HOUSE OF REPRESENTATIVES—*Wednesday, January 11, 1995*

The House met at 11 a.m.

PRAYER

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

May Your good grace, O God, be with all who call upon You, and may Your spirit of peace and reconciliation, Your word of purpose and direction, and Your command to do justice, touch each of us in the depths of our own hearts. We are aware, O gracious God, that we do not walk alone through the paths of life, but we are surrounded by Your love and by the support and encouragement of our colleagues, our friends, and our families. For all those gifts and for the blessings of each new day, we offer this prayer of thanksgiving and praise. 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. The gentleman from Kansas [Mr. TIAHRT] will lead the House in the Pledge of Allegiance.

Mr. TIAHRT 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.

PRIORITY AMENDMENTS FOR MANDATE REFORM BILL; AND PROCEDURES FOR SUBMISSION OF AMENDMENT FOR PRINTING ON HOUSE JOINT RESOLUTION 1, THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

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

Mr. SOLOMON. Mr. Speaker, the Committee on Rules anticipates meeting next week to report an open rule for the consideration of H.R. 5, the Unfunded Mandate Reform Act of 1995.

The rule may include a provision giving priority in recognition to Members who have caused their amendments to be printed in the amendment section of the CONGRESSIONAL RECORD prior to their consideration—though this would not be mandatory.

The amendments must still be consistent with House rules and are given no special protection by being printed.

If Members are interested in priority recognition, they may wish to print their amendments in the RECORD prior to Friday, January 20, when the bill is tentatively scheduled for consideration. It is not necessary to submit your amendments to the Rules Committee or to testify.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted to the bill as reported from the committees of jurisdiction. Amendments should be titled, "Submitted for printing under clause 6 of rule XXIII" and submitted at the Speaker's table.

Mr. Speaker, the Committee on Rules anticipates meeting the week of January 23 to report a rule for the consideration of House Joint Resolution 1, the balanced budget constitutional amendment.

The rule may include a provision permitting only the offering of amendments in the nature of a substitute by Members who have caused their amendments to be printed in the amendment section of the CONGRESSIONAL RECORD not later than Friday, January 20.

The amendments must still be consistent with House rules and would be given no special protection by being printed.

If Members are interested in having their amendments considered as a substitute for House Joint Resolution 1 as reported by the Judiciary Committee, they must draft them as amendments in the nature of a substitute and print them in the RECORD not later than Friday, January 20.

Amendments should be titled, "Submitted for printing under clause 6 of rule XXIII" and submitted at the Speaker's table.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mrs. KENNELLY. Mr. Speaker, I offer a privileged resolution (H. Res. 32) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 32

Resolved, That the following named Members be and they are hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON HOUSE OVERSIGHT

Mr. Fazio, Ranking Minority Member;
Mr. Gejdenson;
Mr. Hoyer;
Mr. Jefferson;
Mr. Pastor.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REFERENCES TO COMMITTEE ON TECHNOLOGY AND COMPETITIVENESS IN HOUSE RESOLUTION 12 TO BE DEEMED TO BE TO COMMITTEE ON SCIENCE

Mrs. KENNELLY. Mr. Speaker, I ask unanimous consent that any references to the Committee on Technology and Competitiveness in House Resolution 12 adopted on January 4, 1995, be to the Committee on Science.

The SPEAKER. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON WAYS AND MEANS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Ways and Means:

COMMITTEE ON WAYS AND MEANS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, January 10, 1995.

Hon. NEWT GINGRICH,
The Speaker,
Washington, DC.

DEAR MR. SPEAKER: On January 5, 1995, at the organizational meeting for the Committee on Ways and Means, the Committee designated the following members to serve on the Joint Committee on Taxation for the 104th Congress, pursuant to Section 8002 of the Internal Revenue Code of 1986: Mr. Archer, Mr. Crane, Mr. Thomas, Mr. Gibbons, and Mr. Rangel.

With best personal regards, I am
Sincerely,

BILL ARCHER,
Chairman.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 1

Mr. HOUGHTON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Joint Resolution No. 1.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

READING THE CONTRACT WITH AMERICA

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

Mr. FOX of Pennsylvania. Mr. Speaker, our Contract With America states on the first day of Congress a Republican House will force Congress to live under the same laws as everyone else, cut one-third of committee staffs, and cut the congressional budget. We have done that.

In the next 93 days we will vote on the following 10 items:

One, a balanced budget amendment and line-item veto;

Two. A new crime bill to stop violent criminals;

Three. Welfare reform to encourage work, not dependence;

Four. Family reinforcement to crack down on deadbeat dads and protect our children;

Five. Tax cuts for families to lift government's burden from middle-income Americans;

Six. National security restoration to protect our freedoms;

Seven. Senior Citizens' Equity Act to allow our seniors to work without government penalty;

Eight. Government regulation and unfunded mandate reforms;

Nine. Commonsense legal reform to end frivolous lawsuits; and

Ten. Congressional term limits to make Congress a citizen legislature.

This is our Contract With America.

THE NEED FOR A NATIONAL POLICY TOWARD GAMBLING

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

Mr. LAFALCE. Mr. Speaker, in 1976 the Commission on the Review of a National Policy Toward Gambling issued its final report to Congress. In the 20 years since that time, however, much has changed. Gambling has gone from a $1 billion-a-year industry in the United States to a $30-billion industry. There was one State that legalized casino gambling then; today some form of gambling is legal in 48 of the 50 States.

A competition exists between the States. A competition exists between the States and foreign countries. A competition exists between the States and Indian tribes, whereas 20 years ago no Indian tribe was authorized to have legalized gambling.

Mr. Speaker, it is time for the establishment of a new Commission to pursue a national policy toward gambling in the United States.

□ 1110

CONGRESS MUST LIVE WITH BALANCED BUDGET

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

Mr. KINGSTON. Mr. Speaker, as taxes increase, as government regulations get more and more burdensome, as the bureaucracy becomes more and more expensive, America's middle class has had to tighten their belts. Even though they are out there working as hard as they can, year after year, because of our actions in spending in Congress, they have to squeeze in a little bit more.

But now it is our turn. It is time for us to match our revenues with our expenses. We need to have a balanced budget amendment. Our last balanced budget was in 1969, and since then Congress has decided that it could defy gravity by spending indefinitely more money than we take in.

The balanced budget amendment will put an end to this fantasy. It is not a new concept. State, city, and county governments all over America have had a balanced budget. They have to have one by law. It is now our turn. If we had had one all along, we would not have the $4.5 trillion debt we must now contend with.

BALANCED BUDGET AMENDMENT

(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, Americans want a more open and honest Government. Last week I voted with the majority to open our Congress to ensure public hearings. But also last week the Committee on the Budget rejected on a party line vote a requirement requiring Congress to tell how the balanced budget amendment would be implemented.

We should require this House to specify those cuts to reach that balanced budget. The Congressional Budget Office has said it would cost $1.2 trillion in cuts by the year 2002 to reach that balanced budget. In the name of honesty, openness, and constructive planning, we must set that course to achieve the goal.

The people need to know how and what and when these cuts will be made. We talk about a Contract With America. Let us not forget our contract with our senior citizens in 1935 for Social Security, our seniors for health care in 1965, and our veterans that provide them benefits for their sacrifices for their country.

The people of these United States will remember that our contract is renewed next year unless we tell them how we are going to fulfill the contract we agreed to.

BAN UNFUNDED MANDATES ON STATES

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

Mr. TIAHRT. Mr. Speaker, today the Senate is considering a bill to ban unfunded mandates by Congress for States like Kansas. We must join with them so that no longer will Congress be able to mandate that States do things without funding. No longer will Congress attempt to balance the budget on the backs of the States.

It took the Republican majority in the House and Senate to bring this important issue to a vote. We will finally enact what State Governors like Kansas Gov. Bill Graves and State legislatures have been asking for years, to relieve the arrogant burden of denying money to States to pay for the Federal Government's mandates.

Just as the American people have called for a ban on unfunded mandates, they have also called on Congress to balance the budget. Starting now we will work to control our spending and our own budget. It is what the people want, and what we intend to give the people.

COMMENTS ON HOUSE HISTORIAN

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

Mr. SCHUMER. Mr. Speaker, like the energizer bunny, the Christina Jeffrey story keeps going and going and going. Yesterday Speaker GINGRICH's spokesperson, Tony Blankley, said that they did not know that Christina Jeffrey believed that a Holocaust class should reflect the views of the Nazis.

Today we read in the Atlanta Constitution that Ms. Jeffrey told Speaker GINGRICH's staff a month ago. But even worse was today's revelations of why Ms. Jeffrey thought she was fired. Yesterday Mr. Blankley said that Speaker GINGRICH held Ms. Jeffrey in high regard, and today we find out she believes that she was told she had to go because "There would be marches and demonstrations and fundraising efforts to raise money to turn over the House to Democrats."

What was Speaker GINGRICH's motivation in firing Ms. Jeffrey? Was it because he disagreed with her views, as he should have, or was it because of adverse publicity and bad political consequences?

Yesterday I praised the Speaker for quickly firing her. I stand by that, but there are many questions that must, must be answered.

PASS THE BALANCED BUDGET

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

minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, I rise today to respond to the Democrats' call for specific cuts in the Federal budget. They well know that Republicans have pledged to consider all proposals except for Social Security. Their insistence is an effort to divert attention from the real issue. Congress can only tackle the issue of how to balance the budget after we decide to balance the budget.

The Democrats' desire to place the proverbial cart before the horse led the American people to give their House to the new Republican majority. We must not let empty partisan rhetoric sway us from the task we have been sent here to do; namely, to bring fiscal responsibility to Washington. We owe the American people that much. It is time to stand and deliver by passing the balanced budget amendment.

COMMENTS ON HOUSE HISTORIAN

(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, a new chapter opened today in the history surrounding the hiring and the firing of the House Historian. Today, the former Historian reveals to the Atlanta Constitution that she had indeed informed the Speaker's office about her views on the teaching of the Holocaust before she was hired. This directly contradicts the statements that had been made by the Speaker's office. The Historian was fired because her opposition to funding a course on the Holocaust was wrong because it did not reflect what she called the Nazi point of view or the Ku Klux Klan point of view. Such extremism from the person hired to chronicle an important part of the history of our government is an affront to this body and to all Americans.

How could a person known to have such extreme views on this issue and one that is so sensitive to so many Americans, how could that person have been hired? But perhaps we should not be surprised. This is not the only office that the new Speaker has turned into a partisan political tool. The same thing was done in selecting the House administrator. I fear that we are seeing the beginning of a dangerous pattern.

PUBLIC HOUSING RENT REFORM

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

Mr. KNOLLENBERG. Mr. Speaker, as we debate the reform of our Nation's welfare system, our deliberations must include a close examination of the federally mandated system of calculating rents paid by residents of America's public housing.

The evidence is striking. The current system of establishing rents in public housing is set by bureaucrats in Washington. It provides no flexibility to provide incentives for residents to make a better wage or even find work.

In most cases, if a resident of public housing obtains gainful employment, they end up with less disposable income than if they had stayed on welfare. That is right, less money by going to work. Is it any wonder we have generations of people who are addicted to the public dole?

In the last Congress, this body passed a housing bill which included a provision which I sponsored, entitled the Rent Reform and Empowerment Act, which would reduce these disincentives through a system of income disallowances and ceiling rents. Unfortunately, it was killed in the other body.

Mr. Speaker, today I am reintroducing this important legislation. It is time we applied a little common sense. And keep in mind it has been this Government that has imposed some of the highest tax rates on America's poor.

COMMENTS ON HOUSE HISTORIAN

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

Mr. LEWIS of Georgia. Mr. Speaker, not even the Speaker of the House agrees. His choice of a Historian for this House is unfit to serve. There is no room in this House for bigotry, racism, or anti-Semitism. I commend the Speaker for realizing his error, acting quickly, and firing his appointment.

The operation of this House, the recording of its history, should be nonpartisan. The House Administrator, the House Historian, these appointments should be made with the best interests of this House in mind, not the Speaker, not the Speaker or one political party.

Last week the American people were promised a new openness, a new way of doing business. But so far it looks like business as usual.

Mr. Speaker, this is not a Republican House, this is not a Democratic House. This is the people's House. Mr. Speaker, the people deserve better.

□ 1120

H.R. 359

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

Mr. ROHRABACHER. Mr. Speaker, I am asking my colleagues to join 67 Members of the House in cosponsoring H.R. 359. This legislation will prevent a major rip-off of American inventors and investors by ensuring that Americans have the 17 years of patent protection which was their right prior to the passage of the GATT implementation legislation last year.

Hidden in that implementation legislation was a provision not required by GATT that was slipped into the implementation legislation. The provision dramatically reduces the number of years of patent protection for American citizens, permitting foreign nationals, foreign and international corporations to use American technology against us in the world competition without so much as paying royalties to American inventors and investors who created the technology.

H.R. 359 will stop the rip-off and perfect the GATT language by purging this provision from part of the GATT that should never have been part of it in the first place.

IS THE HOUSE MOVING TOO QUICKLY?

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

Mr. RICHARDSON. Mr. Speaker, are we moving too fast without taking proper precautions that will be costly in the future?

The Speaker did the right thing to fire Christina Jeffrey, but what is shocking is that a person with these views could have been hired in the first place.

Are we moving ahead on unfunded mandates legislation without recognizing the impact it might have on clean air, on clean water, on civil rights, on disabilities, on health and safety? Am I correctly hearing that the new majority wants to exempt all Contract With America legislation in this legislation?

As we move ahead on the balanced budget amendment, which I have supported, does it not make sense to specify from where these cuts are coming? Do we really want to amend the Constitution to have a super majority on taxes? What if we are in a recession? What if we are in a war? Let us make this balanced budget amendment work.

Mr. Speaker, let us have open rules. Let us be offered alternatives. Let us participate in a bipartisan way to deal with these problems. Let us not make mistakes now that we will regret later.

WE MUST TAKE ACTION

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

Mr. EVERETT. Mr. Speaker, recent polls indicate that some 80 percent of the American people favor the balanced budget amendment. The people have sent their message to the people's House. Now it is time for the people's House to respond.

My colleagues, if we are sincere in our desire to get big government off

the back of middle income Americans, then we should vote yes on a balanced budget amendment.

The balanced budget amendment is designed to produce results. It forces us to take action. It forces us to be responsible with the taxpayers' dollars. It forces us to do what this House has not done in 30 years.

Mr. Speaker, the time for stalling is past. Nearly $5 trillion of debt placed upon our children and grandchildren demands a response. We must take action now. We must pass the balanced budget amendment.

WHITE HOUSE RESPONSE TO DISASTER IN CALIFORNIA

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

Mr. TUCKER. Mr. Speaker, I rise today to bring recognition to the White House response to my call and the call of other Members of this House who represent areas in California that have been egregiously affected by the continuous pounding of severe Pacific storms in California. The total now is at 17 counties that have been affected.

Even as we speak, Mr. Speaker, here on the House floor, we understand that there are more storms coming in from the West that are going to be affecting very deleteriously the counties in and throughout California.

My county, Los Angeles County, has been affected very, very much.

I just want to thank the White House for finally responding and declaring a Federal disaster, a declaration that will allow FEMA to come in and to provide additional help and additional provisions to the people in California who are suffering.

It seems just yesterday, Mr. Speaker, that we had to sign $8.6 million for earthquake relief. Now we have floods in California.

We thank the White House for responding.

CHANGE IS HERE

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

Mr. GUTKNECHT. Mr. Speaker, change is here, and change is good.

After 40 years of one party's rule, last week, the new majority took the first critical steps to changing the House of Representatives.

More change is on the way. In the next month, we will vote on a balanced budget amendment to the Constitution.

We have heard gripes from some Members of the new minority about what is wrong with the balanced budget. We have heard excuses. We have heard complaints.

But after 40 years of Democrat leadership, we never had a true commitment to a balanced budget amendment. And we have not had a balanced budget in about 30 years.

Mr. Speaker, the American people want a new direction from the Congress. They want fiscal reponsibility; they do not want to pay higher taxes but they do want less Federal spending.

Mr. Speaker, change is here and change is good. That is why we must pass a balanced budget amendment to the Constitution before this Congress is adjourned.

IN FAVOR OF THE CDBG ANTIPIRACY LEGISLATION

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

Mr. BARRETT of Wisconsin. Mr. Speaker, thousands of workers in my community got a major slap in the face last year where their employer told them their jobs would be moved to other parts of the country.

If this was not bad enough, these loyal employees had salt rubbed in their wounds a short time later, when it was learned that Federal Community Development Block Grant funds would be used to help move these jobs to other States.

This is something that should not happen. Using Federal funds to move jobs from one area to another is a total waste of taxpayer money and an insult to the people who are losing their jobs.

Today I am introducing legislation that would add an antipiracy provision to the block grant law. It will prevent the use of these funds from being used to steal jobs.

