) having assumed the chair, Mr. TORRES, 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. 2442) to reauthorize appropriations under the Public Works and Economic Development Act of 1965, as amended, to revise administrative provisions of the Act to improve the authority of the Secretary of Commerce to administer grant programs, and for

other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. RUSH. Mr. Speaker, I would request unanimous consent, that due to my absence from the House of Representatives on official business on this day, namely serving as part of the congressional delegation attending the inauguration of South African President Nelson Mandela, that the record reflect that had I been present to record my votes today, I would have voted as follows:

On the Kanjorski amendment to H.R. 2442 (Rollcall No. 162): Aye.

On the Goss amendment to H.R. 2442 (Rollcall No. 163): Nay.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 302

Mr. HUTTO. Mr. Speaker, I ask unanimous consent to withdraw my name as a sponsor of House Joint Resolution 302.

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

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 2000, HEAD START ACT AMENDMENTS OF 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-502) on the resolution (H. Res. 421) waiving points of order against the conference report to accompany the bill (S. 2000) to authorize appropriations for fiscal years 1995 through 1998 to carry out the Head Start Act and the Community Services Block Grant Act, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 518, THE CALIFORNIA DESERT PROTECTION ACT OF 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-503) on the resolution (H. Res. 422) providing for consideration of the bill (H.R. 518) to designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks and the Mojave National Monument, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2473, THE MONTANA WILDERNESS ACT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report

(Report. No. 103-504) on the resolution (H. Res. 423) providing for consideration of the bill (H.R. 2473) to designate certain National Forest lands in the State of Montana as wilderness, to release other National Forest lands in the State of Montana for multiple use management, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1840

PROCEDURE FOR SUBMISSION OF AMENDMENTS FOR PRINTING ON H.R. 518, THE CALIFORNIA DESERT PROTECTION ACT OF 1994

Mr. MOAKLEY. Mr. Speaker, the Rules Committee has granted a rule for H.R. 518, the California Desert protection Act of 1994, that would require amendments to be printed in the amendment section of the CONGRESSIONAL RECORD prior to the bill's consideration.

That tentative schedule of the House would seem to indicate that the bill will be considered on Tuesday, May 17, 1994. To ensure Members rights to offer amendments under the rule, they should submit those amendments for reprinting in the CONGRESSIONAL RECORD on or before Monday, May 16, 1994.

Amendments should be titled "Submitted for Printing Under Clause 6 of Rule XXIII" and submitted at the Speaker's table. Amendments do not need to be submitted to the Rules Committee.

HOUR OF MEETING ON TOMORROW

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore (Mr. DEAL). Is there objection to the request of the gentleman from Massachusetts? There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2000) "An Act to authorize appropriations for fiscal years 1995 through 1998 to carry out the Head Start Act and the Community Services Block Grant Act, and for other purposes."

VIETNAM HUMAN RIGHTS DAY

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be

discharged from further consideration of the Senate joint resolution (S.J. Res. 168) designating May 11, 1994, as "Vietnam Human Rights Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I yield to the distinguished gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I commend the gentleman from Missouri [Mr. CLAY], the distinguished Chair of the House Post Office and Civil Service Committee and our good minority member, the gentleman from Indiana [Mr. MYERS] for bringing this important initiative before us today and I rise in strong of House Joint Resolution 333, a resolution to commemorate May 11, 1994, as Vietnam Human Rights Day.

Vietnam remains one of the last communist countries in the world and maintains one of the most repressive political and social systems. Free expression is denied and most Vietnamese writers and poets have been denied the right to publish or compose since 1975. The Vietnamese constitution still designates the Communist party as the "Force Leading the State and Society". Vietnam's criminal law is used to punish nonviolent advocates of political pluralism, through charges such as attempting to overthrow the people's government or antisocialist propaganda. Even nonviolent political movements for democracy consisting of former national liberation front members such as the league of former revolutionaries have been repressed and its leaders remain under house arrest. Most prominent leaders from the Buddhist, Catholic, Cao Dai, Hoa Hao, and protestant faiths are in prison or under house arrest for expressing their religious beliefs.

Mr. Chairman, there is more than enough reason to designate a day to educate the public and draw attention to the issue. Accordingly, I support House Joint Resolution 333 and urge my colleagues to support the resolution.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I do so to yield to the gentlewoman from Virginia [Mrs. BYRNE]. the gentlewoman is the chief sponsor of House Joint Resolution 333, which would designate May 11, 1994, as "Vietnam Human Rights Day."

Mrs. BYRNE. Mr. Speaker, I would like to take this opportunity to thank

my distinguished colleagues who have joined me as cosponsors of the resolution I introduced to designate May 11, 1994, as "Vietnam Human Rights Day."

This day commemorates the fourth anniversary of the Manifesto of the Non-Violent Movement for Human Rights in Vietnam, issued by Dr. Nguyen Dan Que, a human rights advocate and political prisoner being held in solitary confinement in Vietnam. He was the first member of Amnesty International in Vietnam and arrested by the Socialist government in 1978 for rebellion against the regime, even though his protests were solely non-violent.

With his case in mind, along with thousands of others, such as those of Buddhist monks and religious leaders, the resolution calls upon Hanoi to respect basic human rights, accept a multiparty system, and restore the right of the Vietnamese people to choose their own form of government through free and fair elections. While this resolution does not take binding action, it has become an issue of great importance to Vietnamese throughout our Nation and in Vietnam.

The passage of Vietnam Human Rights Day is a symbol of American resolve in the area of foreign policy. First, it confirms the necessity of placing human rights at the center of United States policy toward Vietnam and reminds us of what we stand for as a nation. Our Nation has always defined itself by the principles that are set forth in the Declaration of Independence and the Constitution. The values these great documents hold must continue to guide our actions and vision of our foreign policy.

Second, this resolution demonstrates that America will not ignore the plight of those Vietnamese citizens who suffer as prisoners of conscience under the Socialist regime. Those who are put in solitary confinement for their political views, Buddhist monks who are arrested and charged with traveling without permission, human rights advocates who are tortured for issuing non-violent statements, and hundreds of citizens who are imprisoned in dungeons without a fair trial will not be forgotten by the United States and its citizens. Just as the world has welcomed South Africa into the community of nations after their recent elections, the people of Vietnam dream of such a day when they will be honored for their movement toward democracy.

Endorsed by veterans groups ranging from the American Legion to the American Ex-Prisoners Of War, I am optimistic that this will encourage Vietnam to go down the road of becoming a more open, democratic, and pluralistic society.

On behalf of the thousands of Vietnamese in my district and throughout the Nation, I want to thank my colleagues for cosponsoring this resolu-

tion and for bringing this issue to the forefront.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I wish to again thank the gentlewoman from Virginia [Mrs. BYRNE] for introducing this important resolution.

Mr. Speaker, I yield to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

Mr. FALEOMAVAEGA. Mr. Speaker, I wish to express my sincere appreciation to the gentlewoman from Virginia [Mrs. BYRNE] for bringing forward this initiative, and for her leadership in sponsoring House Joint Resolution 333, the companion legislation to Senate Joint Resolution 168.

I certainly commend the gentlewoman for this, as well as our good friend, the gentlewoman from Maryland [Mrs. MORELLA], for bringing this piece of legislation before the Members for consideration.

Mr. Speaker, as a member of a group of Members who has served in the Vietnam War, this is really a historic moment, at least in my humble opinion, for bringing again to the forefront a sense of recognition of this very important issue as it affects our relationship with the Republic of Vietnam. I certainly want to thank the gentlewoman from Virginia [Mrs. BYRNE] for doing this.

Mr. Speaker, I want to say also that I hope this legislation will be an initiative to make the leaders of the Republic of Vietnam cognizant of the civil rights of the citizens of Vietnam.

Mr. Speaker, I wish to commend the gentlewoman from Virginia [Mrs. BYRNE] for taking this initiative also to the effect that we are also not to forget some 2,300 POW's and MIA's that are still unaccounted for. I would certainly like to commend this administration for their sincere efforts in seeing that we settle this issue with the officials of the Vietnam Government.

Mr. Speaker, I want to also say that on the question of human rights, I realize this is one of the important issues that the administration has taken up, and it is certainly important with the Members of this body. More importantly, we should recognized human rights, especially for the good citizens of Vietnam. I feel that this piece of legislation is most befitting.

Mr. Speaker, I thank the gentlewoman from Maryland [Mrs. MORELLA] for yielding.

□ 1850

Mrs. MORELLA. Mr. Speaker, continuing my reservation of objection, I just want to thank the gentleman for his very eloquent, sincere statement on behalf of this resolution. I reiterate my commendation to the gentlewoman from Virginia for introducing it and say I am proud to be one of the cosponsors.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. DEAL). Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 168

Whereas May 11, 1994, is the fourth anniversary of the issuance of the Manifesto of the Non-Violent Movement for Human Rights in Vietnam;

Whereas the Manifesto, which calls upon Hanoi to respect basic human rights, accept a multiparty system, and restore the right of the Vietnamese people to choose their own form of government through free and fair elections, reflects the will and aspirations of the people of Vietnam;

Whereas the author of the Manifesto, Dr. Nguyen Dan Que, and thousands of innocent Vietnamese, including religious leaders, are imprisoned by the Socialist Republic of Vietnam because of their nonviolent struggle for freedom and human rights;

Whereas the leaders of the Socialist Republic of Vietnam are seeking to expand diplomatic and trade relations with the rest of the world;

Whereas the United States, as the leader of the free world, has a special responsibility to safeguard freedom and promote the protection of human rights throughout the world; and

Whereas the Congress urges Hanoi to release immediately and unconditionally all political prisoners, including Dr. Nguyen Dan Que, with full restoration of their civil and human rights; guarantee equal protection under the law to all Vietnamese, regardless of religious belief, political philosophy, or previous associations; restore all basic human rights, such as freedom of speech, religion, movement, and association; abolish the single party system and permit the functioning of all political organizations without intimidation or harassment and announce a framework and timetable for free and fair election under the sponsorship of the United Nations that will allow the Vietnamese people to choose their own form of government: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 11, 1994, is designated as "Vietnam Human Rights Day" in support of efforts by the Non-Violent Movement for Human Rights in Vietnam to achieve freedom and human rights for the people of Vietnam, and the President is authorized and requested to issue a proclamation calling upon the people of the United States to commemorate such day with appropriate ceremonies and activities.