As we look for ways to save Federal tax dollars and get a better bang for our buck, this is the perfect place to start.

THE BALANCED BUDGET AMENDMENT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, this January, as we work for and with America, we will vote to put responsibility, accountability, and respectability back in the Congress by finally passing a balanced budget amendment.

Many on the Democrat side want us to specify budget cuts before they agree to it. I think they are just using this as an opportunity to invite their good friends, the special interests, to come in and save their favorite projects from elimination.

As we have seen in the past 40 years, we can debate all day about how to balance the budget and never actually do it.

We need to set the record straight. The balanced budget amendment is about discipline. We need a mechanism that forces the Congress to balance it every year.

For 40 years we tried it the other way. All we got was more spending and more taxes. Now it is time for Congress to live like everyone else in America, on a budget.

LINGERING QUESTIONS

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

Mr. BONIOR. Mr. Speaker, there are lingering questions still unanswered in the controversy over the fired House historian.

First, what did Speaker GINGRICH know about her extreme views and when did he know it? The Speaker says he did not know Ms. Jeffrey once rejected a course on the Holocaust because it failed to present the Nazi point of view. Yet, Ms. Jeffrey's top aide claims he knew all along.

Second, Ms. Jeffrey has been outspoken on GOPAC. She says that GOPAC was founded as, and I quote, "a way of getting around campaign finance disclosure laws." And she has called for repeal of those very laws.

I think the American people have a right to know: Do the Republicans agree? Do they agree that GOPAC was founded as a way of ducking campaign finance disclosure? Do they agree that we need to bring more secrecy in the political process?

Mr. Speaker, this is a question of credibility. The Republicans talk a lot about rebuilding trust with the American people. If they really mean it, they should come clean and reveal the contributors and their expenses on GOPAC.

□ 1130

DISASTROUS SAFE DRINKING WATER ACT MUST BE FIXED

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

Mr. BEREUTER. Mr. Speaker, the current Safe Drinking Water Act is a disaster and must be fixed as it is reauthorized. This Member is committed to supporting legislation which will inject more common sense into the way that public drinking water supplies are tested, monitored, and treated.

It is certainly encouraging that the distinguished gentleman from Virginia [Mr. BLILEY], the new chairman of the Commerce Committee, has indicated his intention to place a high priority on revising and improving the Safe Drinking Water Act.

Mr. Speaker, there is a growing financial crisis for communities across

the country that becomes more evident each year as new water testing and treatment deadlines are imposed. These unfunded mandates hit small communities especially hard. Not only are these mandates costly, they often do nothing to ensure safe drinking water. It is clear that States and communities must be allowed to identify and focus on those contaminants which present an actual health risk in their geographic area.

Without question, the safety of this Nation's drinking water must be vigorously protected. However, in these days of tightening budgets on the local, State, and Federal levels, it is more important than ever that this goal be reached in a realistic, cost-effective, and efficient manner.

THE FRUITS OF EXTREME PARTISANSHIP

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

Ms. McKINNEY. Mr. Speaker, I rise today to express my extreme concern over the judgment displayed by my colleague from the Sixth District of Georgia. His need to fire long-time friend and associate Christina Jeffrey from the office of House Historian only demonstrates his folly in trying to politicize every aspect of the administration of this House.

He first fired our bipartisan Historian in order to have a personal biographer. I wonder, had Ms. Jeffrey been retained, how she would have recorded the Ethics Committee investigation of GOPAC.

Well, it turns out Ms. Jeffrey feels that the Nazis and the Ku Klux Klan do not get to tell their side of the story to our children in their history classes.

Mr. Speaker, such are the fruits of extreme partisanship. It deserves no place in this House.

THE UNFUNDED MANDATES REFORM ACT OF 1995, THE FIRST STEP TOWARD REDUCING UNFUNDED MANDATES

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

Mr. MARTINI. Mr. Speaker, it has become clear over the last several years that the burden of unfunded Federal mandates placed on States and localities has risen to unacceptable levels. I am pleased to inform that yesterday, the Government Reform and Oversight Committee took the first step in addressing this problem by marking up H.R. 5, the Unfunded Mandates Reform Act of 1995.

As a local official in New Jersey, I have felt the sting of unfunded mandates firsthand. Despite cutting discretionary county spending by 3 percent in 1994, the part of the State and county budget mandated by the Federal Government actually rose by 10 percent. Despite our best efforts, we were forced to raise county taxes.

Mr. Speaker, the taxpayers are angry, not just because Federal taxes are too high, but because local property taxes are also skyrocketing due to unfunded mandates.

The voters spoke loudly on November 2. What they demanded was a government that was smaller, smarter, and less costly. Today we begin the process of accomplishing all three goals by putting an end to unfunded mandates and returning the U.S. Government to its proper role in its relationship with the States.

ON THE MARTIN LUTHER KING, JR., HOLIDAY EVERY AMERICAN CAN MAKE A DIFFERENCE

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

Ms. McCARTHY. Mr. Speaker, I rise in anticipation of the 10th celebration of the Martin Luther King, Jr., holiday, which has been designated as a national day of service, to encourage my colleagues and all Americans to be mindful of the national theme: On the King holiday every American can make a difference.

The King holiday challenges Americans to remember and celebrate, but most importantly, to act to address the issues for which Dr. King and others gave of their lives, their energies, their talents. One of Dr. King's philosophies evolves around the promise that every individual can achieve his or her dream in America.

To accomplish this goal, the Government must be a partner with the people. In keeping the dream alive, we must address the unfinished agenda and direct our efforts to reduce violence, help youths at risk, promote interracial cooperation and economic stability. By doing so, we can make every American experience the land of opportunity once again.

LET US ENACT THE BALANCED BUDGET AMENDMENT NOW

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

Mr. NORWOOD. Mr. Speaker, the historic opening day of the 104th Congress was the start of a new era in American politics. A majority of both Democrats and Republicans voted to reform the House of Representatives to make it more open and more accountable to the American people.

Now that we have changed the way business is done in the House, it is time to change the business that the House does, starting with a balanced budget amendment.

As I traveled through my district, I listened to the people I represent tell me that Congress should direct its finances the same way as the rest of America does. The message I have heard is that families wisely live within their monthly salaries, so why does Congress continually fail to do the same?

It is time for Congress to start living within its means by balancing the budget. It is time to change the business Congress does. Let us enact the balanced budget amendment now.

WHAT PROGRAMS WILL BE CUT TO ACHIEVE THE BALANCED BUDGET AMENDMENT?

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

Mr. BECERRA. Mr. Speaker, the citizens of this country deserve to know what is really at stake when it comes to the balanced budget. Everybody agrees we have to reduce and ultimately eliminate the Federal budget deficit, but what will it really take to get a balanced budget in 7 years without touching the amount of money we now spend on defense as the Republican majority proposes, while at the same time offering a big cut in income taxes?

The Republican leadership is doing a real disservice to the American people by refusing to disclose what kinds of middle class programs we will probably have to get rid of in order to have to balance the budget by 2002.

Just a few minutes ago in the Committee on the Judiciary the Republican majority defeated an amendment to exclude Social Security from cuts to balance the budget.

What about student assistance? Probably kiss it goodbye. Unemployment insurance? Major cuts. Medicare programs? Devastating cuts. What about cures for cancer? Our research institutions are facing massive cuts if this budget amendment passes.

These are just a few examples of the kinds of massive program cuts that will occur. It is time for this open Congress to be truly open and tell the people how it will balance the budget.

CONGRESSIONAL LAWMAKERS CAN COACH AMERICA TO FISCAL VICTORY

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

Mr. CHRISTENSEN. Mr. Speaker, in 1971, the Nebraska Cornhuskers won college football's national championship. One year later coach Tom

Osborne became head coach, and over the last two decades has dedicated his life to challenging young athletes to achieve their very best.

Many times over this last quarter century the loyal fans of the Cornhuskers felt the ground swell of a pending national championship victory, only to know the disappointment as that victory slipped away.

Likewise, Mr. Speaker, since 1935 the American people have diligently petitioned this body for a balanced budget. Year after year they watched and waited, believing reform was within their grasp, only to see the national debt and government spending increase.

They have waited patiently for lawmakers to bring them relief from the increasing tax burdens, only to suffer the disappointment of another legislative year gone by with no visible victory won over the skyrocketing debt.

Mr. Speaker, as lawmakers we have a chance to coach America's team to a fiscal victory. We came here armed with a mandate to pass the balanced budget. I encourage it to happen this year.

PUBLIC HEARINGS IN COMMITTEES ARE CONSISTENT WITH OPENNESS, PARTICIPATION, AND ACCOUNTABILITY

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

Mr. BROWN of California. Mr. Speaker, I wish to express my concern over the bypassing of an important legislative process, public hearings in committees. I would suggest that this need not unduly delay the Republican's 100-day agenda, if each bill is appropriately scheduled.

I realize that some of the proposals on which you seek prompt legislative action were the subject of hearings in the last Congress. However, that does not provide an adequate legislative record.

We have many new Members to Congress and some who are new to committees. Without hearings, Members are being asked to vote on legislation without the benefit of input from constituents, interest groups, the administration, or their colleagues.

This seems inconsistent with the recent reform of House rules which are intended to increase openness, participation, and accountability.

Mr. Speaker, I include for the RECORD 2 letters which address the two committees which have planned or have markups without hearings this week or next week.

The letters referred to are as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 10, 1995.

Hon. ROBERT S. WALKER,
Chairman, Committee on Science,
Washington, DC.

DEAR MR. CHAIRMAN: As the Committee begins its legislative work for the 104th Congress, we wanted to express our concern about reports that the Committee is considering marking up bills without the benefit of prior public hearings on legislative proposals.

Hearings are an indispensable part of the legislative process. They provide Committee Members the opportunity to learn about the legislation, to ask questions, and to understand the impact of the legislation on interested parties. We realize that some of the proposals on which you seek prompt legislative action were the subject of hearings in the last Congress. But hearings in prior Congresses cannot provide an adequate legislative record for several reasons. First of all, fully half of the Committee Members are new to the Committee. Without hearings, they would be asked to vote on legislation without the benefit of hearing from constituents, interest groups, the Administration, or their colleagues. Such a procedure would hardly be fair to the new Members on either side of the aisle.

In addition, even if the bills have not substantially changed, the context of those bills within the broader agenda has changed considerably. For example, in the light of expected cuts in DOE's energy R&D programs, it will be difficult for Members to assess the importance of increasing funding for hydrogen research without a better understanding of how the hydrogen program fits into overall energy research and development budget priorities.

Finally, moving legislation without public hearings would seem to be inconsistent with recent Republican reforms intended to increase openness and accountability. We do not believe that either the Members or the public will be well-served by legislating in the absence of a record.

We understand your desire to begin the Committee's work quickly. Holding hearings need not be inconsistent with moving legislation expeditiously. Indeed, markups are likely to be far smoother when Members have had an adequate opportunity to understand the measure before them.

We know that you share our hope that we can move Committee legislation in a bipartisan fashion. To foster this cooperation, it is essential that both Majority and Minority Members have the opportunity to participate in a thorough, open legislative process that includes formal hearings on legislation that will be reported from the Committee. We appreciate your consideration of these concerns.

Sincerely,

GEORGE E. BROWN, Jr.

CONGRESS OF THE UNITED STATES,
Washington, DC, January 9, 1995.

DEAR CHAIRMAN CLINGER: We understand that you have scheduled a full committee mark-up of H.R. 5, the Unfunded Mandate Reform Act of 1995 for 10 a.m., January 10. We respectfully request that you honor the request of members of the Government Reform and Oversight Committee for a hearing on this important piece of legislation.

Under the leadership of Speaker Gingrich, your party has instituted a number of changes that are meant to ensure that Members of Congress and the citizens that they represent are fully informed about the legislation that is acted upon in the House of Representatives. We agree, and therefore, believe that a full committee mark-up of this legislation is premature. The hearing process allows interested constituent groups and Members of Congress an opportunity to express their views and familiarize themselves with the details of the legislative proposal under consideration. This is a fundamental and important step in the democratic process that should not be by-passed, especially in the case of legislation that addresses an issue as important as the relationship between federal, state, and local government.

We realize that hearings on unfunded mandates legislation have been held by the committee in previous Congresses. However, we understand that H.R. 5 contains new provisions. Returning members should have an opportunity to consider the new proposal prior to proceeding to the committee amending process. Also, there are many new members in the House who should be given an opportunity to examine the details of this proposal, to ask questions, and to hear the views of their colleagues and constituents through a formal hearing process.

Our hope is that we can work in a bipartisan fashion in the 104th Congress to develop sound legislation that will provide the greatest benefit to the American people. In order for this to occur, both majority and minority Members of Congress must be able to participate in a thorough, open legislative process which includes formal hearings on important legislation such as H.R. 5. We trust that you share our appreciation for the importance of maintaining an open, thorough democratic process within the House of Representatives and committees, and we thank you for your consideration of our concerns.

Sincerely,

GEORGE E. BROWN, Jr.
JOHN D. DINGELL.
JOHN J. LAFALCE.
WILLIAM L. CLAY.
DAVID OBEY.
GEORGE MILLER.
JOE MOAKLEY.
HENRY B. GONZALEZ.
MARTIN O. SABO.
NORMAN Y. MINETA.
RONALD V. DELLUMS.
NORM DICKS.
VIC FAZIO.
DAVID BONIOR.

TIME FOR COMMITMENT TO A BALANCED BUDGET AMENDMENT

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

Mr. LATHAM. Mr. Speaker, I rise today to thank the people of Iowa's Fifth Congressional District for giving me the honor of representing them in the U.S. House of Representatives.

On the first day of this Congress, I was proud to help make a downpayment on restoring the public's faith in Congress by passing long overdue congressional reforms.

When the balanced budget amendment comes to the floor of the House this month, we will have an opportunity to make another installment on our contract with the American people.

As I ran for Congress, families stressed to me their fear that the enormous debt that the Federal Government has run up will destroy their children's and grandchildren's future. We have a moral imperative to bring an end to the deficit spending that has become a way of life in Washington. Congress has lacked this restraint to the tune of over $4 trillion. The time has come to commit to a common goal of a balanced budget amendment. It is for our children's and grandchildren's sake.

□ 1140

THE MEXICAN CRISIS AND ITS IMPLICATIONS

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

Mr. ROTH. Mr. Speaker, just a few months ago Mexico was touted as the place to invest. NAFTA was passed to foster trade and economic integration with Mexico. Now Mexico is in crisis. The peso is dropping. Their stock market is falling. Interest rates are shooting upward, and the economy is facing collapse.

The implications for us are enormous. American investors in business face huge losses. The American taxpayer is liable for $9 billion in emergency loans and much more. Like it or not, our economy is linked to Mexico, because they are our largest trading partner.

But before we get in any deeper, the American people and this Congress must understand clearly what the situation is and what our liabilities are. As chairman of the International Committee on Policy Subcommittee, my goal is to conduct a full-scale examination of this crisis and the United States role in rescuing the Mexican economy and its implications for the American taxpayer.

MILITARY MIGHT AND VITAL ECONOMY KEY

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

Mr. CHAMBLISS. Mr. Speaker, we in Congress face the very difficult task of reigning in the national debt and reducing the size and scope of an overgrown Federal bureaucracy. This was a message sent to Members in November and it is a task I take on gladly.

However, Mr. Speaker, as we head into this very difficult year of budget cuts and spending decisions, I would like to take this opportunity to recall to Members those qualities that have made this country the strongest Nation and longest-standing democracy the world has ever known, namely, military might and a vital economy.

The United States has shown time and time again that its military is second to none. It has turned back every challenge and the men and women who serve are the best trained and the most committed fighting force of any in the world. Let us be mindful of their commitment and renew our commitment to the strength that has contributed to the peace we enjoy today.

As for the economy, the engine that drives growth and creativity, we must never turn our backs on those who lie at the very heart of the economy, the American farmer.

CALL FOR A BALANCED BUDGET

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

Mr. SCARBOROUGH. Mr. Speaker, for 40 years Congress has failed to do what middle-class Americans and State legislators across the country have done, and that is to balance the checkbook. Let the word go forth today that the checkbook has been passed for the first time in 40 years to a new generation of leaders that want to balance the budget and that want to balance the checkbook.

What do we hear? We hear nothing but smoke and mirrors from people that talk about GOPAC and try to create images of Nazi librarians where they do not exist. They are red herrings.

We are here to do a serious task and that is to balance the budget before it is too late. We need help from both sides of the aisle, because if we do not do it now, it is going to be late soon.

REVISITING THE REAGAN-BUSH YEARS

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

Mr. HOYER. Ladies and gentlemen, I was motivated by the previous speaker. We had a $945 billion debt in America in 1980. We changed the checkbook and one person could have stopped spending in its tracks from 1981 to 1989, one person, Ronald Reagan, President of the United States. We never overrode a veto of the President of the United States from 1981 to 1992 dealing with spending in America. Every nickel that was spent in America from 1981 to 1992 was because either Ronald Reagan or George Bush signed the bill allowing that expenditure to go forth.