AMENDMENT TO THE PREAMBLE OFFERED BY
MRS. BYRNE

Mrs. BYRNE. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mrs. BYRNE: In the 3d whereas clause of the preamble, strike "Dr. Nguyen Dan Que."

In the last whereas clause of the preamble, strike "including Dr. Nguyen Dan Que."

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentlewoman from Virginia [Mrs. BYRNE].

The amendment to the preamble was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

YEARS OF THE GIRL CHILD

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 302) designating 1994 through 1999 as the "Years of the Girl Child," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I yield to the gentlewoman from Oregon [Ms. FURSE], who is the chief sponsor of House Joint Resolution 302.

Ms. FURSE. Mr. Speaker, I rise today in support of House Joint Resolution 302 which I have sponsored in the House to designate 1994 as the "Year of the Girl Child."

I want to thank each of my many colleagues who have signed up to support this resolution. I would especially like to thank Congresswomen OLYMPIA SNOWE, CYNTHIA MCKINNEY, and NYDIA VELÁZQUEZ for championing this legislation early on as lead cosponsors.

Also, I would also like to thank Chairman CLAY for bringing up the resolution and Congresswoman BYRNE for managing the resolution today on the floor.

I introduced House Joint Resolution 302 to call attention to the inequalities that girls face around the world. While it is difficult to apply general remedies to a problem that varies so widely in detail and scope from country to country and from region to region, the indisputable common denominator for raising the status of women is to elevate the status of girls.

Last month, many of us observed "Take Our Daughters to Work Day." We brought daughters and young girls from our neighborhoods with us to our workplace and gave them a chance to see some of the many opportunities available to them in the professional world. It would be so wonderful not to have to have a special day like this. But unfortunately we do. It is important to focus on the needs of young girls so they will regard themselves, and be regarded by others, as full equals within the classroom and the marketplace.

Over the last several months, Members from both sides of the aisle have come together in support this resolution, acknowledging this need boost girls' self esteem and the need to create more awareness of the discrimination girls face in education, health care, and economic opportunities both in the United States and around the world.

On this day, I thank my colleagues for standing up for human rights for girls and recognizing them as the valuable and vital resource they are.

I want to particularly convey my appreciation to the Population Institute for all their hard work in promoting this resolution, and would also like to recognize the following organizations for their support.

Mr. Speaker, I include for the RECORD a list of cosponsoring organizations of House Joint Resolution 302.

COSPONSORING ORGANIZATIONS—HOUSE JOINT RESOLUTION 302

Academy for Educational Development.
African-American Women's Clergy Association.
Alliance for Child Survival.
American Association of University Women.
American College of Nurse Midwives.
American Psychological Association.
American Public Health Association.
Americans for Democratic Action.
Aspen Airport Business Center Foundation.
Associated Country Women of the World.
Association for Women in Science.
Association of Population/Family Planning Libraries and Information Centers International.
Bread for the World.
California Population Committee.
Center for Democratic Renewal.
Center for Policy Alternatives.
The Center for Development and Population Activities.
Center for Population Options.
Center for Women Policy Studies.
Citizen Advocate for Responsible Birthing.
Commonweal.
Contraceptive Research and Development Program, Eastern Virginia Medical School.
Creative Associates International, Inc.
Crossroads Counseling.
Development Associates.
DKT International.
Family Care International, Inc.
Family Health International.
Fund for a Constitutional Government.
The Futures Group.
General Federation of Women's Clubs.
Girl Scouts of the U.S.A.
Heartwood Institute.
Institute for Health Policy Studies, University of California, San Francisco.
Institute for Reproductive Health at Georgetown University.
IPPF, Western Hemisphere Region.
International Projects Assistance Services.
Johns Hopkins University Population Center.
Lutheran World Relief.
Macro International.
Management Sciences for Health.
Margaret Sanger Center International.
Planned Parenthood of New York City.
Ministry for Justice in Population Concerns.
Missouri Botanical Gardens.
Ms. Foundation.
National Asian Women's Health Organization.
National Black Women's Health Project.
National Coalition Against Domestic Violence.
National Committee for an Effective Congress.
National Conference of Women's Bar Association.
National Council for International Health.

National Family Planning and Reproductive Health Association.

National Federation of Business and Professional Women.

National Museum of Women in the Arts.

National Optimum Population Effort.

National Wildlife Federation.

National Women's History Project.

National Women's Law Center.

Native American Women's Health Education Resource Center.

Nurture, Center to Prevent Child Malnutrition.

Office of Population Research, Princeton University.

Pathfinder International.

Physicians for Social Responsibility.

Planned Parenthood Federation of America.

Population Action International.

Population Communication.

Population Communications International.

The Population Council.

Population-Environment Balance, Inc.

The Population Institute.

Population Speakout.

Program for Appropriate Technology in Health.

Research Triangle Institute, Center for International Development.

RESULTS.

Sex Information and Education Council of the U.S. (SIECUS).

Sierra Club.

Southern California Ecumenical Council.

Transnational Family Research Institute.

Treasure Coast Women's International League for Peace and Freedom.

Tulane (LA) School of Public Health and Tropical Medicine.

UKIMWI Orphans Assistance, Inc.

Unitarian Universalist Church.

United Church Board for World Ministries.

United Church of Christ, Coordinating Center for Women.

United Church of Christ, Network for Environmental and Economic Responsibility.

United Church of Christ, Office for Church and Society.

United Methodist Church, General Board of Church and Society's Ministry of God's Human Community.

United States Committee for UNICEF.

Voters for Choice.

The Woman Activist Fund, Inc.

Woman's National Democratic Club.

Women Employed.

Women of All Red Nations.

WOMEN OF REFORM JUDAISM, The Federation of Temple Sisterhoods.

Women's Action Alliance.

Women's Caucus for Art.

Women's Information Network.

Women's Research and Education Institute.

World Federalist Association.

World Vision Relief & Development.

Worldwatch Institute.

Young Women's Project.

Zero Population Growth.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I would like to point out the importance of a resolution of this nature, because we know that unfortunately throughout the world girls appear to be the most neglected, deprived human resources worldwide. We know that they have been handicapped too often by the perception that they are temporary members of the family but also by the belief that boys will be the breadwinners and, therefore, deserve the resources of education and opportunity.

We just completed H.R. 6, the reauthorization of the Primary and Secondary Schools Act, where we inserted in that important bill further opportunities for girls to be able to be more readily acquainted with math and science, to learn that it is fun, to learn that there are careers open to them. We know that as we look at the year of the girl that very often infant deaths occur and that infant deaths decline by 20 percent when girls in developing countries have as little as 4 to 6 years of school, so the importance of continuity of education.

It is, therefore, very important that we look to the future and know that females are a very important resource and equity is of the utmost importance.

I am pleased to cosponsor this resolution, House Joint Resolution 302. I want to again commend the gentlewoman from Oregon for endorsing it and for introducing it.

Mr. Speaker, I withdraw my reservation of objection.

Mrs. SNOWE. Mr. Speaker, I am proud to be an original cosponsor of House Joint Resolution 302, a resolution to make the years 1994 through 1999 the Years of the Girl Child. Establishing the Years of the Girl Child ensures that we will work to promote the status of girls, which will enhance the lives of children, women and families all over the world.

Clearly, women, children and girls have made significant progress here in America since the years when child labor was common and women could not vote. There is still the need for more progress, as girls still receive unequal education in our Nation's schools, and in addition, they are more likely than boys to be victims of sexual abuse. In other nations, however, startling inequalities abound. For example, two-thirds of the global illiterate population are women. An estimated 40 percent of the world's 14 year old girls will be pregnant by the age of twenty. In Bangladesh, boys under 5 years old were given 16 percent more food than girls. A study in Pakistan showed that 60 percent of grandmothers left in charge of grandchildren fed only the boys and not the girls. A study in 10 villages in Gujarat, India found that in cases of 58 infant deaths, only 22 percent of girls were taken to a health care facility as opposed to 80 percent of boys.

All across America, schools, libraries, museums, and other organizations such as the Population Institute will be paying tribute and working to promote the status of girls. It is our hope that the Years of the Girl Child will raise public awareness about these shocking statistics and motivate people and nations to work together to eradicate these inequalities.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 302

Whereas girls are the most neglected, deprived, and mistreated human resource worldwide;

Whereas girls are frequently condemned to a cycle of poverty, illiteracy, unwanted pregnancy, and poor health;

Whereas girls across the developing world are fed less, withdrawn from school earlier, forced into hard labor sooner, and given less medical care than are boys;

Whereas numerous studies indicate that girls are handicapped not only by the perception that they are temporary members of a family, but also by the belief that boys will be the chief breadwinners and, therefore, are more deserving of scarce resources;

Whereas parents in some regions of the developing world resort to infanticide rather than use the family resources to raise girl children;

Whereas girls in some regions of the world become pregnant at the onset of puberty and continue to become pregnant at intervals that damage their health and increase the chances of complications during pregnancy;

Whereas girls with at least a 7th grade education have 1/2 as many pregnancies as girls with less schooling;

Whereas studies indicate that infant deaths decline by 20 percent when girls in developing countries have as little as 4 to 6 years of school;

Whereas the World Health Organization estimates that improved education for girls and family planning services for women (including girls) would reduce maternal deaths by 15 to 33 percent;

Whereas the World Fertility Survey indicates that a girl's age at marriage increases with the number of years she has spent in school and that she is more apt to marry at 22 than at 17 with even as little as 7 years of education;

Whereas girls in the United States still receive an unequal education in our Nation's schools, by any measure—test scores, curriculum, or teacher-student interaction;

Whereas girls in the United States and abroad are exploited as the victims of sexual abuse and child prostitution; and

Whereas the most recent study of child sexual abuse in the United States shows that, of the cases reported, 23 percent of the victims were boys and 77 percent were girls: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That 1994 through 1999 are designated as the "Years of the Girl Child", and the President of the United States is authorized and requested to issue a proclamation calling upon all United States missions in foreign countries, all United States diplomatic personnel, the Secretary of Education, and the Secretary of Health and Human Services to encourage equality for girls in health care, education, and all phases of family and community life.