I have voted for the balanced budget amendment the last two times. I am going to vote for it again. But spending got out of control in this country in 1981. We sustained more debt in the last 12 years than in all the years prior to that time.

BALANCED BUDGET AMENDMENT II

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

Mrs. SEASTRAND. Mr. Speaker, I rise today to support a balanced budget amendment. We have not balanced this country's budget since way before the birth of my son Kurt. Mr. Speaker, Kurt is 25 years old.

As we have heard here on the floor this week, the vast majority of States have balanced budget requirements. Our families balance their budgets, our businesses balance their books, and if many of our States must balance their budgets then there is no reason we cannot balance the books in Washington, DC.

What we have heard here from the other side of the aisle this week is an argument against the balanced budget amendment. What we have heard is an argument against balancing the budget. I think our country is too important, our children's future too precious and the next generation too vital to allow the burden of Federal debt to continue to pile up.

Mr. Speaker, I urge my colleagues to join me and support the balanced budget amendment and once again gain control of runaway Federal spending.

BIPARTISAN SUPPORT FOR BALANCED BUDGET AMENDMENT

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

Mr. EDWARDS. Mr. Speaker, I believe the balanced budget amendment is the single most important issue that this Congress will face this year or next. I believe it is important that Americans understand that this issue is supported on a bipartisan basis by many Democrats as well as Republicans. In fact, the leader of the balanced budget fight for many years has been Congressman CHARLIE STENHOLM of Texas, a Democrat.

This is not a Republican issue, it is not a Democratic issue. It is an issue about our children, an issue about our grandchildren and their future. The fundamental question we face is whether our Congress is going to continue to steal money from our grandchildren to pay for today's spending.

I hope this Congress will change that, and I hope the American people will understand that many Democrats will be at the forefront of fighting for this most important measure.

A PROGRESS REPORT ON HAITI?

(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, today is day 115 of the U.S. occupation of Haiti. For almost 6,000 of our troops still there, the mission remains as open-ended and as ill-defined as it was when it started back in September. Still the White House is very vague about the time line for the withdrawal of our troops. They offer very little substantive commentary on what is the real situation in Haiti today where our troops are at risk.

Mr. Speaker, many Members have questions they would like answered, like:

What is the prognosis for an orderly withdrawal of our troops without a return to a climate of brutal vengeance in Haiti?

Where do Haitian moderates fit into White House plans?

How much is this costing American taxpayers as we talk about balancing the budget?

What is being done about shifting the aid emphasis from commitments for handouts for Haitians to support for investments and jobs that will actually make a real difference in that country's future?

Mr. Speaker, it is time for some accountability from the White House. It is our troops that are overseas.

ON WHOSE BACK?

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

Mr. NEUMANN. Mr. Speaker, the naysayers and doubters are out in full force scaring the American people about the balanced budget amendment. The question they ask is on whose back will the budget be balanced?

Mr. Speaker, I would like to reverse that question and ask on whose back will the burden fall if we do not balance the budget?

□ 1150

If Congress does not act responsibly to control wasteful government spending and growth, the children of our country are the ones who will pay. We now have over $4 trillion in debt. How far in debt do we have to go before we realize what we are doing to the children of our Nation? The American people want action and they want action now.

They want a government that is smaller, less expensive and more efficient. They want a government that will control its spending habits. Let us not break the back of our children's future. Let us pass the balanced budget amendment and let us do it now.

BASE CLOSINGS

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

Mr. STEARNS. Mr. Speaker, I stand here to talk to my colleagues about base closure. I think many of us realize we just went through a base closure operation not too long ago and I was involved with it. We are having another one in 1995. I want to point out to my colleagues we had a vote on the House floor to slow down this process and I think it is important we do that.

Now that Republicans are in control, I hope all of us will realize we have an opportunity to preserve some very important bases around this country, which brings me to my point about a very important base in my congressional district in Jacksonville, FL. It is a naval depot. My friends, it is creating a profit.

After all is said and done, here is a government operation that is creating profit every year, so why should we be shutting down something like that? The community is coming together very strongly to protect it. In fact on Monday the First Coast Manufacturing Association kicked off a campaign of 500,000 postcards in support of the Jacksonville depot.

CONTINUING PROCESS OF REFORMS

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

Mr. DREIER. Mr. Speaker, 1 week ago today we passed the most dramatic reforms of the way this institution does business in literally decades. It was done under the most open amendment process imaginable. We had votes up or down on eight different provisions that passed, not by a simple up-or-down vote as we have had in years past when the Congress has organized.

We right now up in the Rules Committee are holding a hearing on the unfunded mandates question so we will not see Congress continue to impose constraints on State and local government without providing the wherewithal to comply with those constraints. There are a wide range of things that are going to be going on during this 100-day period.

But I think it is very important for us to realize that while we did pass these eight major reforms a week ago today, the issue of reform did not end on January 4. We are continuing to review further opportunities to change and improve the operations of the U.S. Congress so that it can in fact become more accountable to the American people and once again be established as the greatest deliberative body known to man.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BLILEY). Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

UNFUNDED MANDATE REFORM ACT OF 1995

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

Mr. MCINTOSH. Mr. Speaker, I rise today to talk about a critical issue that must be addressed as we address the balanced budget at the Federal level, it is very important that we also protect the taxpayer at the local level. So I wish to indicate my support for the unfunded mandates bill and the need for liberalizing the rules governing privatization of Federal infrastructure assets by State and local governments.

Yesterday, the House Committee on Government Reform and Oversight completed its markup of H.R. 5 the Unfunded Mandate Reform Act of 1995. Chairman BILL CLINGER showed tremendous leadership on the first day of committee business by moving the bill so quickly. I strongly support House passage of the Unfunded Mandate Reform Act.

The Unfunded Mandate Reform Act of 1995 is an important first step in right-sizing the Federal Government. The November 8 election sent Washington a clear message—the American people want smaller, less intrusive government. Unfunded Federal mandates is one costly example of Federal Government overreach.

The Federal Government taxes gasoline, cigarettes, payroll for Social Security, and of course, income. But that is not all. Washington also taxes the American people through costly regulations placed on State and local governments and the private sector. The cost of Federal regulations are hidden in increased property and sales taxes, higher fees on services that show up in water and sewer bills, and more expensive goods and services. In addition, these Federal mandates infringe upon the freedom of communities to order their public lives. In short, the Federal Government compels taxpayers of both State and local governments and the private sector, either by force of law or the power of the purse, to pay for its policies. The America people want relief.

The mayor of Richmond, IN, Steve Cornett has indicated that unfunded Federal mandates have prevented that municipality from improving vital public safety and infrastructure. The Environmental Protection Agency compels this community to fit its landfill with a $1 million liner, even though the landfill is clay and not prone to leeching. The city also had to use scarce resources to dig up empty storage tanks in a remote area near the Richmond Municipal Airport. According to Mayor Cornett, the opportunity costs of this Federal meddling is high. The city wants to update fire department equipment, but is strapped for the funding.

Curbs, sidewalks, and streets need repairs, but the demands of the Federal regulations come first. The city of Richmond is not unique in this regard. The U.S. Conference of Mayors with the firm of Price Waterhouse assessed the cost of 10 unfunded Federal mandates and found that they consumed 11.7 percent of local revenue—(August and September 1993).

As I stated, the Unfunded Mandate Reform Act of 1995 is an important first step. To do the full work of rightsizing the Federal Government, this Congress must also: First, address existing unfunded mandates—H.R. 5 directly addresses only prospective mandates; second, level the playing field between public and private entities—that is to say, private sector entities that provide services such as utilities should receive the same relief from regulation as publicly held entities; and third, reduce barriers to privatization. With regard to the last—privatization—I hope to introduce an amendment to H.R. 5 to reduce barriers to the privatization of federally financed infrastructure assets by State and local governments.

State and local governments should have greater control over infrastructure decisions, on roads, utilities, and airports. Current Federal policy greatly restricts the options available to those governments to manage infrastructure assets with little regard to local priorities.

My amendment would allow State and local governments to transfer Federal-aid facilities to the private sector—either by sale or long-term lease—without repayment of Federal grants, provided the facility continues to be used for its original purpose. This legislation is an extension of Executive Order 12803 on privatization that President Bush signed in 1992. It would not interfere with any contractural obligations agreed to by local government owners in connection with previous grants.

In my home district, the Second Congressional District of Indiana, there are many examples of successful privatization efforts. Two in particular are the Muncie Youth Opportunity Center and the Anderson Community Hospital Pregnancy Plus Program. The Muncie Youth Opportunity Center is a home for disadvantaged young people privatized and supported by private donations under the very able leadership of Judge Steven Caldemeyer. The center was previously administered by Delaware County and since its privatization, the center has renovated its facilities and begun to serve more needy children in my hometown. The Anderson Community Hospital Pregnancy Plus Program offers prenatal care to women of limited means. Previously run by the Madison County Department of Health, since privatization, the program has nearly doubled the number of women who have access to prenatal care in this program and expanded to provide post-natal care.

Just adjacent to my district, the city of Indianapolis is a leader in privatization. Indianapolis Mayor Steve Goldsmith has moved 50 public services into the private sector by way of competitive bidding, at a savings of $115 million.

□ 1200

Mr. Speaker, I urge passage of the bill and support for my amendment.

PROPOSED CHANGES TO H.R. 4, WELFARE REFORM LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

Mr. KIM. Mr. Speaker, I am concerned that in H.R. 4, the welfare reform legislation, as introduced, unjustly treats taxpaying legal immigrants the same as illegal aliens. The two are very different.

Therefore, today I am introducing legislation that will ensure that taxpaying legal immigrants are not discriminated against.

I am encouraged that the behind the scenes work I have already undertaken appears to have brought the Speaker's and other Republican leaders' attention to this problem. I very much welcome their willingness to fix their oversight. My intention in introducing this bill is to make readily available—to the appropriate committee and subcommittee chairmen—legislative language to fix this flaw. Having introduced this bill, I am hopeful it can be amended into H.R. 4 as soon as possible.

Legal immigrants should not be used as an excuse for a broken-down welfare system that has failed to bring people out of poverty.

The majority of those who receive benefits are either American citizens or illegal aliens.

The frustrations of this country's failed attempts to curb the illegal immigration crisis should not turn into a backlash on legal immigrants.

These law abiding immigrants patiently wait and study for 5 years to become U.S. citizens while illegal aliens have no regard for the law. Legal immigrants contribute to the national identity, whereas illegal immigrants can all too often become a burden to the Nation's taxpayer.

I was an immigrant who entered the United States lawfully. I worked hard for an education and I couldn't wait for the chance to become an American citizen. I still take personal pride knowing that I worked hard, paid my fair share of taxes, earned my way, and provided for my family.

I decided to enter public service so I could pay back my country for the opportunities that it gave me.

Where is the incentive for immigrants to pay taxes, and to enter the United States legally if they are cut off from the system?

With this kind of discrimination why not enter illegally? We should prevent that—not encourage it.

This is why I believe that saving money from denying legal, taxpaying immigrants the benefits for which they have paid and may need in the future, is not the answer.

Instead, Congress should focus on how to get people already on welfare off of it quickly. The Federal Government has spent billions of tax dollars on people who originally needed a temporary helping hand, but soon became accustomed to getting a free ride.

Over time, our country has created a permanent society dependent on the Federal Government. That must be changed.

H.R. 4—the Republican welfare reform bill—will be an effective first step in that process. With the changes I have proposed today, I believe the Republican efforts at welfare reform will be even fairer and more successful.

CONGRESSIONAL REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 5 minutes.

Mr. DREIER. Mr. Speaker, I have taken this time out to talk about an issue which I raised briefly in the 1-minutes earlier, the question of congressional reform.

I would like to take time because today marks the 1-week point of the strongest and most dynamic reform of this institution that we have seen in decades, and there has been this sense among many that January 4 brought about an end to the issue of congressional reform.

The new Members who are represented, among others, by the gentleman from California [Mr. BILBRAY] here on the floor insisted that we pass a resolution in the Republican conference which called for continued review of the issue of reform of this institution. Because while we have spent a couple of years in the Joint Committee on the Organization of Congress and in our Republican conference talking about the need to reform the Congress, we have not completed our job.

Now, on January 4 we did a number of things that were extraordinarily important, having Congress comply with laws that are imposed on every other American, very important; trying to reduce the number of committees and subcommittees in the Congress, very important; reducing the number of committee staff, very important. But we have not completed that effort.

I believe that it was really a first step on the road toward even further reform of the institution.

Now, as we look at some of the things that we would like to do, I believe that this review effort that the Republican conference has put together will have a great deal of input from new Members of this institution, and as they familiarize themselves with the workings of Congress, I am convinced that they will come up with a wide range of recommendations which will include, among other things, probably even more streamlining of the committee process. We, I believe, still need to

look at changes that conceivably could be made throughout the 104th Congress.

Also, a number of the items that came up in our rules package need to be incorporated in statute, and we know that if we are going to have complete and full compliance of the laws imposed on every other American, we cannot simply do it with a rules change here. We are going to have to look at a statute.

So I think that what needs to be realized is that tremendous reforms were made with those votes that were cast 1 week ago today, but much work lies ahead. We, of course, during this 100-day period are focusing on the balanced budget amendment, unfunded mandates which we are discussing right now upstairs in the Committee on Rules, and a wide range of other items, and then following the first 100 days, we obviously are going to be addressing items which were actually included in that advertisement that appeared in TV Guide magazine, that pointing out things like health care reform. We have not ignored that, and there are other proposals that will be debated as we go on into the rest of the 104th Congress.

It is important to realize that the 104th Congress is not going to be 100 days long. It is a 2-year period. While we address issues beyond the 100 days, included among them will be further reform of this institution.

A TRIBUTE TO ED MADIGAN

The SPEAKER pro tempore (Mr. BLILEY). Under the Speaker's announced policy of January 4, 1995, the gentleman from Illinois [Mr. EWING] is recognized for 60 minutes as the designee of the majority leader.

Mr. EWING. Mr. Speaker, we are here today to recognize a former colleague of ours, a Member who represented that part of central Illinois that I now have the privilege to represent, the gentleman who I followed here in these Halls of Congress in 1991, Mr. Ed Madigan.

I want to open this special order of recognition of the life of Ed Madigan with a few comments, a little background about this great individual, and a few personal comments.

Ed Madigan was born in central Illinois in January, on January 13, 1936. He graduated with a business degree from Lincoln College in Lincoln, IL, a community that was his home his entire life.

He was first elected to the Illinois House of Representatives in 1966, and he served there for 6 years until he was elected to Congress in 1972. While serving in Congress, he was the ranking Republican on the Committee on Agriculture the last 8 years in office, and he played a key part in both the 1985 and 1990 farm bills.

Ed Madigan received an honorary doctorate degree in 1974 from his alma mater, Lincoln College, and he received in 1977 honorary doctorate degrees from Millikin University and Illinois Wesleyan University.

Probably one of the great highlights of his career was when he left Congress to go and serve in the Bush Cabinet as Secretary of Agriculture. He was the 24th Secretary of Agriculture of this great country, appointed in 1991, and he served there throughout the remainder of the Bush administration.

As I indicated before, he was a lifelong resident of Lincoln, IL. He was very proud of that. He never lost the roots from which he came.

He thought and believed that his major accomplishments in the field of agriculture included the part that he played in the 1985 and the 1990 farm bills. He pushed for greater market orientation in our ag policies, and he was the father of our crop insurance program.

He also began the process of reorganizing the USDA, something that we have carried forward, and he was a major contributor to the GATT negotiations. Ed Madigan not only served agriculture when he was in this Congress, but he served as the ranking member on Energy and Commerce, and on the Subcommittee on Health and the Environment.

In the 97th Congress, he was chairman of the House Research and Planning Committee, and he was twice appointed chief deputy whip.

Ed Madigan was known as a consensus builder and at the time of his death he was quoted as having said when he first entered Congress, as he began his life in the Nation's Capital, he said that he had one goal: "I have the ambition to be an influential Member of Congress and to use that influence to bring credit to myself and to help people." I think there is no doubt in all of our minds that Ed Madigan achieved that goal.

On a personal basis, Ed Madigan and I were both born within 6 months of each other in the same county, in Logan County, IL, and we both grew to manhood in that rural Illinois county. Our fathers were close friends, and Ed used to enjoy telling his somewhat long stories about how my father would try and outdo his father in some horse deal; but you know, when his story ended, his father always came out on top. But they were interesting, amusing stories.

Ed Madigan was a wonderful speaker, and he had so much charisma. He was a man of his word. He was an honorable person. Ed Madigan was loved by his constituents, respected by his constituents, and he is missed by his former constituents.