AMENDMENT OFFERED BY MRS. BYRNE

Mrs. BYRNE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BYRNE: Page 3, beginning in line 3, strike out "through 1999 are designated as the 'Years of the Girl Child'" and insert "is designated as the 'Year of the Girl Child'".

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE].

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

AMENDMENT TO THE TITLE OFFERED BY MRS.

BYRNE

Mrs. BYRNE. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment to the title offered by Mrs. BYRNE: Amend the title so as read: "Joint Resolution designating 1994 as the 'Year of the Girl Child'."

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolutions just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

□ 1900

POSTPONEMENT OF VOTE ON H.R. 4278, SOCIAL SECURITY ACT AMENDMENTS OF 1994

The SPEAKER pro tempore (Mr. DEAL). Pursuant to clause 5(b) of rule I, the Chair redesignates the time for further proceedings on the motion to suspend the rules and pass H.R. 4278 as May 12, 1994.

OPPOSITION TO DEATH ROW QUOTAS

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

Mr. HORN. Mr. Speaker, recently the California District Attorneys Association, an organization which includes all of the elected district attorneys of California's 58 counties unanimously adopted a resolution expressing adamant opposition to the Racial Justice Act provisions included by the House as part of the crime bill. If adopted, those provisions would effectively establish racial quotas for the death penalty. The 58 county prosecutors believe that these provisions will produce a number of damaging effects on California's and the Nation's ability to control crime.

I agree.

These officials—who have frontline responsibility for prosecuting California's criminals—oppose any version of this so-called racial justice legislation for the following reasons:

First, enactment of these provisions would result in effectively abolishing capital punishment. The language requires that each State show that the death penalty was sought in all cases involving a capital offense.

Second, there would be even further clogging of California's and other States' desperately overcrowded court system. The retroactive application of the Racial Justice Act would permit

people already convicted of capital crimes to petition to have their cases reopened. In California alone, there are 376 such individuals on death row.

Third, this Act disregards the fundamental principle of our criminal justice system that an individual tried on the facts of his or her case.

Fourth, it eliminates the traditional deference to State-court findings and places them under Federal guidelines.

Fifth, most seriously, it encourages a quota system based on race for deciding capital punishment cases.

Sixth, and finally, under this Racial Justice Act, the costs to taxpayers and to local governments would be absolutely exorbitant amounts of money to retry these cases, and the endless appeals that the habeas corpus system provides.

I join with the California District Attorneys Association in the belief that the many positive elements of the crime bill are undermined by the inclusion of this racial justice provision. It opposes fundamental notions of our criminal justice system. It must not be included in the final conference report.

Mr. Speaker, I include for the RECORD the following resolution of April 29, 1994, from the California District Attorneys Association:

CALIFORNIA DISTRICT ATTORNEYS ASSOCIATION—ADOPTED APRIL 29, 1994, CONCERNING THE RACIAL JUSTICE ACT

Whereas, the California District Attorneys Association is an organization composed of the elected District Attorneys of California's fifty-eight counties and 3,000 deputy district attorneys and city prosecutors;

Whereas, on April 21, 1994, the U.S. House of Representatives adopted the omnibus crime bill, H.R. 4092, which included in Title IX legislation, referred to, and known as, the Racial Justice Act (or the Racially Discriminatory Capital Sentencing Act);

Whereas, on April 20, 1994, the U.S. House of Representatives narrowly defeated the McCollum Amendment to strike the Racial Justice Act from the House crime bill and substitute in its place the Equal Justice Act. [The vote was an effective 212 to 212 tie, after the votes of the five Delegate members were excluded under recent House Rules.];

Whereas, the Racial Justice Act would, first, permit a capital case defendant to make a statistical showing that death sentences are being imposed or administered in a disproportionate manner upon (1) persons of one race or (2) as punishment for capital offenses against persons of one race, and, second, require the prosecutor to rebut this statistical showing "by a preponderance of the evidence";

Whereas, in the 102d Congress, on June 20, 1991, the U.S. Senate voted to strike a similar measure entitled the Racial Justice Act out of the omnibus crime measure by a bipartisan vote of 55 to 41 (this was the third successive Congress in which the U.S. Senate rejected the Racial Justice Act), and on October 22, 1991, the U.S. House of Representatives voted to strike a similar measure by a bipartisan vote of 223 to 191;

Whereas, the U.S. Supreme Court rejected a discrimination claim founded solely upon statistics, in *McCleskey v. Kemp*, 481 U.S. 279 (1987).

Now, therefore, be it resolved that in light of the urgency and importance of this mat-

ter, all 58 California district attorneys, having been polled, unanimously:

(1) oppose any version of the Racial Justice Act, for the following reasons:

(a) The Racial Justice Act would result in the effective abolition of capital punishment.

This would result because of the inherent evidentiary difficulties and inevitable vast expenditures of time and money in litigation in every post-conviction capital case, to prove by at least a preponderance of the evidence a negative, to wit, that race was not the basis for any of the prosecutor's, jury's, or judge's decisions. [The Racial Justice Act contains a virtually impossible rebuttal burden: "Unless [the prosecutor or State] can show that the death penalty was sought in all cases fitting the statutory criteria for imposition of the death penalty, the government cannot rely on mere assertions that it did not intend to discriminate or that the cases in which death was imposed fit the statutory criteria for imposition of the death penalty.];

(b) moreover, as to adjudicated cases, the retroactive application of the Racial Justice Act would permit convicted capital defendants to reopen their cases by presenting discrimination claims (regardless of whether such claims had previously been rejected). In California, there are currently 376 individuals on death row. The retroactive provision in the Racial Justice Act as passed by the House would potentially affect these cases as well as others around the nation;

(c) the statistical premise of any version of the Racial Justice Act is unsound, for several reasons, including:

(i) it disregards the fundamental precept of our criminal justice system that an individual is tried on the facts of his or her case, not on the facts or circumstances or statistics from unrelated cases;

(ii) it overturns the U.S. Supreme Court's rejection of such a statistical premise, where the Court noted with regard to the Baldus study: "Even Professor Baldus does not contend that his statistics prove that race enters into any capital sentencing decisions or that race was a factor in *McCleskey's* particular case. Statistics at most may show only a likelihood that a particular factor entered into some decisions." *McCleskey v. Kemp*, 481 U.S. 279, 308 (1987) (emphasis in original); and

(iii) its statistical showing fails to establish that the imposition of capital punishment in a particular case is predicated on any bias; and

(d) the Racial Justice Act would permit the "second-guessing" of capital case decisions by prosecutors, defense counsel, judges and juries based upon the information and statistics required to be maintained under the Act;

(e) the Racial Justice Act eliminates the traditional deference to state-court findings of fact, 28 U.S.C. § 2254(d); *Sumner v. Mata*, 449 U.S. 539 (1981), if the state fails to collect or maintain adequate records required under the Act, and causes the individual conviction, though lawfully and justifiably imposed, to be unduly placed in jeopardy;

(f) the potential cost of compliance on states and local entities would be exorbitant, as demonstrated by one California case (In re Earl Jackson) which took three years to prepare for an evidentiary hearing and cost more than \$1,000,000. The evidentiary hearing was never held, after the *McCleskey v. Kemp* ruling was rendered;

(g) the Racial Justice Act encourages a quota system for capital punishment cases by in effect introducing "race consciousness" into capital case decisions.

(2) opposes any legislation which would undermine or otherwise modify the holding in *McCleskey v. Kemp*, 481 U.S. 279 (1987);

(3) calls upon the U.S. House of Representatives and U.S. Senate to reject any version of the Racial Justice Act as part of any package of federal habeas corpus reform or any crime bill;

(4) opposes any legislation, including the omnibus crime bill to be reported by the conference committee, which includes any version of the Racial Justice Act. Any meaningful provisions contained in the crime bill are completely undermined by inclusion of the Racial Justice Act, which is antithetical to fundamental notions under our criminal justice system. If the omnibus crime bill contains any version of the Racial Justice Act, we recommend it be voted down until this legislation is removed.

Be it further resolved by the California District Attorneys Association that its Executive Director shall transmit a copy of this resolution to the U.S. Senators and Representatives in the California delegation and to members of the Senate and House Committees on the Judiciary.

**PRESCRIPTION FOR HEALTH CARE:
LET THE MARKET WORK**

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

Mr. FIELDS of Texas. Madam Speaker, the White House believes that the Government, rather than the private sector, should run every health care program. And this is certainly the case with the Medicare prescription drug benefit. The President proposes taking private sector managed drug plans that works well now for retirees, dismantling them, replacing them with a few thousand bureaucrats, a few hundred pages of Federal regulation, and hundreds of complicated forms, and seeing if they can get it to work as well as the private sector plans now do.

Not only is this a terrible waste of the taxpayer's money and a threat to a thriving drug industry, it is also disruptive for the retiree who now has drug benefits through the retiree health or Medigap plan.

The most outrageous part of this proposal is that although it is being advanced as a way to control drug costs, it will create havoc with the very activities now successfully controlling drug costs in the private market.

To begin with, pharmaceuticals are one of the greatest industrial success stories in this country. They have grown as a major export product for the United States—worldwide sales reached nearly \$85 billion in 1993, nearly four times what they were in 1980—and as a major source of R&D, spending over \$10 billion on R&D last year alone. Competition in this country is intense, and that competition has brought remarkable medical advances in the last decade alone.