□ 1210

He is survived by his wife Evelyn, certainly one of the greatest ladies to ever serve as a spouse in the Washington scene; three daughters, Kimberly, Kellie, and Mary Elizabeth; three grandchildren, to whom he was devoted; and a brother, Senator Robert Madigan, who serves in the Illinois State Legislature, and also one sister, Sandra.

I know that everyone in Illinois joins with me, as do many of my colleagues here today, to remember Ed Madigan, to honor Ed Madigan, and to celebrate life and his service to this Nation.

Mr. Speaker, I would like to yield to the gentleman from Kansas, the chairman of the House Committee on Agriculture, Chairman PAT ROBERTS.

Mr. ROBERTS. I thank the gentleman for yielding.

As the gentleman has indicated, Ed Madigan and the Madigan family come from Illinois, Lincoln, IL, as he has stated, to be exact. And to borrow from President Lincoln's famous address, it is altogether fitting and proper that we do this.

More especially, in regard to the gentleman from Illinois [Mr. EWING], who is now so ably representing the 15th district, Mr. EWING, like Ed Madigan, serves on the House Agriculture Committee, and in many ways, I think, exemplifies Ed Madigan's legacy of positive attributes.

All of us who have admired and known and love Ed want to thank my colleague, more especially, for taking this special order.

In the House we have a parliamentary means that allows us to say, in essence, "That was a mighty fine speech." Or, "What you said certainly makes sense to me." And we put it this way: "I thank the gentleman," or "gentlewoman, and I associate myself with his remarks."

Now today there are many, many of Ed's friends who share our sense of personal loss and love for this man and his family, who associate themselves with this special order.

In this regard I do want to make special mention of former Congressman Bob Smith of Oregon. It was Bob Smith and PAT ROBERTS, along with any farmer and rancher who knew Ed Madigan, who thought we should and fought to make Ed Secretary of Agriculture. We had been riding shotgun with him for a long time.

The same applies to the members of the "team" Madigan, if I may use that term, both on the Hill and at the Department of Agriculture, talking about Chuck Hilty, Bill O'Connor, Diane Liesman, Jackie Parke, Mary McGrane, Allie Devine, and Jim Waller.

I would also like to make special mention of former deputy secretary of agriculture Ann Veneman, who worked with Secretary Madigan in streamlining the USDA and certainly making it more cost-effective. I know this list could go on for many special orders in

regards to Ed's many friends, but I also want to mention one person, Ed's special friend, Joe Quattrone, or "Joe Q.," of the House barbershop. All of us miss him, and he is part of us.

Mr. Speaker and ladies and gentleman of the House, in reflecting on what I would like to say and should say during this special order, I came to one very obvious conclusion. Simply put, when our Republican leader Bob Michel spoke in giving the moving and very eloquent eulogy for Ed Madigan, he spoke for us all. And borrowing from Lincoln again, I believe we can neither add nor detract from what Bob Michel stated.

Mr. Michel's eulogy will follow my remarks. So in closing, let me say on behalf of Ed's family, his wife Evelyn—and what a source of strength and resolve and love she has been to us all and to Ed and the family: To Kim, Kellie, Mary Elizabeth, brother Bob, sister Sandra, and all of the grandchildren, that we share in your sense of personal loss and that you are in our prayers.

If Ed were with us today, in his true Irish wit, he would put his glasses down on his nose, sitting somewhere in the House, and as he has done many times in the House Committee on Agriculture, he would say, "That is enough, Roberts."

But I do want to repeat a quote from Helen Steiner Rice which I think pretty well sums up how we feel and how we should feel as we celebrate Ed's life. Helen Steiner Rice said the following:

When I must leave you for a little while,
Please go on bravely with a gallant smile
And for my sake and in my name,
Live on and do all things the same—
Spend not your life in empty days,
But fill each waking hour in useful ways—
Reach out your hand in comfort and in cheer,
And I in turn will comfort you and hold you near.

And that is the way that Ed would want us to conduct ourselves, to live our lives to the fullest, thankful that the Lord really gave us the opportunity to know him and to share this all too brief time in space.

I submit the eulogy of Mr. Michel for the RECORD.

EULOGY FOR THE HONORABLE EDWARD R. MADIGAN

(Offered by Republican Leader Robert H. Michel, Dec. 12, 1994)

Evelyn, Kim, Kellie, Mary Elizabeth, brother Bob, Sister Sandra and Grandchildren.

It's a most difficult task to be called upon to speak when you are overcome with grief in the passing of a loved one.

All the more so when it's your close friend and colleague who has been taken from you so suddenly.

We find it particularly hard to take when the last time we saw Ed, scarcely two months ago, he was in his usual good form speaking atop a couple of bales of straw at a Logan County Pig Roast he was hosting for Ray LaHood just before the election.

We simply can't fathom the speed with which the scourge of cancer can take its toll on what we all perceived as a very healthy, robust, tall and erect good-looking fellow like Ed Madigan.

Who are we to know what our fate will bring—the whys and wherefores—all we know and feel is that Ed was taken from us all too soon.

His was a life deeply steeped in politics, and devoted primarily to public service.

I knew him as a very able state legislator before he came to the Congress where he served for another 20 years prior to being selected by President Bush as his Secretary of Agriculture.

During the extended period we worked closely together and became fast friends.

He was not the flamboyant type, but rather one who prided himself in doing his homework, quietly going about his business, getting the facts, and being a stickler for detail.

In short, he was a legislator of the old school.

A legislative craftsman genuinely interested—and marvelously skilled—in forming good legislation out of the give-and-take of debate and discussion.

To legislate successfully in a democracy means not only being able to understand the problems, or articulate the problems, but also the rare ability to work with colleagues on both sides of the aisle to solve the problems.

Some political activists call such an approach "compromise." Ed called it by its real name: democracy in action.

I can tell you from experience that not everyone is capable of enduring the long hours, the endless debates, the mixture of raging ego and intense ambition and partisan enmities that make up so much of the legislative process.

But Ed Madigan, with that sense of civility and reserve and decency which seemed inherent in him, went about his work patiently and proudly, always being the perfect gentleman.

He was proud to be a public servant at a time when public service has been getting bad press.

Well, Ed Madigan's life is the answer we give to those who doubt that a genuine sense of public service still lives in this country.

As a member of the Energy and Commerce Committee and of the Agriculture Committee, Ed always brought to his duties that enviable but indefinable quality called class.

Ernest Hemingway once defined courage as "grace under pressure." We might similarly define class as grace under the glaring spotlight of public life.

There was a sense of easy, good-humored charm about Ed, always tempered by that sense of reserve, that attractive reticence, that innate self-possession that is as rare as it is admirable in the rough and tumble world of politics.

And that is how we will remember him: his class, his sense of calm amidst the storm, the easy, comfortable charm of the born leader.

Again I thank the gentleman for yielding and reserving this special order.

Mr. EWING. Mr. Speaker, I thank the gentleman from Kansas for his comments.

I yield to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. I thank the gentleman very much.

Mr. Speaker, regarding Ed Madigan, and there are lots of things that could be said; we could go through a litany of those things which he did as Secretary of Agriculture or as a Member of the House here for 10 years. But that is not what I want to talk about. In the few seconds that I have I would just like to mention a couple of things.

George Romney used to describe friends of his as "a great human." Ed was a great human. He had an impact on all of us here; whether it was, as the gentleman from Illinois [Mr. EWING] mentioned, consensus building or whatever, he recognized and emulated those great human qualities which I would like to feel we all aspire to.

But another thing, President Eisenhower used to have on his desk a saying that said, "Suaviter in modo fortiter in re." That means, "Softly in manner, strongly in deed." That is what Ed represented. We talk, we show our emotion on a variety of different issues, but Ed was always interested in the deed rather than the emotion or the show. I would like to feel that as he was trying to build sort of a family-friendly Agriculture Department atmosphere, down here we are trying to build a citizen-friendly atmosphere. I hope he would be proud of us.

I thank the gentleman for yielding.

Mr. EWING. I thank the gentleman. I would now like to yield to the gentleman from Texas, the former chairman of the Committee on Agriculture, Mr. DE LA GARZA.

Mr. DE LA GARZA. I thank my distinguished colleague.

Mr. Speaker, today we gather to pay tribute to one of our former colleagues and a former Secretary of Agriculture, the Honorable Ed Madigan. It is with great sadness at his death that I want to take this opportunity to say about our recently departed colleague what an outstanding individual he was. I use that word earnestly, since Ed Madigan's life was nothing less than that. Ed Madigan came to these hallowed halls, as I did, from the statehouse. He made his decision to run for congressional office in order to be more involved with the political process on a national level, wanting to make a real difference to the people of Illinois who had elected him to Congress, and he did. With great enthusiasm, knowledge, and legislative prowess, that is exactly what he did in his years here as part of this illustrious body. I had the honor and privilege to have him as my ranking minority member of the Agriculture Committee when I was chairman.

He was a self-confident man, a natural leader, and it was only fitting for him to cap his career in 1991 by being appointed as the Secretary of Agriculture. I say this because his qualifications for this job were superb.

Once in this position, he exercised them skillfully, overseeing the Nation's agricultural needs and drawing upon his knowledge and expertise as a former member of the House Agriculture Committee to do so.

We worked together for things agriculture; as colleagues and as friends, we traveled together for American agriculture to different parts of the world; we worked with the leaders of the major countries of the world and also with the less-developed countries, and many of these areas that he worked on are now coming to fruition. He worked on or started so many things that now we are finalizing.

To me it will always be an honor to have had the privilege of working with Ed Madigan. To have been his friend meant even more. His loss is a personal one, and I will miss him greatly.

□ 1220

I extend my condolences to his wife, Evelyn, and to his family.

Mr. EWING. I thank the gentleman for his comments, and I yield to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I want to first thank the gentleman from Illinois [Mr. EWING] for this special order for Ed Madigan, and I have some prepared remarks, but I just would like to make a couple of personal comments.

Ed was a long-time friend and mentor, and I know a lot of the members of the Ag Committee talked about his service on the Ag Committee, but he also had distinguished service for many years on the Committee on Energy and Commerce, and I considered him one of my mentors when I came to the committee back in 1984. I found him to be truly the embodiment of what a public servant ought to be, one who did not take himself too seriously, but took his job very seriously, one who could spin a good story as well as anybody.

I remember in one particular case we were asked to go to Camp David to be lobbied very heavily by the Reagan administration for the TEFRA bill. That was the bill that was going to try to restore some tax revenue after the big tax cut in 1981, and after we returned from Camp David that afternoon, the news media asked a lot of us there what was it all about, and they asked Ed Madigan. Particularly they said:

"We understand you're already in favor of TEFRA. Why did you go up to Camp David with all of these other folks who were allegedly undecided?"

And Ed, with that wry smile of his, said, "I suspect I was a shill," and that was really the embodiment of his personality.

I valued his friendship; I valued our service together on the committee. We will dearly miss Ed. Our best to Evelyn and the entire family. Our condolences, but with strong memories of Ed as a great personality here in this House who was well respected and well liked by everyone he served with.

Mr. Speaker, perhaps the name of Ed Madigan's hometown can give you an idea of the type of leadership qualities and personal attributes he possessed. As a native of Lincoln, IL, Ed had become an influential member of the State in just 6 years. He made the move from the Illinois House of Representatives, where he had served since 1966, to the U.S. House of Representatives in 1972.

Ed embodied all of the characteristics of an admirable Republican leader. His honesty and integrity made him a devoted public servant. His shrewdness and enthusiasm made him effective. His qualities are at the foundation of Republican ideals, and by using these attributes, Ed earned the trust of his colleagues as well as our respect.

Ed was a great legislative strategist. His behind the scenes style of compromise earned him the position of U.S. Agriculture Secretary under President Bush. Prior to becoming secretary, Ed was selected to 10 terms in the U.S. House where he served in several leadership positions, including chief deputy minority whip and chairman of the House Republican Research Committee.

Over the course of his political years, Ed used his influence to promote the vast interests of his Illinois constituents through service on the Youth and Families Committee and the Veterans' Affairs Committee. As the agriculture committee's ranking Republican, he was one of the few farm-state Republicans willing to apply free market principles to crops that grew in his district. Also, he was instrumental in many decisions concerning health and environmental issues, as well as transportation issues.

When Ed began his life in the Nation's Capital, he said he had but one goal: "I have the ambition to be an influential Member of Congress and to use that influence to bring credit to myself and to help people."

I think we can all agree that his goal was achieved.

Mr. EWING. Mr. Speaker, I yield to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Speaker, I want to thank the gentleman from Illinois [Mr. EWING] for the time that he has taken for this special order because I think it is most appropriate for one of the finest gentlemen who ever served in this body, and I am glad to follow people like the gentleman from Kansas [Mr. ROBERTS] with whom I sat side by side while Ed Madigan was our ranking member, and he always said, "It's time for the authorizers and appropriators to be getting together," and we are doing exactly that. It is a good combination, and, under that tutelage, I think it is a stamp of the kind of individual that Mr. Madigan was, that he imbued within people who come to Congress a sense of service with great dignity and always with a very reserved, never overexcited or a grenade thrower, but just one who had a simple approach to the thing of "Let's get the job done."

Mr. Speaker, I came to the floor of the House with a number of my colleagues of the House today to express our deepest sympathies to the family and friends of Ed Madigan who passed away on December 7, 1994. He is a close friend of mine, and I know that I join many others in saying that we will all miss him greatly. I always enjoyed getting together with Ed, no matter what the task was that we had at hand, because I valued our friendship and mostly because he was a gentleman's gentleman, and I always appreciated his quiet, sincere but enthusiastic, manner.

Ed Madigan embodied what makes this town and this institution the special place that it is. His good nature and talent for knowing how to get things done in Washington served him, his constituency and this country well. The farmers and ranchers in Illinois and rural areas around the country owe a special debt of gratitude to Ed Madigan, his family, and his supporters. Ed could discuss the intricacies of agricultural policy in a way that spoke directly to agricultural producers, and he initiated a number of revolutionary ideas in Congress and at the Department of Agriculture, and many of these policies continue through the current administration. His plan to reorganize the Department of Agriculture will save taxpayers millions of dollars while providing agricultural producers with a much more efficient and effective Department of Agriculture.

When I first came to Congress in 1980, Mr. Speaker, Ed and I immediately became friends, and I often looked to him for advice and counsel. He was my first ranking member on the Committee on Agriculture, and we continued to stay in touch over the years as I went up to the Committee on Appropriations and he went on to the Bush administration.

Mr. Speaker, I regret that he is not here today to share this wonderful change of positions and thus acquiring the majority status in this body because he was a very much majority-oriented individual.

I say to my colleagues, "I know Ed's legacy and memory will live for years to come, and I feel very fortunate to have known Ed, as many of you have as well, and I again appreciate that kind of friendship because, when it's all over, that's what you take with you when you go."

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

Mr. Speaker, I yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Illinois [Mr. EWING] for reserving this time.

I rise today to join my colleagues in marking a passing of a former Member of the House, a person that is certainly unique. Ed Madigan of the 15th District of Illinois was not only a friend and a colleague, but certainly a mentor.

Ed serve in this House, in this Nation, over a period of two decades. He was first elected to this House in 1972 following three terms in the Illinois legislature, and served ably, both as a representative of his district in central Illinois and later as Secretary of Agriculture during the Bush administration.

I remember the gentleman from Lincoln as both a friend as a mentor. We both served for 6 years in the Illinois House prior to coming to Washington and we both served on the House Energy and Commerce Committee. In fact, I remember just coming on the House Committee on Agriculture or House Committee on Energy and Commerce, and Ed was kind of giving me advice all the way along, and finally one day he said, "Well, what are your subcommittees going be," and I said, "Well, Ed, I wanted to be on the Telecommunication Subcommittee," and I thought it was important to be on the Energy Subcommittee, and he said, "I'm a ranking member on the Health and Environment Subcommittee," and he said, "You know it would serve you well to get on that subcommittee because," he said, "you know it's going to be a lot of things happening in health and environment in the next year or two." And, sure enough, I put in to get on the Health Subcommittee, and within 3 weeks Ed Madigan was Secretary of Agriculture, and I sat on that committee being the only Illinois person on it and later taking on all the health issues, and Ed would call me from time to time and lend me some good advice.

Ed, when I think of his time in both agriculture, and in science issues, and the energy issues, and telephone issues, I also think of his time, as my colleagues know, that Ed was not a professional politician. He had came from Lincoln, IL, and he ran the local taxi company in Lincoln, IL.

□ 1230

Prior to that his dad and he ran a livery company, a horse-trading and service company in Lincoln, IL. So the stories and the humor that Ed pulled out from time to time go back to those earthy times back in Illinois dealing with Illinois farmers. He was never a farmer, but he knew the farmers and the people that he dealt with there almost on the same hustings that another Illinoisan served on—Abraham Lincoln.