The race to bring new drugs to market has not only contributed to significant advances in patient care but has

also helped to slow the overall growth in health care costs. New drugs are making it possible to replace expensive surgeries with much less costly drug treatment. Ulcer drugs, for example, have reduced the number of surgical procedures from 155,000 to 16,000 a year, saving \$24,000 on each case. New drugs for chronic heart failure have lowered the need for hospitalization by 30 percent. Medications for the treatment of depression are significantly reducing both physician and hospital costs.

Sometimes this race for new drugs leads to a whole new treatment—a breakthrough. Often it produces several drugs that compete in the same therapeutic category, giving physicians and managed care plans a choice of medications, and creating competition that forces down prices both for new introductions and for drugs that have been on the market.

I have attached a story from the Washington Post that makes it pretty clear how competition in this new marketplace where most of the sales are to managed care plans is influencing drug prices and changing the way manufacturers approach decisions on research. The power of managed care plans to force major price concessions for newly introduced drugs is reducing the return on these drugs and forcing companies to only bring the most cost-effective drugs to market.

This article makes the point that the market for drugs is doing exactly what we want—making sure the new drugs brought to market are noticeably better and less costly than the existing therapies.

What is it the administration wants to do? They want Medicare to buy all the prescription drugs for the elderly. Combined with Medicaid, that would have the Government buying about 40 percent of all the drugs sold in the United States. Then, because the Government can never figure out the right price, they want to force drug manufacturers to give the Government at least a 17-percent rebate. The rebate is supposed to approximate the discounts managed care plans would have been able to get had the Government not stepped in and pushed them aside. In addition, the administration wants to review prices for new drugs and refuse to cover the drug if they think the price is too high. Finally, they want to force the manufacturer to offer the drug to every purchaser, if they want, at the lowest negotiated price.

The last thing we want to do is turn this marketplace upside down with a Medicare benefit and then try to create a whole new Government apparatus for controlling costs. Not only would that be a complex and costly bureaucratic undertaking, it would also probably not result in the kinds of cost-effective decision making that is already going on in the industry.

I would urge my colleagues to oppose the administrations pathetic efforts to

create a new Government program. The marketplace already exists without having to destroy the marketplace and the viability of the pharmaceutical industry and drug research in the process.

[From the Washington Post, Apr. 26, 1994]

CUTTING BACK ON "ME TOO" DRUGS

PHARMACEUTICAL FIRMS REACT TO HEALTH CARE CHANGES

(By David S. Hilzenrath)

Changes in the health care business are driving many drug companies to do something that their critics have long been urging—cultural development of so-called me-too drugs, which serve essentially the same purpose as products already on the market.

Those pharmaceutical makers are increasing their emphasis on potential "breakthrough" drugs—major medical advances—because health insurers' efforts to reduce costs are making me-too drugs harder to market profitably, industry executives said.

"We're very ruthlessly stopping projects when we think that we will be second or third in the marketplace or if the advantage afforded by a new molecule is not a really substantial innovative leap forward," said Leigh Thompson, chief scientific officer of Eli Lilly & Co.

The pressure on me-toos is coming from managed-care health plans, which are using their growing influence to squeeze pharmaceutical prices. Managed-care plans often develop lists of drugs approved for coverage under their prescription drug benefits, and they frequently negotiate discounts with suppliers for products on the lists.

Drugmakers said it can be difficult to get me-too drugs added to the lists, and they said they expect it to become even harder to command high enough prices to recoup their investment in me-toos. "The payers simply are not going to pay premium prices for me-too drugs," added an executive at one company that manages drug purchases for health insurers. "The bucks aren't going to be there."

But by producing fewer me-toos, drugmakers could make it more difficult for insurers and other large buyers to bargain down prices. Although they are "often derided as not contributing to health care," me-too drugs are needed if price competition is to occur, the government's Office of Technology Assessment said in a report last year.

Critics of the drug industry have faulted manufacturers in the past for lavishing time and money on me-too drugs when they could be developing cures and treatments for unsolved medical problems.

But drugmakers say one risk of a "no me-too policy" is that research will be aborted before they know whether the chemicals they are studying will lead to incremental or major advances. Another is that companies will stay out of races to develop specific products if they perceive themselves as trailing another company, only to see the frontrunner falter somewhere down the road.

Me-too drugs often offer measurable, if modest, advantages in safety or effectiveness over the products that precede them, industry officials say. Medicines do not affect everyone the same way, and the benefits of the me-too product can be profound for some patients, they say.

"I'm worried that we are going to find ourselves developing too few drugs because we are setting our standards too high," said Leon Rosenberg, president of the research arm of Bristol-Myers Squibb Co. and a

former dean of Yale Medical School. "We may very well end up turning away from developing drugs that a segment of the population really needs."

Me-too drugs have historically absorbed a large share of pharmaceutical industry research and development budgets. From 1978 to 1991, 135 new pharmaceutical molecules approved by the Food and Drug Administration were classified by the FDA as having "little or no therapeutic gain," while only 42 were classified as representing an "important therapeutic gain."

The me-toos compete directly with other brand-name products that are still protected by patents. The competition gets even tougher when the patents expire and rival companies can introduce generics, chemically identical copies that typically carry lower prices than the originals.

The pressure from managed-care companies is affecting the way drug companies allocate their research and development budgets, which the Pharmaceutical Manufacturers Association said would total \$13.8 billion this year for its more than 100 member companies, up from \$12.6 billion last year.

Some drugmakers have tried to market me-too drugs by sharply undercutting their competitors' prices, as in the case of Lescol, cholesterol-reducing drug recently introduced by Sandoz Pharmaceuticals Corp. But development of Lescol began in 1982, and Sandoz submitted it for FDA approval two years ago.

A more recent—and perhaps more typical—example was G.D. Searle and Co.'s decision late last year to stop development of a drug to lower blood pressure. The Drug offered some potential advantages, including fewer or milder side effects, but the company decided they were not sufficient to set the substance apart from the competition, said John Alexander, executive vice president of medical research at Searle. "I would say two to three years ago we would have developed that drug," he added.

Some drug executives advance an opposing theory—that managed care's emphasis on low prices will reward companies that develop me-too drugs. By spending less money than pioneering manufacturers do on original research, imitators should be able to charge lower prices, some executives argue.

"The me-too drug will eventually take over the market from the innovator or drive down the price of the innovator," said James Niedel, senior vice president for research and development at Glaxo Inc.

But other industry observers said it would be difficult for imitators to by-pass much of the original research needed to bring a drug to market, including the huge investment in the clinical trials required for FDA approval.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

COMPENSATE DISABLED PERSIAN GULF VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, later today I and my colleagues, JIM

SLATTERY of Kansas, J. ROY ROWLAND of Georgia, JOE KENNEDY of Massachusetts, and BOB CLEMENT of Tennessee, will introduce legislation to pay compensation to veterans who served in the Persian Gulf and who have chronic disabilities resulting from undiagnosed illnesses. Until we have the scientific information we need, we must assume that these disabilities are related to their military service. It is time to give disabled Persian Gulf veterans the benefit of the doubt.

Some of our Persian Gulf veterans are very sick; some cannot even work. The Veterans Affairs Committee has held nine hearings on these illnesses, sometimes referred to as Persian Gulf syndrome. We have directed VA to provide priority care for Persian Gulf veterans and a good deal of research has been authorized.

The bottom line is that we don't have the answers we need for effective medical treatment. Veterans can't prove that these symptoms are service-connected. We may not have answers for some time. We cannot always wait on science. These veterans need our help now.

I urge my colleagues to cosponsor this legislation to compensate our disabled Persian Gulf veterans.

THE FED GOES GHOST BUSTING

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and because there is no designee of the minority leader, the gentleman from New York [Mr. HINCHEY] is recognized for 15 minutes as the designee of the majority leader.

Mr. HINCHEY. Mr. Speaker, about 2 weeks ago, on April 26, myself and 45 Members of Congress signed a letter addressed to the Honorable Alan Greenspan, Chairman of the Board of Governors of the Federal Reserve System. The letter said, in part, as follows:

DEAR MR. CHAIRMAN: On three separate occasions over the past three months the Federal Open Market Committee has acted to increase interest rates. We are writing to express our concern over the Fed's actions and to request that the Board take no further action to increase interest rates until you, as Chairman of the Board, have explained to Congress and to the American people the basis for the Board's decision.

During your appearances before Congress you have made several points with which we agree. Among these is the long-term economic growth depends on low and stable long-term interest rates. Another point with which we concur is that inflation and inflationary expectations are a primary threat to low and stable long-term rates.

You have testified that you believe low long-term rates could be protected and inflationary pressures controlled with a slight increase in short-term rates. The clear implication of your testimony was that short-term rates could be increased just enough to preempt inflation without increasing long-term rates and imperiling the economic recovery.

Just as clearly, this has not occurred. The Fed's actions have driven up long-term rates, destabilized financial markets, and put the economic recovery at risk. Moreover, these actions have been undertaken at a time when there are no significant signs of impending inflation that you have made your decision to raise interest rates.

Last Friday, on May 6 on the op-ed page of the New York Times, an article appeared written by Lester C. Thurow, one of the Nation's eminent economists. He entitled his article, "The Fed Goes Ghost Busting," and begins by saying,

The Federal Reserve Board has been spooked by the ghost of inflation. In its panic, the Fed has raised interest rates three times, taking everyone by surprise. Long-term bondholders have lost billions and international currency markets have been rattled. Yet the Fed's economists admit they can't point to even a hint of inflation in the current numbers. They are missing the obvious: The 90's are likely to be an inflation-free decade, and their interest rate hikes will squash the current economic recovery.

The 70's and 80's were inflationary times. The failure to raise taxes to pay for the Vietnam War led to slowly accelerating inflation that exploded with the oil and food shocks of the 70's. Inflation stubbornly receded in the 80's. If the effects of surging health care costs are subtracted from inflation figures, it is clear that more prices have fallen than risen this spring.

Sophisticated investors, including George Soros, Citicorp and Bankers Trust, took huge losses because of the Fed's action. They were betting on low interest rates because they had no worries about inflation. The Fed's economists contend that it takes 12 to 18 months for higher interest rates to stop inflation, so they are acting now to prevent renewed inflation in 1995. In the Fed's view, the economy is so prone to inflation that even this slow recovery from the 1991-1992 recession—3 percent growth in 1993 and 2.6 percent in the first quarter of this year—represents an overheated economy.

The 90's began with a deflationary crash in asset values: property prices in the United States declined by up to 50 percent. This trend spread to England, flattened Japan and is now rocking Germany. While the U.S. stock market has risen (the money flowing into pension and mutual funds has had nowhere else to go), the inflation-adjusted fall in the Japanese stock market in the 90's has been bigger than the decline in the American stock market from 1929 through 1932. Worldwide, hundreds of billions of dollars in wealth have been wiped out.

One traditional cause of inflation is a shortage of labor, which drives up wages. Yet global unemployment rates are reaching levels not seen since the Depression. Spain reports 24 percent and Ireland and Finland not much less. In the U.S., if one adds together the officially unemployed, discouraged workers who have stopped actively searching for work and those with part-time jobs who want full-time work, 15 percent of the labor force (19 million) is looking for work.

The Fed is worried that an increasing number of U.S. companies are running close to their production limits—that they will be unable to keep up with the demand for goods, thus driving up prices. But in today's global economy, what counts is world capacity, not U.S. capacity. No American will have to wait for a new car: since auto makers in Japan and Europe aren't producing at

anywhere near capacity, U.S. producers aren't going to raise prices and sit by and watch their market share erode. While America's economic recovery is under way, the rest of the industrial world shows no sign of coming back; until it does, inflation will not quicken.

The demise of the Soviet Union and the effective collapse of the organization of Petroleum Exporting Countries in the aftermath of the Persian Gulf War means there will be no repetition of the energy or food shocks of the 70's. What has been happening in aluminum will be repeated in most raw materials: 1.3 million metric tons were exported from the former Soviet Union in 1993, causing the lowest real (adjusted for inflation) prices in history.

Oil prices are lower in real terms than before the first OPEC oil shock in the early 70's, yet exports from the former Soviet Union have barely begun and Iraq has yet to be brought back into world oil markets. When Ukraine comes back into production (it was the world's largest exporter of grain in the 19th century), food prices will plunge.

The decline in real wages that began in the U.S. and is spreading across the industrial world further undermines the Fed's contentions. Among American men, salaries are falling at every education level—for those in the bottom 60 percent income bracket, real wages are 20 percent below 1973 levels. Women with a high school education or less have seen their wages drop, and it looks like the same will happen to college educated women soon. At the same time, productivity is increasing at the highest rates seen since the 60's. Wages down, productivity up—that simply isn't the recipe for inflation.

Economists differ on the causes of falling wages. Immigration and technical innovation are partly responsible, but some worldwide trends are also behind it. The Communist bloc did not run very good economies but it ran excellent education systems. One-third of humanity, much of it skilled, is joining the capitalist world. If some of the world's best physicists can be hired in Russia for \$100 per month, why should anyone pay an American physicist \$50,000 a year?

In the 80's, only 60 million people in Singapore, South Korea, Hong Kong and Taiwan were export-oriented. With the decline of state socialism in East Asia, hundreds of millions of third-worlders (two billion Indians and Chinese) are going to be joining them. Inflation is going to be impossible in any country with open borders: Lower-priced goods will flood in from low-wage countries.

In addition, the layoffs at big U.S. companies with high wages and good benefits are unrelenting. More than 109,000 jobs were cut in January, a record. Getting rehired after being laid off usually means a cut in pay, and the competition for these lower-paying jobs drives overall wages—thus inflation—further down.

Since World War II, American companies have typically held prices constant, or even raised them while distributing the fruits of productivity in the form of higher wages or profits. But under the pressure of international competition, that system is rapidly eroding. In the 90's productivity gains will lead to lower prices, not wage increases.

Large manufacturers are forging new arrangements with their suppliers. For example, Chrysler used to have hundreds of suppliers, but it has given a few of them exclusive rights to supply all of its parts, and Chrysler engineers will give them design information. In exchange, the suppliers will lower their prices every year. In such sce-

narios, the manufacturers will in turn pass their savings on to customers in the form of lower prices.

At least one member of the Federal Reserve Board has extolled the virtues of zero or negative inflation. This ignores a tenet of capitalism: it doesn't work very well when prices are falling. When prices fall (and many prices must fall to have zero inflation, since some prices will always be rising), the smartest move is to postpone purchases. With prices lower tomorrow, only a fool buys today. So investment falls as people forgo entrepreneurship to become inactive renters. Money in the mattress becomes the only smart investment. Deflationary times are tough times.

Yet the Fed is intent on killing a very weak recovery that has yet to include most Americans. The 7 percent growth rate in the fourth quarter of 1993 was heavily concentrated in housing, automobiles and business equipment. High interest rates will hurt these sectors, and the Fed's large rate increases have hit the economy at a time when growth has already slowed dramatically.

Since January, interest rates on 30-year Treasury bonds have risen 1.3 percent and those on 30-year fixed rate mortgages have risen 1.5 percent. These rates did not soar because of worries about inflation. Rather, they reflect the payoff that investors must demand to protect themselves from a Fed that thinks inflation is about to rise from the grave. The Fed's erratic behavior has also led to a currency crisis that made necessary Wednesday's billion-dollar effort to protect the dollar. While nobody has ever been hurt by ghosts, investors are showing that they have real reason to fear a ghost-busting Fed."

□ 1910

SPEAKER'S ANNOUNCEMENT REGARDING COMITY

The SPEAKER pro tempore (Mr. DEAL). Under a previous order of the House the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, my colleagues who may be listening in their offices, and anyone who reads the written RECORD, or the million and a half people, Mr. Speaker, that follow the proceedings of this Chamber by C-SPAN, electronic means, may not have seen that the Speaker made an announcement from the chair yesterday restating the policy of this House concerning comity or the decency or prevailing feeling of good will among House Members here and the courtesy that we extend to elected Members of the other body, the U.S. Senate, not just those who served here, but those who got elected directly there, have been expanded, and this is a tradition that has never really come up before, to include the White House.

I am going to respect the Speaker's wishes yesterday, but I want to put this in a little context, because I spoke before high school government and economics classes at one of my high schools in my district, Laura High School, yesterday morning. And I have been back to my district the last four

weekends in a row. I can also add that coming home last week I came through Oregon, I am going up to Santa Barbara all day Saturday next, and in just the last few weeks I have been in Illinois and Florida and Pennsylvania, just last week campaigning for candidates of my party, or in the case of Pennsylvania for all of the candidates that were up for reelection yesterday in Pennsylvania. And questions are coming up regularly about the President's character. They are asking if we are going to discuss it on the House floor. And I told them that I had promised not to discuss the President's character until I had talked to our Parliamentarian.

Tonight they came to me when they saw I was signed up for 5 minutes. I told them I was speaking on Haiti, so there was no problem. But this is probably the first time that this rule has had to be enforced this strenuously on a sitting President in over 100 years, maybe since the ill will and lack of comity when the word "treason" was screamed back and forth in this Chamber. And it was this very Chamber that opened up in 1857, so it was in this very great hall that charges of treason were going back and forth, building up to the War Between the States, the Civil War.

So let me read the Speaker's words, both for myself to listen to and for the million and a half audience who have missed the beginning of yesterday.

This came after 2 minute speeches. One was by the gentleman from Florida [Mr. GOSS] on my subject tonight, Haiti. Then Mr. THOMAS of Wyoming spoke on gun control. Then Mr. LAMAR SMITH of Texas got up and put an article in the RECORD that he said was an article the likes of which he had never seen before concerning a sitting President, titled "The Politics of Promiscuity." But it was about policy more than it was about character, and he put the whole article in. As I understand from the Parliamentarians, no more articles should be submitted or will be put in that discuss the President's character.

Then Mr. MONTGOMERY led the Pledge of Allegiance. Then Mr. BALLENGER of North Carolina got up and spoke about Robert Bennett being hired to defend the President on a whole range of charges.

Then the Speaker got up, and sitting where you are he stood, Mr. Speaker pro tempore, and said the following: The Chair, that is the Speaker, my good friend, TOM FOLEY, "wishes to remind Members that comments regarding the President of the United States are covered by House rules of comity, and Members should avoid any references to the President that involve suggestions of a personal character."

I had to read that twice. The Speaker did not mean issues of character. He meant suggestions that involve a char-

acterization of a personal nature. But this is all about character and separation of our tripartite system of government. But I think we can get by without discussing the latest headlines of the last week and stick to policy.

The Speaker finished saying, "The Chair wishes to allow reasonable latitude for debate on subjects of personal interest.* * *" Now as I have said many times, I have nine grandkids, God willing more to come, and it is a personal interest to me how somebody speaks about drug use, and then what is on the public record, or how they speak about sexual promiscuity and put Joycelyn Elders and Christine Gibbe in office, and how this impacts on the high school kids that I visited with yesterday.

The Speaker finished, "Members will observe the rules of comity with regard to the President," and it goes without saying the Vice President, "Members of the other body, and their fellow Members."

I had six Democrats tell me last Thursday that they thought we would invade Haiti to get the scandals off the front page of the paper. I thought they were kidding. And then I saw they were not laughing. And then they said rather cynically it worked for President Reagan. I guess they meant the tragedy of the 220 Marines, 17 Navy, and 4 Army soldiers all being blown up in the barracks in Beirut on October 23, 1983; 2 days later we liberated the Island of Grenada. That was a policy problem. President Reagan took his lumps on Beirut, pulled out. Grenada was a totally different issue. And they also said it worked for President Bush. I did not know President Bush was down in the polls all that much. But I guess they meant the recession was deepening, and so we went to war with Iraq, to liberate Kuwait. After the liberation, his ratings were up around 90 percent. I do not for a moment share that view, and think they were being cynical in the extreme. Both Grenada and Kuwait were in the United States national interest.