One of the things I always remembered that I shared particularly with Ed, Ed, I guess coming from the taxi business, loved old automobiles, and he could talk about old Lincolns and old Packards. You could see his eyes light up with the love of those cars, and he actually collected a few.

We have to look back on Ed Madigan with a smile and a tear for his loss, but, Mr. Speaker, I say to my colleagues that I take the well today because Ed was a friend. He was also a leader of this House, and he represented the best that this House stands for. He certainly was a person who could cut through a lot of nonsense. He was a person who cut to the quick of what the issues were.

We remember him fondly today as a friend and a fellow Member of this Congress and as a man who did his best to serve the people he loved. For a Member of the House of Representatives, I guess we can ask no greater honor.

Mr. EWING. Mr. Speaker, I thank the gentleman from Illinois [Mr. HASTERT].

Mr. Speaker, I yield to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Speaker, my tribute to Ed Madigan is on behalf of myself, because I lost a friend, and my father, who had the pleasure of serving with Ed Madigan in this House a little over a decade ago, and who indeed, also, has lost a friend. Because it is true that if you ever served with Ed, you probably ended up his friend.

In the tradition of Irish stock who emigrated to America to fill positions in civic duty, some of Ed Madigan's ancestors were in law enforcement. His father was a sheriff, of which Ed was very proud. A strapping man, handsome and smiling, Ed Madigan was a powerful figure who could tell a good story, who had a sense of humor.

After I was first elected to the House, before I got down here, my father told me about Ed Madigan, suggested I look him up. When I did, the man took me under his wing as if a self-appointed mentor. I had requested a seat on the Agriculture Committee and of course Ed was the ranking member in those days when we were in the minority. At the same time, by the way, he was ranking member of Energy and Commerce, just to give you an idea of what he could accomplish.

What I learned from him on the Agriculture Committee was invaluable. I learned about some things from him about farming, for sure, and about politics. But mostly I learned that a thoughtful, sincere approach in a distinguished and respectable manner can accomplish as much, if not more, than bluster.

Soon after I was here, he got involved in the race for whip, and I was happy to work for him. He lost the race, a very close race to a brilliant and rising star in Republican House politics, our current Speaker NEWT GINGRICH. Ed showed strength and character in defeat as he did in victory. Ed Madigan impressed me as a man who had real class. He was gracious and fair-minded, and I gained respect for him on my own, with fresh realization of what my father's earlier praise really meant.

In public service, if we are lucky, we form many friendships with colleagues, and when it comes to remembering them under these circumstances we may tend to recall personal traits over actual accomplishment. So I want to end my tribute to Ed Madigan today by relating what people who know agriculture saw as a true labor of love by Ed and a victory by anyone's standards.

When the 1985 farm bill was being written, of vital importance to farm families and related businesses and their employees, a tangle of legislation banded together for full House consideration made its way to the floor but for all intents and purposes was doomed.

The effort to mold a planning document, on which so many people and so much commerce would depend, was in disarray. It was headed for defeat, but Ed Madigan's amendments saved it.

Ed Madigan, who honored the memory of Abraham Lincoln and modeled himself in some ways after his fellow Illinois Representative, virtually rewrote the farm bill on the floor in a way that not only accomplished the short-term goal—but, amazingly, was so cohesive and comprehensive that it served as a blueprint for the farms bills to follow.

I said I lost a friend, and for that I am sad. But I am happy now to recall his work and honor his memory. Thank you.

Mr. EWING. Mr. Speaker, I thank the gentleman from New York [Mr. WALSH].

Mr. Speaker, I now yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Illinois [Mr. EWING] for arranging this special order and for providing us with this opportunity to pay tribute to an outstanding figure in American Government; Edward Madigan.

Former Congressman and Secretary of Agriculture, Edward Madigan, passed away on December 7 after battling lung cancer. Ed Madigan served as our Nation's 24th Secretary of Agriculture under President Bush. Prior to becoming our Agriculture Secretary, Ed was my classmate, the class of 1972. He was elected to 10 terms in the House where he meritoriously served in several leadership positions, including the ranking member of the Committee on Agriculture, the chief deputy minority whip, and as the chairman of the Republican Research Committee.

In our House Chamber where, during Ed's tenure, Democrats outnumbered Republicans, Ed was highly effective in garnering wide support from both sides of the aisle. As the senior Republican on the Agriculture and Energy and Commerce Committees, Ed had as much impact on public policy over the last decade as all but a few senior Democrats.

Ed seized the opportunity for leaving a significant imprint on the 1985 farm bill, winning approval of an amendment that in effect determined the measure's main thrust. His expertise, willingness, and proficiency will be sorely missed when the 104th Congress gathers again to discuss and debate farm issues.

Mr. Speaker, I am proud to associate myself with the remarks of our colleagues praising one of the most remarkable countrymen of our time. Most importantly, Ed was a good friend

and a dear colleague who personally assisted my constituency. He was sincerely helpful and supportive of the farmers in my congressional district, especially Orange County. Ed graciously and eloquently addressed my constituents during one of our Chamber days.

To Ed's gracious wife, Evelyn, and his three wonderful children, our thoughts and our condolences are with you. The Congress of the United States has lost a true statesman and to many a good friend. Ed Madigan brought a sense of leadership, of dignity, and experience that was unparalleled. He made his mark and will be sorely missed by his colleagues.

Mr. EWING. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN].

Mr. Speaker, I now yield to a new Member of the Illinois delegation, an old friend of Ed Madigan, the gentleman from Illinois [Mr. LAHOOD].

Mr. LAHOOD. Mr. Speaker, this is my first opportunity to stand in the well of the House, and I take it very seriously because I am pleased to participate in a special order to honor our former colleague, Ed Madigan. My special thanks to you, TOM EWING, a friend and a neighbor, for setting aside this time to honor Ed Madigan, who obviously was a dear friend of yours and of many others.

While Ed was a Member of Congress he represented a large part of the district which I currently represent. Ed and his lovely wife, Evelyn, resided in their hometown of Lincoln, where he was finally laid to rest.

I have known Ed for a long time, but my fondest memories will always be his knack of telling great stories. He had a very dry sense of humor, and he used his tale-spinning ability to entertain audiences with one funny story after another. Because of this talent, I will always remember Ed Madigan as the "Will Rogers of central Illinois."

He was an astute politician who could draw a congressional map to favor those of his own party. He was a talented legislator and craftsman who helped to write an 800-page farm bill in 1990, and he was a statesman, as evidenced by his tenure as Secretary of Agriculture during the Bush administration.

As is demonstrated by those who participate today in this special order, Ed Madigan was loved and admired by Members of both sides of the aisle.

□ 1240

On a very personal note, I must take special note of the fact that the last public event that Ed Madigan participated in was a fund raising hog roast for me in his home county on October 3. I knew he was not feeling well, but he never complained. He stood before a group of 300 of his neighbors and friends to spin tales and offer supportive comments on my behalf, for which I will forever be grateful.

In conclusion, I want to quote from a column by Alan Guebert, an agricultural writer, which I will enter into the RECORD: "There are two kinds of politicians, show horses and work horses." He was by his own admission the latter, a work horse; a man who sought fairness, not fame. He never sought the television lights.

When Edward R. Madigan was lowered into the deep black prairie on the afternoon of December 12, 8 straight days of dismal winter weather broke, and stunning sunshine flooded the Illinois farm country.

I would like to conclude today by asking to have entered into the RECORD the heartfelt eulogies delivered by Illinois Gov. Jim Edgar and my former boss and former Republican leader, Congressman Bob Michel.

Again to you, Tom, thank you so much for arranging this special order.

ED MADIGAN: HE LED QUIETLY AND SOUGHT FAIRNESS, NOT FAME

(By Alan Guebert)

There are only two types of politicians, he liked to say: show horses and workhouses. He was, by his own admission, the latter; a man who sought fairness, not fame or television lights.

Yet fame finally found him. And when it did, he glided through glittering Washington in limousines. His friends all knew, however, that he was more comfortable exploring junkyards for vintage jalopies.

His predecessors at the U.S. Department of Agriculture possessed farm backgrounds and walls full of postgraduate degrees. But he grew up driving his father's taxi, not tractors, around Lincoln. The only advanced degree he earned—other than honorary—came from the Knights of Columbus.

He served in the Illinois House of Representatives for six years, the U.S. House of Representatives for 18 years and USDA for two years. But before he served Central Illinois, the nation and farmers, he first served his church as an altar boy for 12 years.

After he stepped into public service in early 1966, he won an enviable string of 13 consecutive races in 26 years. After he left public office in 1992, he lost his biggest race of all Dec. 7.

He pushed, cajoled, jawbound and jostled negotiators of the European Union into accepting the first-ever global trade treaty for agriculture. But he passed away one day before President Bill Clinton signed the General Agreement on Tariffs and Trade.

He devoted his life to the Republican Party, just as his father, "Red," had done as a GOP stalwart for 40 years. But the first big vote he faced as a freshman congressman in 1973 was the potential impeachment of a Republican president, Richard Nixon.

"I would have voted to impeach, too," he once told me, "because not even the president is above the law."

He fought to restrict the growth of government, but spent a legislative career powerlessly watching it multiply. In his congressional district, the very center of Illinois' abundant agriculture, government employees outnumber farmers by a 5-to-1 ratio.

The irony contained in that unbalanced equation was not lost on him in farm policy writing, either.

As a rookie Republican on the House Agriculture Committee, he voted for the 29-page, 1973 Farm Bill. The last Farm Bill he helped craft as the ranking minority member in 1990 totaled a staggering 719 pages.

Despite being viewed as a moderate, he was often staunchly partisan. When he preached the party line, however, it usually was in private and it always was with unfailing politeness.

He disliked the take-no-prisoners politics of today's Republican leadership. He saw its rise and tried to stop it by challenging Newt Gingrich for the Republican whip's job in 1989. He lost that intraparty fight by two votes—87 to 85—and confrontation replaced compromise in his beloved House.

Weary of always being in the minority—and, having seen the Republicans snare the presidency four times during his Washington tenure without making a dent in the Democratic majority in the House—he lost faith in early 1991 and opted out.

When he notified the White House in January 1991 of his interest in the vacant secretary of agriculture post—indirectly and very discreetly, of course—the job looked safe for six years. George Bush was cruising toward re-election with a sparkling voter approval rating of 87 percent.

But Bush stumbled in 1992 and the man who had trained 18 years to lead American agriculture silently left USDA after just 18 months as secretary. It was the one time his political instinct had failed him.

But he did not complain. He never complained. He led. And he led quietly. Like a workhorse.

When Edward R. Madigan was lowered into the deep, black prairie on the afternoon of Dec. 12, eight straight days of dismal winter weather broke and stunning sunshine flooded the Illinois farm country.

EULOGY OF HON. ROBERT MICHEL FOR ED MADIGAN

Evelyn, Kim, Kellie, Mary Elizabeth, brother Bob, Sister Sandra and Grandchildren.

It's a most difficult task to be called upon to speak when you are overcome with grief in the passing of a loved one.

All the more so when it's your close friend and colleague who has been taken from you so suddenly.

We find it particularly hard to take when the last time we saw Ed, scarcely two months ago, he was in his usual good form speaking atop a couple of bales of straw at a Logan County Pig Roast he was hosting for Ray LaHood just before the election.

We simply can't fathom the speed with which the scourge of cancer can take its toll on what we all perceived as a very healthy, robust, tall and erect good-looking fellow like Ed Madigan.

Who are we to know what our fate will bring—the whys and wherefores—all we know and feel is that Ed was taken from us all too soon.

His was a life deeply steeped in politics, and devoted primarily to public service.

I knew him as a very able state legislator before he came to the Congress where he served for another 20 years prior to being selected by President Bush as his Secretary of Agriculture.

During the extended period we worked closely together and became fast friends.

He was not the flamboyant type, but rather one who prided himself in doing his homework, quietly going about his business, getting the facts, and being a stickler for detail.

In short, he was a legislator of the old school.

A legislative craftsman genuinely interested—and marvelously skilled—in forming

good legislation out of the give-and-take of debate and discussion.

To legislate successfully in a democracy means not only being able to understand the problems, or articulate the problems, but also the rare ability to work with colleagues on both sides of the aisle to solve the problems.

Some political activists call such an approach "compromise." Ed called it by its real name: democracy in action.

I can tell you from experience that not everyone is capable of enduring the long hours, the endless debates, the mixture of raging ego and intense ambition and partisan enmities that make up so much of the legislative process.

But Ed Madigan, with that sense of civility and reserve and decency which seemed inherent in him, went about his work patiently and proudly, always being the perfect gentleman.

He was proud to be a public servant at a time when public service has been getting bad press.

Well, Ed Madigan's life is the answer we give to those who doubt that a genuine sense of public service still lives in this country.

As a member of the Energy and Commerce Committee and of the Agriculture Committee, Ed always brought to his duties that enviable but indefinable quality called class.

Ernest Hemingway once defined courage as "grace under pressure." We might similarly define class as grace under the glaring spotlight of public life.

There was a sense of easy, good-humored charm about Ed, always tempered by that sense of reserve, that attractive reticence, that innate self-possessiony that is as rare as it is admirable in the rough and tumble world of politics.

And that is how we will remember him: his class, his sense of calm amidst the storm, the easy, comfortable charm of the born leader.

JIM EDGAR EULOGY ED MADIGAN FUNERAL

Reverend Clergy, Eveline and members of the family, to my colleagues in government and to friends and neighbors of Ed Madigan * * * I consider it a great honor to be asked to say a few words about my good friend. But first, on behalf of Brenda and myself and all the people of Illinois, Eveline, to you, and members of the family, let us express our sympathy and best wishes.

Ed Madigan is without doubt, one of the most effective and competent public officials I ever had the pleasure of knowing or working with. As a legislator, he was second to none. Particularly when you consider the 24 years he spent in the legislative branch of government, only six of those years, the first six, when he was a member of the Illinois House, he was in the majority party. All the time he served in the United States Congress, he was in the minority party. but throughout his legislative career, he was extremely effective. As politics in America * * * said of Ed, no one seems to have told Madigan that Republican's are at a disadvantage when it comes to writing legislation in a heavily Democratic House.

Over the past decade, he has had as much impact on public policy as all but a few senior democrats. As Secretary of Agriculture, he was equally as effective though unfortunately he didn't serve in that position as long as he did in Congress. I well remember in the closing days of the bush Administration, talking to Ed by phones and saying "are you kind of winding down?" * * * he says "No, I have to go back and forth to Europe as I am trying to negotiate part of the Gatt Treaty" * * * and I thought to myself at that time, how fortunate the farmers of this country and all of us were to have someone with the ability to negotiate like Ed Madigan representing us. And that reminded me the other day when one of the newspaper stories told of a Democratic Congressman who commented about Ed that he was a person when you negotiated with him and you all got done, you realized you had all bought the same horse a couple of times. And he meant that as a highest compliment.

Ed Madigan had many outstanding characteristics. Those of you would attended Republican functions during the year knew that whenever Ed Madigan was going to speak, you could count on a good story. He learned that well from the namesake of his hometown, Lincoln. In fact, the only fear I had when he started to tell those stories * * * that I might be the object of one of those stories.

Ed Madigan also had the characteristic of loyalty. In fact, that was something I always admired * * * he was very loyal—loyal to family. In fact, I don't know of any time I journeyed out to Washington or he was back in Springfield, we sat down and talked about things, that he didn't bring up a member of the family.

To his community, even though he went far in Washington, he never forgot his roots. He never forgot particularly, his hometown of Lincoln and the many people he grew up with and represented there so well. The mayor was quoted in the paper the other day saying "the day he became Secretary of Agriculture, Ed Madigan traced him down—tracked him down (I think) on vacation, and said, "oh, by the way, you need to know about this grant that could help Lincoln."

That's the way he was, very loyal to family, to community, and to friends. I consider Ed Madigan one of the closest friends I've had in politics.

We first met in 1971. He was a young member of the Illinois House and I was a young staffer in the Illinois State Senate. And we worked on reapportionment. Now, those of you who knew Ed, knew that there was nothing more important than politics and particularly, reapportionment. He was a very skilled negotiator at an early age. And from that point in 1971, we became close friends. And no matter when I needed help or needed advice, and I would turn to Ed, he was always available. Whether I was just a staffer or later a State Legislator, or Secretary of State, or then as Governor, he always had time no matter what he was doing in Washington, to set aside part of his day to meet with me.

Ed Madigan was truly a good friend and I am sure I speak for many many in this church today who felt that way about Ed. Much can be said about Ed, but to me, I guess the most important thing was he was someone you could always could on. Someone who in his quiet and effective way, made a difference. We will all miss Ed. But more importantly, no matter how long we live, we will always be very appreciative that we had a chance to know Ed and we will never forget Ed Madigan.

Mr. EWING. Thank you for your comments. I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Speaker, I want to thank our friend and colleague from Illinois, like everyone else has, for doing this, because I think it is only appropriate that we take time to remember someone who was such a valuable part, both of this institution, of service to this country in many different facets, and to us personally.