But they said to me quite seriously they thought that we would have to go into Haiti, and that it might be driven by the scandals. I do not think anybody in the administration, and here is BOB DORNAN defending the Clinton administration, would be that cynical. I do not think they would sacrifice one combat man or combat woman now that we are putting women in harm's way to up the President's machismo factor.

However, I think we are heading toward a policy that will squander the lives of Americans to reinstall Aristide as President of Haiti. This very day, and I only found this out on the phone 10 minutes ago, members of Haiti's Parliament, which was democratically elected on December 17, 1990, voted in a new President with Cedre's blessing. A United States embassy spokesman in

Haiti said it was the act of a desperate regime. That may prove to be true, but we do not know now.

There has to be some sort of democratic center in Haiti. There is in every country. Aristide, however, is not that center. Neither is the military. There is a man, or in these days a woman somewhere that wants to say here is where the democratic center is, and I do not mean the political center. I mean the center of gravity in this country is here.

Mr. Speaker, I say with clearness and with as much forcefulness as I can muster, and I have been to Haiti three times in my life, and I know how this country suffers. Aristide is anticapitalism, anti-American, antireligion, anti-Christian, anti-Catholic. This fallen-away Catholic priest is anti-Catholic. He has dabbled in voodoo and is not worth the finger of a single American fighting person, let alone putting somebody in a wheelchair, let alone as Aideed caused 18 of the best Rangers and Delta Force special ops guys to come home in caskets from Mogadishu. Aideed today rules the roost in Mogadishu. What did we accomplish?

I have spoken to the fathers and mothers, I have the sister of one of the men killed in the gallery with his wife, Keith Pearson and Keith's sister.

What do we tell parents if they die in Haiti? When the Marines went in 1915 they stayed 19 years and they did not come out until 1934. We can have a get-in policy just like that. It is the get-out policy that is tough.

I will do an hour tomorrow on Haiti without any references to Clinton policy in the past, but what might happen in the future; 1 hour on Haiti and I will read. Let me close on this, Mr. Speaker. Here is a letter that I got from a young businessman in Haiti who is back in the United States.

DEAR CONGRESSMAN: I will never forget the morning you rode through the streets of Port au Prince with me during the riots. Your interest was most appreciated.

I visited his fabric factory with 100 men and women at work in good working conditions, no sweat shop, U.S. Standards.

□ 1920

He said:

Our factory was nationalized after Aristide came to power. I lost everything. All I brought back, Congressman, was a couple of bullet wounds. No, it is not safe for American business. We may have 100,000 Haitians coming to New York and to Florida. I say, take off the sanctions. If we do not, we have to let people in.

And we had better do something about finding the democratic center, and it is not this phony anti-Christian ex-priest Aristide, not worth a single American life.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FROST (at the request of Mr. GEPHARDT) for today, on account of illness.
Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. GEPHARDT) for today, on account of official business.
Mr. RUSH (at the request of Mr. GEPHARDT) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MORELLA) to revise and extend their remarks and include extraneous material:)

Mr. EWING, for 5 minutes, today.
Mr. DORNAN, for 5 minutes, today.
(The following Members (at the request of Mrs. BYRNE) to revise and extend their remarks and include extraneous material:)

Mr. MONTGOMERY, for 5 minutes, today.
Mr. OWENS, for 5 minutes, today.
Mr. LAUGHLIN, 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 Mrs. MORELLA) and to include extraneous matter:)

Mr. FIELDS of Texas in two instances.
Mr. CALLAHAN.
Mr. PORTER.
Mr. BILIRAKIS.
Mr. EHLERS.
Mr. SOLOMON in two instances.
Mr. BEREUTER.
Mr. GRAMS.
Mrs. VUCANOVICH.
Mr. PACKARD.
Mr. KIM.
Mr. STUMP.
Mr. SUNDQUIST.
Mr. GILLMOR in six instances.
Mr. POMBO.
Mr. MACHTLEY.
Mr. HORN in three instances.
Mrs. BENTLEY.

(The following Members (at the request of Mrs. BYRNE) and to include extraneous matter:)

Mr. HAMILTON.
Mr. PASTOR.
Mr. ACKERMAN in two instances.
Mr. REED in two instances.
Mr. BROWN of California.
Mr. MANTON in two instances.
Mr. DE LUGO.
Mr. RUSH.
Mr. POSHARD in two instances.
Mr. VENTO.
Mr. HALL of Ohio.
Mr. BACCHUS of Florida.

Mr. ANDREWS of Texas.
Mr. MATSUI.
Mr. MANN in two instances.
Mr. FOGLIETTA.
Mr. FORD of Michigan.
Mr. TOWNS in two instances.
Mr. JOHNSON of South Dakota.
Mr. LEHMANN.
Mr. NADLER.
Mr. COPPERSMITH.
Mr. KLEIN.
Mr. DE LA GARZA.
Mr. TRAFICANT.
Mr. ABERCROMBIE in two instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 341. An act to provide for a land exchange between the Secretary of Agriculture and Eagle and Pitkin Counties in Colorado, and for other purposes.

ADJOURNMENT

Mr. INSLEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 12, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3152. A letter from the Director, Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize appropriations for Federal civil defense programs for fiscal year 1995, pursuant to 31 U.S.C. 1110; to the Committee on Armed Services.

3153. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-239, "Full Funding of Pension Liability Retirement Reform Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3154. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-238, "Omnibus Criminal Justice Reform Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3155. A letter from the Executive Director, District of Columbia Retirement Board, transmitting financial disclosure statements of Board members, pursuant to D.C. Code, sections 1-732, 1-734(a)(1)(A); to the Committee on the District of Columbia.

3156. A letter from the Secretary of Education, transmitting a report on the Comprehensive Child Development Program, pursuant to 42 U.S.C. 9881; to the Committee on Education and Labor.

3157. A letter from the Chairperson, National Institute for Literacy, transmitting the first annual report of the National Institute board for fiscal year 1993, pursuant to Public Law 102-73, section 103 (105 Stat. 338); to the Committee on Education and Labor.

3158. A letter from the Secretary of Energy, transmitting a report concerning the costs and benefits of industrial reporting and voluntary targets for energy efficiency; to the Committee on Energy and Commerce.

3159. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1999 resulting from passage of S. 2004, pursuant to Public Law 101-508, Sec. 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3160. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1999 resulting from passage of H.R. 2884 and S. 375, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3161. A letter from the Financial Officer, Department of Agriculture, transmitting the annual management report for the Commodity Credit Corporation, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3162. A letter from the Director, Office of Personnel Management, transmitting the annual report of the Civil Service Retirement and Disability Fund for fiscal year 1993, pursuant to 31 U.S.C. 9503(a)(1)(B) and 5 U.S.C. 1308(a); to the Committee on Government Operations.

3163. A letter from the Director, Financial Services, Library of Congress, transmitting activities of the U.S. Capitol Preservation Commission Fund for the 6-month period which ended on March 31, 1994, pursuant to Public Law 100-696, section 804 (102 Stat. 4610); to the Committee on House Administration.

3164. A letter from the Executive Director, American Chemical Society, transmitting the Society's annual report for the calendar year 1993, pursuant to 36 U.S.C. 1101(2), 1103; to the Committee on the Judiciary.

3165. A letter from the Executive Director for Government Affairs, Retired Enlisted Association, transmitting the association's financial report for the period ending December 31, 1993; to the Committee on the Judiciary.

3166. A letter from the Director, Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Science, Space, and Technology.

3167. A letter from the Deputy Secretary of Defense, transmitting a list of selected sites for the consolidation and reform of DOD finance and accounting activities; jointly, to the Committees on Government Operations and Armed Services.

3168. A letter from the Chairman, Physician Payment Review Commission, transmitting the Commission's 1994 annual report, pursuant to 42 U.S.C. 1395w-1(c)(1)(D); jointly, to the Committees on Ways and Means and Energy and Commerce.

3169. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled, "Substance Abuse and Mental Health Services Amendments of 1994"; jointly, to the Committees on Energy and Commerce, the Judiciary, and the District of Columbia.

3170. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report to Congress on U.S.

Government efforts to combat terrorism; jointly, to the Committees on Intelligence (Permanent Select), the Judiciary, and Foreign Affairs.

3171. A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation entitled, "Water Resources Development Act of 1994"; jointly, to the Committees on Public Works and Transportation, Natural Resources, Energy and Commerce, Merchant Marine and Fisheries, Science, Space, and Technology, Foreign Affairs, Small Business, the Judiciary, and Government Operations.

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. DINGELL: Committee of Conference. Conference report on H.R. 965. A bill to provide for toy safety and for other purposes (Rept. 103-500). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3869. A bill to amend the Public Health Service Act to revise and extend programs relating to the health of individuals who are members of minority groups, and for other purposes; with an amendment (Rept. 103-501). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALL of Ohio: Committee on Rules. House Resolution 421. Resolution waiving points of order against the conference report to accompany the bill (S. 2000) to authorize appropriations for fiscal years 1995 through 1998 to carry out the Head Start Act and the Community Services Block Grant Act, and for other purposes (Rept. 103-502). Referred to the House Calendar.

Mr. BELLENSON: Committee on Rules. House Resolution 422. Resolution providing for the consideration of the bill (H.R. 518) to designate certain lands in the California desert as wilderness, to establish the Death Valley and Joshua Tree National Parks and the Mojave National Monument, and for other purposes (Rept. 103-503). Referred to the House Calendar.

Mr. GORDON: Committee on Rules. House Resolution 423. Resolution providing for the consideration of the bill (H.R. 2473) to designate certain National Forest lands in the State of Montana as wilderness, to release other National Forest lands in the State of Montana for multiple use management, and for other purposes (Rept. 103-504). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

H.R. 518. Discharged from the Union Calendar and referred to the Committee on Merchant Marine and Fisheries for a period ending not later than May 11, 1994, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m) of rule X.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

The Committee on Merchant Marine and Fisheries discharged from further consideration of H.R. 518. H.R. 518 referred to the Committee of the Whole House on the State of the Union.