I had the privilege of working with Ed Madigan on the House Committee on Agriculture for much of the past 12 years, until he went down to the Department. Ed and I had this affection for each other. We called each other Mr. Leader. He had reason to be called leader, and I think he did it for me just out of friendship and in response. But, of course, he then became our leader. He became our leader on the House Committee on Agriculture, and, as others have said, astutely, in different times, managed the farm bill.

I think many people remember him as well with his leadership on the Subcommittee of Health over in Energy and Commerce. I told the press when he became Secretary of Agriculture that Ed Madigan was the best agricultural strategist I have every known, and I suspect he will continue to be that for some time.

He was able to quietly and carefully, and yet all knowingly, listen to his colleagues, listen to his constituency, whether it be in Illinois or in agriculture communities across this country, and design within the realm of the possible the best possible package.

Finally, I think Ed Madigan should be remembered not only as a leader and a strategist, but he should be remembered as one committed to public service. Ed Madigan took over the leadership of the House Committee on Agriculture because he was the right man for the right time to do that. He became Secretary of Agriculture under George Bush because he was the right man to take that job at that time. Neither of these were appointments that were necessarily looked upon and sought by Ed Madigan for a long period of time and yet he recognized that there comes a time and place when you can make a special contribution, and as the gentleman before me said, not with the fanfare of the press, not with the glare of the lights, and the publicity that follows with it, but rather with the sincere commitment that he had an opportunity and ability to make a great contribution to this country.

He did it in this Congress, he did it as Secretary of Agriculture, he has done it for this country. We are all better because of that.

Mr. EWING. I thank the gentleman for those comments. I now yield to the distinguished Member from California [Mr. WAXMAN].

Mr. WAXMAN. I thank you very much for yielding to me, and I want to join in this memorial service and commemorate the relationship that so many of us had with our colleague, Ed Madigan. Ed and I served together on the Commerce Committee, and for a number of years he was the ranking

minority member of the Subcommittee on Health and Environment during the time that I served as chairman.

It was a honor to have worked with him. He was a man who was dedicated to solving problems, to trying to figure out what the issues were, how can we resolve philosophical differences, which we obviously had, but how do you solve real world problems to make this a better country.

We worked together on a number of issues. One was the breast cancer legislation. That legislation provided additional funds to combat this disease, to get screening so women would have mammographies to try to find the cancer early and be able to totally eradicate it.

He was very much in support of giving information to consumers about nutrition and foods so that consumers could make their own choices, and he and I worked very closely on that legislation.

We worked on environmental issues like the Safe Drinking Water Act and the Clear Air Act, where we had to struggle for many years trying to figure out exactly the best formula to protect the environment, but also to recognize the economic needs of the country.

Then one of the things he was very proud of and was a genuine contribution, was to have the nursing professions, which make such an important contribution to patient care, get a status at the National Institutes of Health so that the research money there that would improve health care for all Americans would recognize the unique role of nurses.

He typified the view that you need to work together to find solutions to problems. Even though you may have differences you to keep those differences in perspective. He was a wonderful human being. He cared deeply about people. He will be sorely missed.

I regret that I wasn't able to get to the funeral, that the House of Representatives did not make provisions for us to travel to that occasion. Had I been there, I would have liked to see Evelyn and his daughters and the rest of his family and to express to them personally my feelings. I was able to communicate them on the phone and in writing. But I hope that they will see this tape or read the transcript and know that those of us who worked with Ed Madigan will miss him greatly. He was a wonderful human being and made an enormous contribution to this institution and to the betterment of our country.

Mr. EWING. I thank the gentleman for those comments. Now the gentleman from California, JERRY LEWIS.

Mr. LEWIS of California. TOM EWING, I very much appreciate your yielding me this time, and especially appreciate having this special order in memory of Ed Madigan.

Ed Madigan was one of the greatest Secretaries of Agriculture that this country will ever have. Ed Madigan was one of the finest human beings that one could ever hope to meet.

Much has been said about his hometown of Lincoln, IL, and the parallel between Ed and other great leaders from his State. Ed Madigan was, first and foremost a member of the House. Nobody, but nobody, in my experience reflected more the qualities and the mix of talent and personality that makes a great Congressman than Ed Madigan.

I must say that my picture of him at this moment was back there behind the rail off the House floor. I was a new Member coming from California, frustrated by the longstanding minority status that we experienced in the House. New Members, who served in their own State legislature as Ed did, quickly learned that you didn't have much to say around this place being in the minority.

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Ed saw my frustration, came up to me one day, and suggested that I spend some time working within his circle, within the leadership. He took me to the Research Committee and to other jobs and together we worked for almost a decade on the Republican side of the aisle within the Republican leadership.

Most importantly, Ed Madigan was a leader in the House who recognized that beyond the responsibilities we had in terms of partisan battle, most of our challenges had little to do with partisan politics. For he was a policymaker, a guy who wanted to make a difference in people's lives by way of shaping public policy.

Because of that, he had great respect on both sides of the aisle. As has been indicated, he was a workhorse, not a show horse. Rarely did Ed Madigan just quickly get up to speak on an issue. But because he seldom spoke, he was always listened to with great care by those Members who knew of his talent and his background and the seriousness with which he took issues that he chose to speak about.

In California, there is on the front of one of our buildings a statement that we should bring men to match our mountains. In Ed Madigan, we saw the greatest of leaders. He will be greatly missed by his friends. I hope there are friends beyond his work that will remember that Ed had a great sense of humor. It was wry and quiet, but a real sense of humor. The part of that that strikes me most and that I would like to leave my colleagues with is that Ed Madigan was one of those great leaders who understood the value and very much appreciated the importance of our being willing to laugh at ourselves. His stories, his jokes, his humor often centered around all of us needing to recognize how important it is that we take time out and appreciate laughing at ourselves.

We will miss you, Ed.

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

I now yield to the gentleman from Virginia [Mr. BLILEY].

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

When I came to this body, in 1980, the minority leader and the Committee on Committees assigned me to the Commerce Committee. And once arriving there, the then ranking member, Jim Broyhill from North Carolina, assigned me to the Health and Environment Subcommittee where I first met Ed Madigan, who at that time was ranking member and, indeed, remained ranking member on the Health Subcommittee on Commerce until President Bush asked him to take over the Agriculture Department in his Cabinet.

He was a great help to me. I had not come from State government. I had come from local government, city council, and mayor. He helped me immeasurably in my first term and, indeed, in all the terms when he was ranking member.

As has been said before, he achieved a lot, through charm, wit, and great intellect. He was, indeed, a giant.

We all miss him. To Evelyn and the family, know that you are in our prayers.

And I hope, Ed, wherever he is, is watching as we do this today.

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

Mr. Speaker, I rise today to remember not only a dear colleague but also a great friend—the distinguished gentleman from Illinois, Ed Madigan.

A recent Illinois newspaper quite accurately described the man I knew—honest, effective, insightful, and sincere. Ed Madigan not only portrayed these attributes in his professional life, but in his personal life as well. He was a straight shooter who told it like it was. If some called Ed old fashioned—because of his preference for calm deliberations instead of heated, partisan confrontations—then so be it. For if old fashioned meant accomplishing great things while earning the respect of Members from both sides of the aisle, then Ed was pleased to wear that label.

With a steady hand guiding the wants and needs of his constituents, Ed steered many a debate in the House through the smooth waters of agreement and the stormy seas of dissent. But, through it all, this loyal public servant stayed the course—offering guidance and good humor to all along the way.

However, Mr. Speaker what has distinguished this gentleman the most in his years of service is his devotion—his devotion to see the good in his fellow man and woman, while others only would see the bad; his devotion to guard not only for the things that would be good for the land of Lincoln, but also for the things that would help all American families; and finally, his devotion to his party and this institution has been a constant source of inspiration to all those who may have forgotten the true meaning of public service.

It was a distinct pleasure and privilege to serve in the U.S. House with Ed Madigan. While his presence in this body will be greatly missed, there are plenty of us who will remember him well. Thank you, my friend, for your tireless efforts and your loyal commitment to your party and to your Nation—your hard work certainly did not go unnoticed.

Mr. EWING. Mr. Speaker, I thank the distinguished chairman.

I yield to the distinguished gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my friend for yielding and congratulate him for taking out this special order.

I would like to follow on the line that was raised by my friend, the gentleman from Redlands, CA [Mr. LEWIS], who referred to the fact that Ed Madigan was able to match the mountains that we have in California. I was extraordinarily saddened and shocked, as everyone was, at Ed's passing, because we have all known Ed to be an extraordinarily vigorous and impressive human being. It is difficult to imagine that he is gone.

But when JERRY LEWIS mentioned the fact that Ed Madigan was one who could match those mountains, I could not help but think about a great opportunity that I had with Ed, when he came to southern California to visit with some former constituents of Mr. LEWIS, our mutual friend, Howard Margolies from the Coachella Valley. Mr. Madigan had not had the chance to, since he had become Secretary of Agriculture, focus on what is the largest industry in our State of California, that being agriculture. We all know how devastated so much of the State is now because of the terrible floods that have hit us.

But Ed came to southern California and spent a couple of days traveling around the State, familiarizing himself even more with our specific concerns in the area of agriculture. And it was a great honor that I had to be able to spend that couple of day period with him when he visited California for his first time after having been named Secretary of Agriculture.

One other experience that I had that I would like to mention very briefly was that, in 1986, I had the chance to travel with Ed and Evelyn and a rather large delegation to the Pacific Rim, and Ed was the leader of that delegation. And we had a tremendous time looking at some of the trade and agricultural issues that affected the relationship between the United States and nations in the Pacific Rim.

I thank my friend for yielding me this time. I know I was given 1 minute. I would simply like to say that, along with every other Member of this institution, we extend our condolences to Evelyn and other members of the Madigan family. We certainly do miss the presence of this extraordinary human being.

Mr. EWING. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Iowa [Mr. NUSSLE].

Mr. NUSSLE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I was struck, as I was watching this conversation that we are having this eulogy, this presentation that we are having today, how many people mentioned the words "help" and "assistance" that Ed Madigan provided them along the way. I thought it was only me. I have to say that I am not, as many others who served with Ed Madigan and knew him so very personally, I did not have that kind of experience with Ed. I did not know him that well. And that is why, if for no other reason, I am struck by the two instances that I recall the most about Ed and my very brief relationship.

One was when I was a candidate. I got a call out of the blue from Ed Madigan. I really did not even know who he was, I have to confess. He called me up and he said, "I am a representative from Illinois and just wanted to know if you had any questions or concerns about ag policy. I would be glad to try and answer them."

I made up a couple of questions real quick, wishing that I had been better briefed to even ask the questions. I went on from that experience thinking, why in the world, this guy must have nothing better to do than to call me up. Obviously, we all know he did.

But then when I got to Washington, I was told that I had a big brother for my orientation, and I was honored to discover it was this same Ed Madigan. I discovered who he was and what he did, and when I went to my first meeting and our first discussion was about committee assignments, he came prepared with a sheet of paper of ideas for me, which I know now, having been a representative for 4 years, how difficult it was or how time-consuming it was to put that together. Yet how much time he thought. It was not just off the cuff with Ed. It was not just a spur of the moment. He put some thought into it. I have to say that it is something that I learned from and I hope to emulate. I have tried to.

If there was any effect that Ed had on me, it was that we have to be willing to take time to teach and inspire other people who come after us to do good things and to be proper participants in this process. And he gave me that inspiration. I am not sure if it took, but I want to thank him for being a brother and being an inspiration and being a mentor. It is something that I hope I can pass on to someone else in the spirit that Ed Madigan passed it on to me.

I thank the gentleman for yielding to me.

Mr. EWING. I thank the gentleman very much for those comments.

Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. DURBIN].

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Mr. DURBIN. I thank my colleague and friend, Mr. EWING, for giving me the opportunity to speak today, and also for sponsoring this important special order.

I would also like to acknowledge to the Speaker that on the floor today we have a former colleague from our State of Illinois, Terry Bruce, who served in this House of Representatives for many years with Ed Madigan, and wanted to be here as part of the audience, at least, in this special order. I am glad that he could attend. He and I both counted Ed Madigan, a Republican, a good Republican, as a good friend of our party and our side of the aisle, particularly when it came to issues of importance to Illinois.

It is hard to believe, I still cannot believe, that Ed has passed away. Only 10 weeks passed between the announcement of his serious illness, the lung cancer that he faced, and our attendance at a memorable funeral in Lincoln, IL, paying tribute to him as a man and as a public servant.

One of the people in the crowd whose name should be mentioned today is Chuck Hilty. Chuck I think was at Ed's side forever. I never saw the two of them apart. From Ed's service in the House of Representatives, on the Agriculture Committee, and the Department of Agriculture, Chick Hilty was always at his side, not only as his trusted assistant but as his close friend. He was one of his pallbearers on that day of the funeral in Lincoln.

I saw Bob Michel here earlier, and I am sure he has been acknowledged, but as our former minority leader, I know he wanted to be on the floor as part of this special order. His eulogy for Ed Madigan was memorable. He brought to it a vision of the man and a level of emotion that was truly genuine, and I think each of us in the church that day felt that Bob Michel represented all of us in public life who had known Ed Madigan so well.

The term and phrase "gentleman" is used so often in our country and in our society and in this Chamber, "Will the gentleman yield?" and so forth. But when I think of Ed Madigan, I think he was truly a gentle man, soft spoken.

In a business where a lot of politicians will roar, Ed Madigan never raised his voice. In a business where a lot of people get red in the face and waive their arms to try to get something done, Ed Madigan never stooped to that, and yet was probably one of the most effective Congressmen whom I have known in this Chamber.

He used the art of gentle persuasion. How many times he would call me from the Agriculture Committee and ask me to make a tough vote, never suggesting to me what the politics were, but just saying "I think this is a good thing to do," and it made its impression.

Then serving in the Illinois delegation, as Mr. EWING and I have the honor

to do, we have had an unusual tradition of bipartisan delegation meetings. We meet each month, hang our hats at the door, Democrats and Republicans come in and gather in the room as residents of Illinois to try to solve problems. Ed was always there, not only as a member of the delegation, but also as Secretary of Agriculture.

When the time came, and I think the suggestion was originally from Mr. Michel, that we as a delegation join in writing a letter to President Bush encouraging him to name Ed Madigan as Secretary of Agriculture, it was unanimous. Every member of the delegation, Democrat and Republican, came forward and stated, "He is the right choice for the job," and boy, was he. What a great Secretary of Agriculture.

A lot of my friends who are farmers back in Illinois often wonder about whether Ed was raised on a farm. Well, he wasn't, but you would never have known it. He had spent a lifetime here becoming more familiar with agricultural issues and policies than any person who was born on a farm might be. He brought that knowledge and understanding to the job as Secretary of Agriculture.

My friend, Congressman LEWIS from California, referred to his sense of honor. I recall visiting him at the Department of Agriculture in this beautiful office reserved for the Secretary. I was complimenting him on his wonderful office. He said, "You know, Dick, I have been here a long time and I still haven't figured out how to get the heat on in this office. I have called a number of people in. You can just understand what kind of bureaucracy I have to go through just to get the heat on in my office."

Ed was always taking things lightly when it came to himself personally, but taking his job very, very seriously.

I liked him, too, because you could come to him and deal in honest terms with him. You could talk to him about things that were important to you and know that the message would go no further. You could talk to him about political concerns and know that he would be honest, and would try to deal with you in an honest fashion.

I really respected him for that, and time and time again I came to value his judgment and his friendship.

The last time I saw him alive was in the runway of the Rayburn Building near the subway. We just chanced across one another. He said, "You know, now that I am out of politics, I can come in and campaign for you." I said, "I would be glad to have you and honored to have you support my candidacy."

I dropped him a note and said, "You have to hang on. I may not need you in this election, but I may need you later on." He was a wonderful man. He was that kind of guy. You knew his friendship meant a lot.

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I thank the gentleman from Illinois for bringing this special order. I think the number of people who have come together to the floor this afternoon are evidence of the kind of legacy which Ed Madigan has left in this Chamber; certainly in our State of Illinois, and definitely in his beloved hometown of Lincoln, IL.

I will miss him. I wish there were more like him around here. He has left a good lesson in his life for those of us who follow, that we should try to lead our lives a little more closely to his model.

Mr. EWING. I thank the gentleman from Illinois for those very appropriate comments.

Let me say that the gentleman from California [Mr. HUNTER], and the gentleman from Illinois [Mr. WELLER], were both here and wanted to speak on behalf of this special order for Ed Madigan, but because of the long list of Members who have come out today, they had to go on to other business. They will submit their remarks, along with the gentleman from Illinois [Mr. POSHARD].

I, too, want to recognize former Congressman Terry Bruce from Illinois, who I know from my conversations with Ed and his family was one of his very closest friends in this body, and who has been so good to the Madigan family.