The Committee on Merchant Marine and Fisheries discharged from further consideration of H.R. 2473; H.R. 2473 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New Jersey:

H.R. 4384. A bill to substitute evaluations of educational quality for cohort default rates in eligibility determinations for proprietary institutions of higher education under Federal student assistance programs; to the Committee on Education and Labor.

By Mr. RAHALL (for himself, Mr. MINETA, Mr. SHUSTER, and Mr. PETRI):

H.R. 4385. A bill to amend title 23, United States Code, to designate the National Highway System, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. MONTGOMERY (for himself, Mr. SLATTERY, Mr. ROWLAND, Mr. BILIRAKIS, Mr. KENNEDY, Mr. CLEMENT, Mr. STEARNS, and Mr. BISHOP):

H.R. 4386. A bill to amend title 38, United States Code, authorizing the Secretary of Veterans Affairs to provide compensation to veterans suffering from disabilities resulting from illnesses attributed to service in the Persian Gulf theater of operations during the Persian Gulf war, to provide for increased research into illnesses reported by Persian Gulf war veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BENTLEY:

H.R. 4387. A bill to require that an application for a writ of habeas corpus be submitted with the consent of the person for whose relief it is intended; to the Committee on the Judiciary.

By Mr. JOHNSON of South Dakota (for himself, Mr. POMEROY, Mr. PETERSON of Minnesota, Mr. MINGE, and Mr. BARRETT of Nebraska):

H.R. 4388. A bill to establish the Northern Great Plains Rural Development Commission, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of South Dakota:

H.R. 4389. A bill to require the Secretary of the Interior to consider, in issuing national park concessions contracts, the extent to which those contracts involve Indians and Indian-owned businesses, and for other purposes; to the Committee on Natural Resources.

By Mr. KLEIN (for himself and Mr. VENTO):

H.R. 4390. A bill to amend the National Housing Act to reform and simplify the single family home mortgage insurance program of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LIPINSKI (for himself Mr. STUDDS, Mr. FIELDS of Texas, and Mr. BATEMAN):

H.R. 4391. A bill to authorize appropriations for the Federal Maritime Commission for fiscal year 1995; to the Committee on Merchant Marine and Fisheries.

By Mr. McCURDY:

H.R. 4392. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the distribution of Federal surplus property to nonprofit organizations providing assistance to the hungry and the indigent; to the Committee on Government Operations.

By Mr. NADLER (for himself, Mr. RANGEL, Mrs. LOWEY, Mr. FISH, Mr. SERRANO, Ms. VELAZQUEZ, Mrs. MALONEY, Mr. ENGEL, and Mr. LEVY):

H.R. 4393. A bill to redesignate General Grant National Memorial as Grant's Tomb National Memorial, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE:

H.R. 4394. A bill to provide for the establishment of mandatory State-operated comprehensive one-call systems to protect natural gas and hazardous liquid pipelines and all other underground facilities from being damaged by any excavations, and for other purposes; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

By Ms. SCHENK:

H.R. 4395. A bill to amend the Individuals with Disabilities Education Act to provide that the requirement regarding the continued educational placement of children with disabilities in public schools during the pendency of certain proceedings shall not apply with respect to disciplinary proceedings against those children for possession of firearms; to the Committee on Education and Labor.

By Mr. TAYLOR of North Carolina:

H.R. 4396. A bill to amend section 203 of the National Housing Act to increase the maximum mortgage amount limitation under the single family housing mortgage insurance program of the Secretary of Housing and Urban Development for homes in nonhigh-cost areas; to the Committee on Banking, Finance and Urban Affairs.

H.R. 4397. A bill to permit refunding of certain bonds; to the Committee on Ways and Means.

By Mr. HALL of Ohio (for himself, Mr. WOLF, Mr. HAMILTON, Mr. HYDE, Mr. MOAKLEY, Mr. EMERSON, Mr. HUGHES, and Mr. SMITH of Michigan):

H.J. Res. 366. Joint resolution to proclaim the week of October 16 through October 22, 1994, as "National Character Counts Week"; to the Committee on Post Office and Civil Service.

By Mr. BILBRAY (for himself, Mr. LEHMAN, Mr. TORRES, Mr. BONIOR, and Mr. HOYER):

H. Con. Res. 247. Concurrent resolution expressing the sense of the Congress with respect to the Nagorno Karabagh conflict; to the Committee on Foreign Affairs.

By Mr. MICHEL:

H. Con. Res. 248. Concurrent resolution providing for the printing of eulogies and encomiums of the late President of the United States, Richard M. Nixon, as expressed in the House of Representatives and the Senate; to the Committee on House Administration.

By Mr. TAUZIN (for himself and Mr. HASTERT):

H. Res. 424. Resolution expressing the sense of the House of Representatives that Members of Congress should have the opportunity to offer an amendment striking an employer mandate in any legislation to reform our health care system; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

366. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Virginia, relative to truck safety; jointly, to the Committees on Armed Services and Science, Space, and Technology.

367. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to welfare recipients' income; to the Committee on Banking, Finance and Urban Affairs.

368. Also, memorial of the Council of the District of Columbia, relative to democracy in Haiti; to the Committee on the District of Columbia.

369. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to Lorton Penitentiary; to the Committee on the District of Columbia.

370. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to historically black colleges and universities; to the Committee on Education and Labor.

371. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the "Individuals with Disabilities Education Act"; to the Committee on Education and Labor.

372. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to safe drinking water; to the Committee on Energy and Commerce.

373. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to unfunded mandates; to the Committee on Government Operations.

374. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to Indian tribes in Virginia; to the Committee on Natural Resources.

375. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to human rights; to the Committee on Post Office and Civil Service.

376. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to funding for South Battlefield Boulevard; to the Committee on Public Works and Transportation.

377. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the National Highway System; to the Committee on Public Works and Transportation.

379. Also, memorial of the Legislature of the State of Alaska, relative to diesel fuel; to the Committee on Ways and Means.

380. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to health insurance; to the Committee on Ways and Means.

381. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to low income families; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII:

Mr. VOLKMER introduced a bill (H.R. 4398) for the relief of Lester J. Reschly; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 123: Mr. BUYER, Mr. CALVERT, Mr. HUFFINGTON, and Mr. RAMSTAD.

H.R. 124: Mr. CUNNINGHAM and Mr. ZELIFF.

H.R. 169: Mr. BAKER of California.

H.R. 291: H.R. KYL, Mrs. ROUKEMA, Mr. HERGER, Mr. ENGEL, Mr. GLICKMAN, Mrs. MEYERS of Kansas, Mr. GUNDERSON, and Mr. MCHUGH.

H.R. 300: Mr. BONIOR.

H.R. 411: Mr. MANZULLO.

H.R. 417: Mr. THOMAS of California, Mr. SCHIFF, Mr. CANADY, Mr. KASICH, Mr. DREIER, Mr. DOOLITTLE, and Mr. HANCOCK.

H.R. 421: Mr. UNDERWOOD, Mr. FILNER, Mr. MURPHY, Mr. MILLER of California, Mr. GEJDENSON, Mr. COBLE, and Mr. COYNE.

H.R. 546: Mr. DUNCAN, Mr. ROSE, and Mr. GEJDENSON.

H.R. 551: Mr. PENNY.

H.R. 702: Mr. COPPERSMITH, Mr. LINDER, and Mr. GRANDY.

H.R. 716: Mrs. MORELLA.

H.R. 769: Mr. DARDEN and Mr. HALL of Texas.

H.R. 773: Mr. GALLO.

H.R. 784: Mr. JACOBS.

H.R. 799: Mr. PETE GEREN of Texas.

H.R. 885: Mr. LINDER and Ms. PRYCE of Ohio.

H.R. 957: Mr. FARR and Mr. MINETA.

H.R. 1155: Ms. MOLINARI and Mr. JOHNSON of South Dakota.

H.R. 1354: Mr. GENE GREEN of Texas, Mr. CLYBURN, Mr. HINCHEY, and Mr. SERRANO.

H.R. 1493: Mr. JOHNSTON of Florida.

H.R. 1583: Mr. SMITH of New Jersey, Mr. KLEIN, Mr. CALLAHAN, Mr. BEILENSEN, and Mrs. VUCANOVICH.

H.R. 1596: Mr. MANZULLO.

H.R. 2145: Mr. DELLUMS, Mr. STENHOLM, Mr. PAYNE of Virginia, Mr. STUDDS, Ms. MARGOLIES-MEZVINSKY, Mr. CANADY, Mr. KILDEE, Ms. DELAURO, Mr. DEFazio, and Mr. GINGRICH.

H.R. 2417: Mrs. MINK of Hawaii.

H.R. 2437: Mr. WHEAT.

H.R. 2859: Mr. GALLEGLY and Mr. ZELIFF.

H.R. 3087: Mr. KLECZKA, Mr. WELDON, Mr. MORAN, Mr. SKELTON, Mr. DREIER, and Mr. ROEMER.

H.R. 3173: Mr. APPEGATE, Mr. FIELDS of Texas, and Mr. POSHARD.

H.R. 3247: Mr. BILBRAY, Mr. GENE GREEN of Texas, Mr. SERRANO, Mr. JOHNSON of South Dakota, Ms. ESHOO, Mr. LEHMAN, Mr. ABERCROMBIE, and Mr. ANDREWS of New Jersey.

H.R. 3266: Mr. SHAW and Mrs. MORELLA.

H.R. 3293: Mr. SERRANO and Mr. GOSS.

H.R. 3328: Mrs. CLAYTON.

H.R. 3461: Mr. MEEHAN.

H.R. 3462: Mr. MEEHAN.

H.R. 3463: Mr. MEEHAN.

H.R. 3486: Mr. COLLINS of Georgia and Mr. TAUZIN.

H.R. 3538: Mr. TUCKER, Mr. LEACH, Mrs. CLAYTON, and Mr. REED.

H.R. 3546: Ms. PRYCE of Ohio.

H.R. 3573: Mrs. CLAYTON.

H.R. 3630: Mrs. JOHNSON of Connecticut.