I hope, in closing, that all the viewers, all those who are back in Illinois, will recognize the very high esteem, and particularly the family of Ed Madigan and Evelyn Madigan, will recognize the very high esteem in which he was held by this body, and the great loss that his passing is to all of us, but the great joy we take in the life that he lived and the service that he gave to his country.

Mr. MARTINEZ. Mr. Speaker, I am pleased to join my colleagues today to celebrate the remarkable life of Ed Madigan. Ed's untimely death last month has robbed our Nation of a great American and great public servant.

Throughout his distinguished service in the Illinois State Legislature, the U.S. House of Representatives and, finally, as Secretary of Agriculture, Ed Madigan never lost touch of his roots. He always exhibited deep concern for the problems confronting main street America. Ed dedicated his life to helping people which is a legacy that his family can be proud of.

Ed cherished this institution, earning the respect and admiration of his colleagues. While a soft-spoken man, Ed was both persuasive and tireless in pursuing the interests of his district and country. He served the people of Illinois and the Nation with dignity and honor.

Even though Ed and I served on opposite sides of the aisle in the House, I considered him a friend and a man of impeccable integrity. His death represents not only a tragic loss for his family but for our country he loved and served so well.

Mr. STOKES. Mr. Speaker, last month the people of the 15th Congressional District of Illinois lost one of their strongest allies and advocates, Edward Rell Madigan. A man of his word and a man of the people, Ed Madigan served in the Illinois State Legislature for 6 years in the late 1960's before being elected to the U.S. House of Representatives in 1972, where he served central Illinois for 18 years. Ed Madigan then served as the U.S. Secretary of Agriculture under President Bush.

Ed Madigan was a master political strategist and a fighter. He was tough, but his wide respect from Members of both parties gave testament to his fairness. He was a good man, and I know we were all saddened to learn of his passing. Ed will certainly be missed by those who had the privilege of working with him.

Mr. Speaker, Ed Madigan epitomized what a public servant should be and his unselfish devotion to the challenge of public service was reflected in his commitment to meeting the needs of his constituents. He devoted many long years to hard work to crafting legislative policy that served not only his district, but the Nation as a whole. He never forgot where he came from, and he never forgot the people of Lincoln, IL.

Ed's devotion to the Nation's heartland blazed the path for his ascension to ranking Republican on the House Agriculture Committee for 8 years. He also served on the Committee on Energy and Commerce, where any of his colleagues would attest to the quality of his work and his sense of fairness and dedication. He was a statesman of the highest caliber.

I always admired Ed and the dignified manner in which he held forth on the floor. He was articulate, and his deep, resonant voice commanded respect for all within the range of his voice. But more than that, he was a gentleman, and though we were in different parties we were good friends.

Mr. Speaker, as we reflect on the distinguished career of an outstanding Member, let us also give our thoughts to his family that he loved so dearly. His wife, Evelyn, was often credited by Ed with truly holding the ship together, and his three daughters—Kimberly, Kellie, and Mary Elizabeth—were a source of true pride. Ed Madigan knew what was important to him, and where his bedrock strength lay in this sometimes tumultuous atmosphere—that strength was his family.

Mr. Speaker, Ed Madigan was a special breed of public servant. He worked quietly and effectively within the system, he worked with his colleagues on both sides of the aisle, and he helped raise the public's respect for the House of Representatives by dutifully serving as a man of whom we could all be proud. He will be missed, but never forgotten.

Mr. QUILLEN. Mr. Speaker, over the recess I was greatly saddened to learn of the death of my good friend, Ed Madigan, whom I served alongside in this body for almost 20 years. For that time period, the 15th Congressional District of Illinois could not have had a more conscientious or hard-working Representative in the U.S. Congress.

Ed Madigan was one of the quiet workhorses that make it possible for the House to do its business. I come from an area where agriculture dominates the economy, and all of my constituents, as well as millions of others

across this Nation, owe him a great debt of thanks for the way in which he served as ranking minority member of the Committee on Agriculture. Passing a 5-year farm bill is an arduous process, and Ed's mastery of the issues involved made it possible to craft legislation that helped make American agriculture the most productive in the world.

On the Energy and Commerce Committee, Ed held the line against excessive Government regulations, and it is unfortunate that he is not here to witness the new congressional majority fulfill his vision of rolling back the tide of Government redtape. As the lead Republican on the most active subcommittee of Energy and Commerce, Ed was a voice of common sense that we all heeded.

Mr. Speaker, President Bush recognized Ed's leadership when he selected him to be Secretary of Agriculture, a job at which Ed performed admirably. I was sad to hear of his passing, and my wife, Cecile, and I send our deepest condolences to Ed's family and friends.

Mr. WOLF. Mr. Speaker, I rise today to join my colleagues in saluting and paying tribute to our esteemed former colleague, the late Edward Madigan.

For almost 20 years, Ed Madigan ably served his constituents as the representative for the 15th Congressional District of Illinois. A native of Lincoln, IL, Ed came to the House in 1972 following 6 years in the Illinois House. He quickly earned the respect and admiration of his constituents and colleagues with his devoted service and principled manner.

As a member of the House Agriculture and Energy and Commerce Committees, Ed played a key role in formulating public policy, including the crafting of the house-version 1985 farm bill, and health legislation. Ed deservedly earned the reputation as an informed, hard-working Member of Congress who would protect the interests not only of his constituents but the Nation as a whole.

Ed was also an active member of the House Republican leadership, serving his colleagues as the ranking member of the House Agriculture Committee, chairman of the Republican Research Committee, and chief deputy Republican whip. His expertise and knowledge about agriculture and farm programs was renowned, and led to his appointment by President Bush to serve as the Secretary of Agriculture in 1990. As Secretary, Ed continued to work hard on behalf of America, and was instrumental in formulating early plans for the reorganization of the U.S. Department of Agriculture.

As a friend of Ed's, and having served as his colleague since 1981, I was saddened to learn of his death, and would like to join with my colleagues in expressing my sincerest sympathy to the entire Madigan family. Ed Madigan, however, will always be remembered by those with whom he served, as well as his constituents in the 15th Congressional District of Illinois. Ed was a model legislator and a tireless worker, and his service to our Nation is greatly appreciated.

Mr. POSHARD. Mr. Speaker, I rise today to pay tribute to my colleague and dear friend, Ed Madigan. Ed served in this chamber for 18 years, and I, along with the entire Illinois congressional delegation, am saddened to lose him. As a member of the House of Representatives, Ed served the people of the 15th Congressional District with great pride and vigor. He never lost touch with the people back home, and it was evident in his work and friendships.

As Secretary of Agriculture under President Bush and during his 16 years on the House Agriculture Committee, Ed was a champion for farmers in Illinois and across the Nation. It was Ed who worked diligently to support the use of ethanol and to shape the agriculture provisions in the General Agreement on Tariffs and Trade that I believe will greatly increase the income and flexibility of American farmers.

Ed Madigan dedicated his entire life to the people and State of Illinois, and for that we are grateful. His sincere and unselfish manner put him above the rest. I truly believe the spirit and convictions of Ed Madigan will live for years to come in the hearts of all of us and all those in Illinois and across this great Nation whom he helped and represented. We extend to the entire Madigan family our condolences, and I am grateful to them for the continuous support they gave Ed during his many years in public office. Ed will truly be missed, but always remembered by those he touched over the years.

Mr. COSTELLO. Mr. Speaker, I rise today to honor a good friend and former colleague, Ed Madigan, who passed away in December. Ed Madigan served his constituents in the State of Illinois with dignity and competence in the U.S. Congress, and served the Nation ably as the 24th U.S. Secretary of Agriculture under President George Bush.

Ed Madigan, as a Member of Congress, fought hard to protect the agricultural way of life in Illinois. As a long-serving member of both the House Agriculture and Energy and Commerce Committees, he fought hard to speak on behalf of small business owners in the Midwest and those needing quality health care.

In his 10 terms in the U.S. House, Ed Madigan distinguished himself as a Member who worked diligently but quietly, with a friendly bipartisanship but a solid belief in those issues he considered important. His battle with lung cancer went all but unknown to the public until he was near the end of his life, a testimony to his grace and demeanor.

I join my colleagues today in honoring his memory. I considered Ed Madigan a very good friend, and his work here in the House and his legacy as a fellow human will be long remembered.

[From the Pantagraph (Bloomington, IL), Dec. 9, 1994]

ED MADIGAN'S LEADERSHIP EMPHASIZED PERSONAL TOUCH

Ed Madigan was a leader who didn't have to shout.

His actions spoke for him.

The adjectives describing Mr. Madigan, who served as state and U.S. representative and U.S. secretary of agriculture, will be numerous in the days to come: honest, charming, low-key, consensus maker, skilled player, quiet, effective, insightful, sincere, enthusiastic to serve, politician's politician, tactful and master strategist.

Most people saw Ed Madigan the same way. He was not a politician of many faces.

He knew the art of compromise, but wouldn't cave in. Just as he didn't cave in without a struggle to lung cancer, whose complications eventually took his life Wednesday.

He was also a man who had a knack for putting things into perspective. You didn't have to know him well to know that at the top of his list was family. He loved to talk politics, but he could also spend considerable time talking about how his wife, Evelyn, gave him the support that was really important.

That was especially true when he made the move from the Illinois House of Representatives, where he had served since 1966, to the U.S. House of Representatives in 1972. He had become an influential member of the state House in just six years, but he passed on a chance to run for lieutenant governor to seek the U.S. House seat because he wanted to be more involved with people.

His initial comments to a Pantagraph reporter who visited him in Washington, D.C., a few months after he was elected weren't so much about the nation's capital and all of the political power.

He talked more about making sure he would be known as a man of his word and not a "flapmouth"; the high price of housing; and how his family would have to adjust. It said something about his roots.

Mr. Madigan memorized a book containing the names and pictures of his colleagues so he could call them by their first names. By calling them by their first names, he said it forced them to find out who he was.

But Central Illinois was first and foremost for the Lincoln native, even coming home to fight the biggest challenge of his life.

He remembered the farmers of Illinois in one of his more significant roles in Washington, D.C., as he helped amend the 1985 farm bill to ensure that it favored the free-market approach instead of imposing production limits. He also helped craft the final compromise on clean-air legislation that encouraged the use of ethanol.

Challenges were what Mr. Madigan seemed to thrive on. With a few exceptions, he used his soft-spoken, behind-the-scenes style of compromise to get things done, rising to become the fifth-ranking Republican in the House as chairman of the House Republican Research Committee.

Perhaps one of Mr. Madigan's more disappointing times in Washington came when he lost the race for House Republican whip to Newt Gingrich of Georgia in 1989. He would not change his approach to match the fire-brand, confrontational ways of Gingrich.

He carried that same style into his job as U.S. agriculture secretary when he was appointed by President Bush in March 1991. He served until Bush was defeated the following year.

Mr. PORTER. Mr. Speaker, the death of our friend Ed Madigan is a profound loss for the Congress, the citizens of Illinois, and our entire Nation. One of America's most respected and influential leaders has been taken from us much too soon, and together with Ed's family, we are deeply saddened.

Throughout his service in public office, Ed distinguished himself as a hard-working legislator and gained the respect, admiration, and friendship of members on both sides of the aisle. Those of us in the Illinois delegation are especially proud to have worked with Ed, who set an example for all of us with his quietly effective and thoughtful leadership.

Ed has left his mark on this institution and on our Nation, especially in the area of agriculture. Both as a Member of the House and

as our Secretary of Agriculture under President Bush, Ed's expertise and common sense helped guide America toward sound policy in this area. In particular, he played a vital role in shaping the 1985 farm bill, urging a free-market approach and cautioning against production limits.

When I came to the House 15 years ago, the first thing I learned was that Ed Madigan was our Illinois farm expert, and since I had almost no farms in my district, and little knowledge of farm policy and law—one of the most complex of all—I would invariably follow Ed's lead in voting on farm matters. You knew Ed has done his homework and had made a sound judgment for our country and our state.

But beyond his wise judgment, we most of all will cherish Ed's great strength of character and his personal warmth. He was not only a leader who informed our debates, but a friend whose great courage in facing cancer inspired us. He was not only a representative who knew how to get the job done, but someone who knew how to keep things in perspective.

As one editorial noted of Ed:

> You didn't have to know him well to know that at the top of his list was family. He loved to talk politics but he could also spend considerably time talking about how his wife, Evelyn, gave him the support that was really important.

The writer goes on to observe that after his election to the House, in the face of overwhelming new responsibilities and challenges, Ed's principal concern was how his family would adjust to life in Washington.

Mr. Speaker, in his all too short life, Ed Madigan contributed great intelligence and insight to the public policy debates in this country, and we will long cherish his memory. He showed us all what distinguished public service really means and we will miss him more than words can say.

I join my colleagues in expressing our deepest condolences to Ed's wife, Evelyn, and to his entire family. All Americans share in your great loss, and our thoughts and prayers are with you.

Mrs. MORELLA. Mr. Speaker, I rise today to pay tribute to the late Ed Madigan, a thoughtful, consensus-seeking public servant who carved out a great career in Washington, first as a 10-term Member of this body and later as Secretary of Agriculture under President Bush.

In the House, Ed's leadership skills were demonstrated by his rise to the fifth-ranking position in the Republican hierarchy: Chairman of the party's Research and Planning Committee. He was also appointed twice as chief deputy whip.

Later, the Illinois Representative gave up his leadership post to assume the ranking Republican position on the Agriculture Committee, playing a key role for 8 years on farm legislation. He was especially instrumental in shaping the 1985 farm bill.

In addition to serving as Secretary of Agriculture at a time when the Department had a high profile, Ed was named by President Bush to serve as lead negotiator on the agriculture section of the trade negotiations under GATT.

Since leaving Government service, and until his untimely death last month, Ed had been associated with a major Illinois-based insurance company and had served on the board of a number of corporations.

Ed was a soft-spoken, generous individual who let his achievements speak for themselves. He leaves a great legacy in this body, where so many of us counted him as a good friend.

Mr. CRANE. Mr. Speaker, Ed Madigan's unexpected passing away came as a shock to all of us who regarded him as our friend. Had he lived, he would have celebrated his 59th birthday the day after tomorrow.

Ed Madigan served the citizens of his district in north-central Illinois for almost two decades. And he served them well.

His legislative career began in 1967 in Springfield where he served in the Illinois State House of Representatives.

He brought his many talents to Congress in 1973 after 6 years in the Illinois General Assembly. Ed's many Springfield honors included being named Outstanding State Legislator.

His legislative abilities became apparent to those of us in this Chamber shortly after his arrival in Washington. He was a master of working out compromises where others failed to make progress.

Ed was ranking Republican on the House Committee on Agriculture at the time of his resignation. He was also serving at that time as Chief Deputy Minority Whip. Ed Madigan willingly sacrificed the position he loved so much in this House of Representatives to heed the call of President George Bush to become a member of the President's Cabinet. He was the Nation's 24th Secretary of Agriculture.

Ed Madigan was a fine son of the State of Illinois. He was our colleague, and most important, he was our friend. Ed Madigan will be missed.

In closing, I would like to extend our sympathies to his wife, Evelyn.

Mrs. COLLINS of Illinois. Mr. Speaker, I appreciate the opportunity to participate in today's special order in honor of our former colleague Ed Madigan, and I commend my colleague from Illinois, Congressman EWING, for organizing this tribute.

I was very saddened to learn of Ed Madigan's death on December 7, 1994, and I join my colleagues in sending my condolences to his wife, daughters, and entire family.

I was fortunate to have known and worked with Ed Madigan for over two decades and I can say quite assuredly that he will be missed by his many friends and colleagues here in Washington, DC, and in his home State, Illinois. Throughout his 10 terms in the U.S. House of Representatives, Mr. Madigan was hard working, effective, and much respected. He knew that working together with his colleagues on both sides of the aisle would allow him to achieve the goals sought by he and his constituents and he excelled at this approach to policymaking. As a result, he quickly earned a reputation that he maintained throughout his career in Congress and as the U.S. Secretary of Agriculture, a reputation for being an honest and skilled consensus builder who could get the job done.

From Illinois Junior Chamber of Commerce 1965 "Young Man of the Year," to member of the Illinois House of Representatives, to chairman of the House Republican Research Committee, to ranking member of the House Agriculture Committee, to U.S. Secretary of Agriculture, Mr. Madigan served his constituents in east central Illinois and Americans across this country well. He has left a solid legacy as a public servant that will be long remembered and much missed.

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to Mr. Edward R. Madigan, former Secretary of Agriculture under President Bush and long time U.S. Representative from Illinois' 15th Congressional District. Although Mr. Madigan was undergoing aggressive anticancer treatment at St. John's Hospital in Springfield, IL, he died on December 7, 1994 from complications related to lung cancer. He was 58 years old.