H.R. 3645: Mr. SENSENBRENNER.

H.R. 3656: Mr. COBLE and Mr. RUSH.

H.R. 3663: Ms. ROYBAL-ALLARD.

H.R. 3694: Mr. WASHINGTON, Mr. WYNN, Mr. TORKILDSEN, Mr. KOPETSKI, Mr. OLVER, Ms. MARGOLIES-MEZVINSKY, Mr. BREWSTER, Mr. GIBBONS, Mrs. LLOYD, Mr. SARPALIUS, Mr. HINCHEY, Mr. BARRETT of Wisconsin, Mr. GEJDENSON, Mr. CHAPMAN, Mr. DEFazio, and Mr. RAMSTAD.

H.R. 3790: Mr. JACOBS.

H.R. 3795: Mr. CLINGER.

H.R. 3797: Mr. BALLENGER, Mr. FRANKS of New Jersey, Mr. GINGRICH, and Mr. SHAYS.

H.R. 3820: Mr. SISISKY, Mr. EVANS, Mr. VOLKMER, Mr. BURTON of Indiana, Mr.

HOUGHTON, Mr. TAYLOR of Mississippi, Mr. GILCHREST, Mr. KOLBE, Mr. BOEHNER, Mr. YOUNG of Florida, Mr. MARTINEZ, Mr. EWING, Mr. COYNE, Mr. MURTHA, Mr. CRANE, Mr. PACKARD, Mr. SPENCE, Mr. BACCHUS of Florida, Mr. MACHTLEY, Mr. WILLIAMS, Mr. ORTIZ, Mr. KLUG, and Mr. SCOTT.

H.R. 3843: Mr. BROWN of Ohio and Mr. MURPHY.

H.R. 3844: Mr. MURPHY.

H.R. 3866: Mr. SKAGGS, Mr. BECERRA, Ms. ROS-LEHTINEN, Mr. LEVIN, and Mr. VOLKMER.

H.R. 3871: Mr. BALLENGER and Mr. SOLOMON.

H.R. 3905: Mrs. MEYERS of Kansas, Mr. EVANS, Mr. DELLUMS, and Mr. BROWN of California.

H.R. 3936: Mr. EWING, Mr. PARKER, Mr. LEWIS of Florida, Mr. FINGERHUT, and Ms. PRYCE of Ohio.

H.R. 3951: Mr. DARDEN and Mr. GLICKMAN.

H.R. 4024: Mr. EVANS, Mr. PAYNE of New Jersey, Mrs. CLAYTON, Mr. MARTINEZ, Mrs. MINK of Hawaii, and Mr. COLEMAN.

H.R. 4050: Ms. NORTON, Mr. ROMERO-BARCELO, Ms. HARMAN, and Mr. DARDEN.

H.R. 4074: Mr. LEVY, Ms. MOLINARI, Mr. MCNULTY, Mr. HINCHEY, Mr. HOCHBRUECKNER, Ms. SLAUGHTER, Mr. RAMSTAD, Mr. LAFALCE, Mr. TOWNS, Mr. CASTLE, and Mr. MCHUGH.

H.R. 4137: Mr. WALSH, Mr. KING, Mr. BEREUTER, Mr. MACHTLEY, Mr. SHAYS, and Mr. SCHIFF.

H.R. 4142: Mr. GALLO.

H.R. 4189: Mr. LEVY and Mr. MEEHAN.

H.R. 4208: Mr. FRANK of Massachusetts and Mr. DEUTSCH.

H.R. 4233: Mr. TANNER, Mr. WILSON, and Mrs. VUCANOVICH.

H.R. 4258: Mrs. LLOYD.

H.R. 4260: Mr. SLATTERY, Mr. DELLUMS, Mr. MILLER of California, Mr. ENGEL, Mr. BEVILL, Mrs. MALONEY, Ms. FURSE, and Mr. TOWNS.

H.R. 4276: Mr. BELENSON.

H.R. 4292: Mr. BILBRAY, Mr. MILLER of California, Mr. LAFALCE, Mr. GEJDENSON, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mr. MANN, Mr. JOHNSTON of Florida, Mr. CLAY, Mr. KOPETSKI, Mr. EVANS, Mr. TORKILDSEN, Mr. SHAYS, Ms. FURSE, Mr. HUGHES, Mr. HOCHBRUECKNER, and Mr. GLICKMAN.

H.R. 4369: Mr. HORN and Mr. YOUNG of Alaska.

H.J. Res. 44: Mr. DELAY and Mr. YOUNG of Florida.

H.J. Res. 209: Mr. ANDREWS of New Jersey, Mr. LIGHTFOOT, Mr. COLEMAN, Mr. LAZIO, Mr. FOGLIETTA, and Mr. DOOLITTLE.

H.J. Res. 293: Mr. FALCOMAVAEGA and Mr. FLAKE.

H.J. Res. 297: Mr. EDWARDS of Texas and Mr. HUTCHINSON.

H.J. Res. 302: Ms. PRYCE of Ohio, Mr. MACHTLEY, Mr. HOBSON, Mr. SKEEN, Ms. DELAURO, and Mr. BARCIA of Michigan.

H.J. Res. 314: Mr. SARPALIUS and Mr. FLAKE.

H.J. Res. 315: Mr. BLUTE, Mr. BUNNING, Mr. DEFAZIO, Mr. DUNCAN, Mr. FRANKS of Connecticut, Mr. GREENWOOD, Mr. HERGER, Mr. HYDE, Mr. INHOFE, Mr. KILDEE, Mr. KIM, Mr. KING, Mr. MACHTLEY, Ms. MOLINARI, Mr. QUILLEN, Mr. SARPALIUS, Mr. SERRANO, Mr. SHAW, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. TANNER, Mr. TAUZIN, Mr. TORRICELLI, Mr. VENTO, Mr. WASHINGTON, Ms. WATERS, Mr. WHITTEN, Mr. BAKER of California, Mr. EVERETT, Mrs. FOWLER, Mr. GALLO, Mr. GONZALEZ, Mr. KINGSTON, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON, Mr. KOLBE, Mr. LAZIO, Mr. MCCANDLESS, Mr. MCNULTY, Mrs. MEYERS of Kansas, Mr. MURPHY, Mr. MURTHA, Mr. OXLEY, Mr. PACKARD, Mr. PETERSON of Florida, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RAVENEL, Mr. ROGERS, Mr. ROMERO-BARCELO, Mr. SANDERS, Mr. SCHIFF, Mr. SHUSTER, Mr. SLATTERY, and Ms. SLAUGHTER.

H.J. Res. 327: Mr. ENGEL and Ms. PELOSI.

H.J. Res. 328: Mrs. BYRNE and Mr. HORN.

H.J. Res. 333: Mr. BARLOW, Mr. HOCHBRUECKNER, Mr. JEFFERSON, Mr. UNDERWOOD, Mr. FINGERHUT, Mrs. MINK of Hawaii, Ms. CANTWELL, Ms. VELAZQUEZ, Ms. WOOLSEY, Mrs. MALONEY, Mr. HAMBURG, Ms. MCKINNEY, Mr. BACCHUS of Florida, Mr. GLICKMAN, Mr. BECERRA, Mr. TAYLOR of North Carolina, Mr. RICHARDSON, Mrs. KENNELLY, Mr. SAWYER, Mr. REYNOLDS, Mr. PRICE of North Carolina, Mr. VALENTINE, Mr. ANDREWS of New Jersey, Mr. COLEMAN, Mrs. FOWLER, Ms. ENGLISH of Arizona, Mr. LAZIO,

Mr. MACHTLEY, Mr. EMERSON, Mr. MARKEY, Mr. HYDE, Ms. DANNER, Mr. NEAL of Massachusetts, Mr. TORKILDSEN, Mr. OLVER, Mrs. JOHNSON of Connecticut, Mr. JACOBS, Mr. WILSON, Mr. ROWLAND, Mr. SMITH of Iowa, Mr. MONTGOMERY, Mr. BARCA of Wisconsin, Mr. JOHNSON of South Dakota, Mr. SWIFT, Miss COLLINS of Michigan, Mr. BISHOP, Mr. BEVILL, Mr. FISH, Mr. FORD of Michigan, Mr. PARKER, Mr. HAYES, Mr. COYNE, Mr. TAYLOR of Mississippi, Mr. POSHARD, Mr. GORDON, Mr. CLEMENT, Mr. KIM, Mr. CLINGER, Mr. SHARP, Mr. SANGMEISTER, Mr. WYDEN, Ms. LONG, Mr. BERMAN, Mr. FORD of Tennessee, Mr. HALL Ohio, and Ms. WATERS.

H.J. Res. 338: Mrs. FOWLER and Mr. MCKEON.

H.J. Res. 356: Mr. STOKES, Mr. BROWN of California, Mr. FILNER, Miss COLLINS of Michigan.

H.J. Res. 362: Mrs. BYRNE, Mrs. FARR, Mr. WOLF, Mr. SARPALIUS, and Mr. PETERSON of Florida.

H. Con. Res. 15: Mr. LEACH.

H. Con. Res. 156: Mr. FIELDS of Louisiana.

H. Con. Res. 166: Mr. BILIRAKIS.

H. Con. Res. 199: Mr. RICHARDSON and Mr. YOUNG of Florida.

H. Con. Res. 235: Mr. DIXON, Mr. MARKEY, Mr. FALCOMAVAEGA, Mr. CARDIN, Mr. KLEIN, Mr. SCHUMER, Mrs. MEEK of Florida, Mr. GEJDENSON, Ms. BROWN of Florida, Mr. ANDREWS of Maine, Mrs. UNSOELD, Mr. JEFFERSON, Mr. MINGE, Mr. OBERSTAR, Mr. REED, Mr. WATT, Mr. ENGEL, Mr. FROST, Mr. GORDON, Mr. HAMBURG, Mr. KLECZKA, Mr. MATSUI, Mr. SHEPHERD, Ms. MCKINNEY, Mr. MINETA, Mr. STRICKLAND and Mrs. MINK of Hawaii.

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