When Mr. Madigan was first elected to the U.S. House of Representatives in 1972, he told a newspaper reporter that he had but one goal: "I have the ambition to be an influential member of Congress and to use that influence to bring credit to myself and to help people." During his 18 year tenure in Congress, Mr. Madigan skillfully and more than adequately fulfilled his goal. He protected the interests of his constituents in rural Illinois through his ranking member status on the House Agriculture Committee and the House Committee on Energy and Commerce. In fact, Mr. Madigan played a significant role in amending the 1985 farm bill to ensure that it favored the free market approach instead of imposing production limits. He also helped craft the final compromise on the clean air legislation that encouraged the use of ethanol.

As Mr. Madigan worked to best serve his constituents, he built a reputation with his congressional colleagues as an honest, charming, low-key consensus builder. He used his soft-spoken, behind-the-scenes style of compromise to get things done. He made a priority out of learning the first name of each Member of Congress so that each Member of Congress would then make it a priority to get to know him. Mr. Madigan's sincerity and dedication made him an influential member of the Republican Party and the Illinois delegation.

I treasure the years I was able to serve in the U.S. House of Representatives with Mr. Madigan. I am also grateful that we were able to work closely as members of the Illinois delegation. Although we belonged to different political parties, we shared a strong commitment to the citizens of Illinois and of the United States. I offer my sincere condolences to his wife and three daughters. Mr. Madigan often mentioned how grateful he was for the support his family gave him. We will all miss Mr. Madigan but will always remember his remarkable contribution to the House of Representatives.

Mr. WELLER. Mr. Speaker, I would like to take a moment and reflect on the great loss Illinois has felt with the passing of our friend, former U.S. Secretary of Agriculture Ed Madigan, a longtime Member of this House.

Growing up on a farm in Dwight, IL, and being an active member of 4–H and Future Farmers of America, I have very fond memories of my onetime Congressman, Secretary Madigan and the great impact he had as a respected leader in Illinois and among the farming community.

His gentle ways, strong midwestern values and great sense of humor are how I remember him best. He was a staunch supporter of his party and a tireless campaigner on behalf

of those he felt could make a difference in Washington.

It was an honor this past summer when Secretary Madigan came to the 11th District of Illinois on my behalf and spoke to a group of supporters about the need to send new leaders to the U.S. Congress. He said we needed to elect Representatives who would bring with them the hard work ethic and sense of family that is so entrenched in the Midwest.

Whether Secretary Madigan was talking about international trade concerns on behalf of the United States of America or discussing bean prices with local farmers in Peotone, IL—he was always gracious and respectful. He was always mindful of where he came from. The great State of Illinois has truly suffered a loss.

Mr. STENHOLM. Mr. Speaker, I would like to take this opportunity to pay tribute to the Honorable Ed Madigan. In the Congress, we use the term "honorable" as a matter of decorum and protocol; but when I think of my friend and colleague Ed Madigan, the word "honorable" is truly appropriate.

Having served with Ed since coming to Congress, I invariably found him to be a shining example of decency and civility in an environment that, all too often, can be adversarial and contentious. He was a consensus builder—one who warranted respect on both sides of the aisle as a reliable, sincere, and extremely capable statesman who stood tall and proud on behalf of his fundamental values, his constituents, and his country.

As a fellow member of the House Agriculture Committee, Ed was a joy to work with in developing and deliberating our Nation's agriculture policy. He worked tirelessly on behalf of farmers and ranchers and all that rural America represents. Having earned the respect and admiration for his years of service in Congress, he was suitably appointed to the President's Cabinet as this Nation's 24th Secretary of Agriculture, where he again served with dignity and honor on behalf of the agriculture community and consumers of food and fiber. Without question, Ed has left an indelible legacy and high standard for which all of us should strive to follow.

Although I join the countless many in expressing regret and sorrow for a tremendous loss, I consider us all to be extremely blessed with the opportunity to have known and worked with the Honorable Ed Madigan.

GENERAL LEAVE

Mr. EWING. Mr. Speaker, I ask unanimous consent that the Members may have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

The SPEAKER pro tempore (Mr. BILEY). Is there objection to the request of the gentleman from Illinois?

There was no objection.

LEGISLATIVE ISSUES UNDER DEBATE ON CAPITOL HILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Illinois [Mr. DURBIN] is recognized for 60 minutes as the designee of the minority leader.

Mr. DURBIN. Mr. Speaker, I will be joined by several of my colleagues to discuss some of the legislative issues that are being debated on Capitol Hill at this time.

I would like to start off by noting this Los Angeles Times story this morning, the devastation that is shown here from the flooding in California. I can certainly identify with this. Mine was one of the districts in the Midwest which was flooded in 1993. I worked the sandbag lines, and did my best as a Congressman to try to help many of the families, farmers, and businesses get back on their feet.

It was a devastating loss. I can certainly understand what many families and people in California are facing today.

Let me say that it has been my honor to serve in this Chamber for 12 years. I have at various times been asked by people from across the country to come to their assistance in the midst of a disaster. I have tried to do that. In fact, I have done that every time, whether it was the Loma Prieta earthquake near San Francisco or the Northridge earthquake near Los Angeles, or these floods.

I am sure they will all result in requests for assistance by the Federal Government. I will be there, because I think that is one of my responsibilities, not just to represent the 20th District of Illinois, but to serve our Nation. When some people in our Nation are in need, it is important that this Federal Government, this National Government, rally to their assistance.

Having said that, though, I would like to put into context some of the debate which is going on today on Capitol Hill as part of the Contract with America, and to give the perspective of the Contract with America on which it means to the flood victims of California and victims of future disasters.

First, if you search the Constitution of the United States, you will find no reference to a Federal obligation to pay for natural disaster assistance. It is an obligation assumed by the Federal Government, and an expensive one. In the 1950's, the Federal Government paid about 5 percent of the cost of natural disaster problems and damages across America. Today the Federal Government pays over 95 percent of the cost. We are on the hook.

In the Northridge earthquake near Los Angeles we have already spent more than $5 billion. The Federal Government came to the assistance of the State of California, a deficit-ridden Federal Government rallied to the assistance of the State of California, because the people needed help. More money will be needed because of that earthquake. More money will be needed because of these floods.

Let us talk about two issues we are debating in Congress right now. One is unfunded mandates. Let me give you an example of an unfunded mandate from the Federal Government. The Federal Energy Management Agency [FEMA] which has the responsibility to come in and pay for disasters, establishes guidelines for communities that they should follow to try to reduce flood damage.

For example, they suggest that people should not build in a flood plain if they want to qualify for Federal flood insurance. Is that a Federal mandate? Yes. Does the Federal Government pay for it? No. If the communities follow the mandate, what happens? It lessens the damage that might occur because of flooding or other natural disasters.

□ 1310

Why is that Federal mandate important? Because ultimately Federal taxpayers will be left holding the bag when the flood hits the community. And if the community has not lived up to the Federal-mandated guidelines, that cost to Federal taxpayers is higher.

Many people will get up and condemn Federal mandates but they do not look at this perspective, that many of these mandates are necessary to make sure that we lessen the ultimate liability of Federal taxpayers.

The Governor of the State of California, Mr. Wilson, as I understand it, gave his State of the State message yesterday and in the course of that State of the State message, he said, and I quote, that he as the Governor of the State was proceeding with his lawsuit to sue the Federal Government because we were not paying for things that we were mandating. In the words of the Governor, he said, "We are going to sue their butts off." In a day or two we will be hearing from this same Governor who is going to "sue our butts off" because all the things the Federal Government is not paying for that he is going to need Federal disaster assistance because of his flood in California.

I would suggest that Governor Wilson should pause and reflect that the same Federal Government which he is complaining about, he is now going to turn to, despite our deficit, for assistance badly needed by the people of California. Does the word "ingrate" come to mind?

I would submit that the Governor should reflect as every Governor should on the fact that the Federal Government comes to their assistance time and time again in disasters and tries to make up for the losses which States and local governments could never absorb.

We may have debated a few days on next week on eliminating Federal mandates. Will we eliminate the requirement that States like California and my home State of Illinois in the future do things to mitigate disaster damage so that Federal taxpayers will not be holding a bag that is much larger?

Then the next week we will debate the balanced budget amendment. The balanced budget amendment says ultimately we are going to reduce the amount of money available for the Federal Government to come to the assistance of any State that suffers a disaster.

One of the things we as Democrats are insisting on is if the Republicans under their contract want to move a balanced budget amendment, they should in fact tell us where these cuts are going to take place to balance the budget. I do not think that is unreasonable.

Former President Ronald Reagan in dealing with the Soviet Union in terms of disarmament said "trust but verify." I think the same thing is true when the American people look at the Federal Government.

If the Republican leadership in the House can be trusted to bring us a balanced budget amendment, we should ask them to verify the actual cuts that will be necessary to reach that balance.

The new majority leader of the House, the gentleman from Texas [Mr. ARMEY], said on a television show over the weekend that he did not want to do that because he was afraid that the knees of Congressmen would buckle when they saw the kind of cuts necessary to reach a balanced budget. I would suggest to my friend from Texas that if our knees would buckle, so would the knees of our constituents. They need to be told what is involved in this decision, that it is going to be tough, that it may mean for Governor Wilson after he has "sued our butts off" that when he comes to the Federal Government with his hand out for billions of dollars for disaster aid, we are going to say, "Unfortunately, Mr. Governor, we don't have that money anymore. We now have a balanced budget amendment which lessens discretionary funds available to come to your assistance."

This is part of the real debate that has to take place. We have got to move beyond the bumper strip slogans of "End Federal Mandates, Give Us a Balanced Budget Amendment," and talk about the real world that will result. What cuts will there be in disaster assistance, money for education, Social Security, Medicare, things which families hold near and dear in this country?

I concede we have to move toward a balanced budget amendment. From my personal point of view, it is not our highest priority. The highest priority in this Nation is sound economic growth. Moving toward a balanced budget amendment is part of it, but only part of it. Equally if not more important is economic growth and economic development, creating more jobs, more opportunities and more capital formation. Insidiously a balanced budget amendment could work against that.

In times of recession when Federal revenues are down and people need help with unemployment insurance, for example, and things to get by that their families can live on, we may not have the money to pay for it, and that I think would frankly deepen the recession, would not bring us out, would not get families back on their feet.

What we are talking about in a balanced budget amendment debate is more veracity, more truth, more frankness. If our knees are going to buckle here on the floor, I say to the majority leader the gentleman from Texas [Mr. ARMEY] and others, "So be it. That's the job we accepted. We're supposed to face the tough decisions."

I think it is critically important that the Republicans in their rush to move these things through in the next 80 or 90 days take the time to do it right. Use common sense. The American people demand that of us. Be honest with the American people. "Don't be afraid that their knees are going to buckle," I say to the Republican party. Tell them honestly what it means to California and Illinois and all across the country.

Mr. MILLER of California. Mr. Speaker, will the gentlemen yield?

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

Mr. MILLER of California. I thank the gentleman for his comments.

I want to say that over the last couple of years, time and again we heard Members of the other party, the Republican Party, take the well and talk about the arrogant Congress.

I find it rather interesting now that as the Republicans get ready to present to the Congress a balanced budget amendment, a constitutional amendment to balance the budget, that they seek to deny our constituents the kind of information so they can make an informed decision about whether or not they want us to vote for or against the balanced budget amendment.

I find it rather interesting as you quoted the majority leader, the gentleman from Texas [Mr. ARMEY] saying that if the public knew the cuts that would be necessary, that their knees would buckle, or our knees would buckle.

I really find it interesting when it comes from individuals that profess a great belief in democracy, that herald governments that turn toward democracy, we have spent billions of dollars to spread democracy throughout the world at a time when the Speaker of the House, the gentleman from Georgia [Mr. GINGRICH] says that he is going to put every bill on the Internet so that the American people will have greater access, be able to make decisions, but what he is not going to put on the Internet are the ramifications of the bill.

He is going to tell people that we are going to balance the budget by the year 2002 but, like President Nixon who had a secret plan to end the war, only after people vote or after that becomes a law, he will then display what is necessary to meet the balanced budget. That is arrogance. That is the height of arrogance. Because the balanced budget amendment, unlike a lot of other legislation that we deal with on the floor of the Congress that the various sessions does not affect one particular part of American society or some narrow special interest group, it affects every citizen in this country, because of the ramifications.

We have seen proposals where different people from the right or from the left have suggested what would or would not take place under a balanced budget. Every segment of our society is impacted, from our national security to the security of our retirement systems, to the education of our children, to our ability to meet the natural disasters that beset my State at this very moment. Everybody has a stake in this debate. But it is the intention of the leadership of this House to preclude everybody from participating in this debate.

What should be done is they should spread upon the ledger those cuts that are necessary to meet the target of a balanced budget in the year 2002, and they should be required to do that now so that there is truth-in-budgeting, so there is full disclosure, so that the public interest is protected, and the people who live in the greatest democracy on the face of the Earth will have an opportunity to exercise those rights under that democracy, and that is to pick up the phone, or the pen or pencil, and call their Member of Congress and say, "I like this, I don't like this, change this, change that." That is about the empowerment of people. That is supposedly what putting the legislation on the Internet is about.

If you put nothing more on the Internet than a piece of legislation that says the budget shall be balanced by the year 2002, you have told the people nothing. You have told them nothing. You have not told them whether or not you are going to gradually make those exchanges over that 7-year period of time or whether you are going to run to the political necessity of doing it in the last 2 of 3 years, where the impact is much greater and people are not able to prepare for it.

If we give this country notice and if we give them a plan, clearly a balanced budget is within our grasp.

□ 1320

But if we do not do that, then in fact we cannot expect to reach that star target. So what we are talking about here is very fundamental notions, fundamental notions about the arrogance of the leadership of this Congress as to whether or not they will fully inform people about the hypocrisy of the leadership of this Congress that says

whether or not they want to, they want to truly let people know what is going on inside the halls of Congress or whether they want to hide it from them, and right now what they are engaged in is one of the great coverups.

They will not tell us what they are going to do because apparently they do not have the courage of their convictions. They have the courage of their bumper stickers, they have the courage of their campaign slogans. They simply do not have the courage of their convictions to look the American people in the eye and say these are the ramifications, this is what is required to engage in a balanced budget by this time.

I also think that they give the American people far too little credit for their willingness to participate, because we know there is an overwhelming desire among the American people to see us get our financial house in order. But we ought to invite them in as partners, we ought to recognize their dignity and intelligence and make them, if you will, partners in this process.

For the Republicans to suggest that we are going to take it on a whim and a promise is the height of arrogance, and I want to thank the gentleman for raising this point at this time. I hope that they will yield to the will of the American people and not to the politics of the majority in this Congress.

Ms. DELAURO. Mr. Speaker, will the gentleman yield?

Mr. DURBIN. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. I am delighted to join my colleagues here this afternoon. This I think is one of the most important debates that we are going to have in the next several days and in the next several weeks.

I would like to add to what my colleagues have said in this respect, that we all do want to have a balanced budget. Members of Congress want to do that, the public wants to do that, we want to erase the debt that threatens our children's future. That is what we are about.

To add to what the majority leader said over the weekend on the television shows, Mr. ARMEY said not only would Congress' knees buckle, but that he feared that if you spelled it out for the American public they could not deal with the pain.

Now is that not a terrible indictment of the American public? As far as I know we are still a representative democracy. We did not come back here to impose a secret exclusive policy on the public and the people that we represent but, in fact, rather to open up an exclusive debate on where this Nation should go. That is what this is about. Quite frankly, that is what Republicans campaigned on with the bumper stickers you were talking about. In fact, we need to have open government.

But I tell you, we do have some general idea of the Republican plan and what it would require. According to the Congressional Budget Office it would require $1.2 trillion in deficit reduction, revenue increases, or spending cuts, or a combination of the two to balance the budget by the year 2002.

Since Republicans have indicated that the revenue increases will not be used to balance the budget, a constitutional amendment would then require $1.2 trillion in spending cuts alone to balance the budget. This estimate does not even take into account the $193 billion in tax cuts over the next 5 years that are contained in the Republican contract, nor does it talk about what the increase in defense spending on star wars would mean in terms of the cuts.

Let me just give a couple of examples which I think are very critical, and this not by Democratic standards but by a Republican Senate and Republican House staff which says that this would require a 24-percent increase across the board. That is what their notions are in terms of a cut.

If you talk about Medicare, let us take a look at that. In the last week the Speaker of the House, Mr. GINGRICH, suggested transforming the Medicare system into another system. Is this in the balanced budget, which is the truth that we need to know and that the public needs to know. Is that in there? What does it mean to seniors in this Nation if we are going to talk about a 24-percent increase in their premiums for Medicare beneficiaries? What services are no longer going to be covered by Medicare? Could it be worse?

Also, according to a Republican Senate Budget Committee staff analysis, you would have to cut almost $1 trillion over the next 7 years to pay for the Republican contract.

Further examples of what this 24-percent across-the-board cut means is that one out of every four college students now receiving Pell grants would be forced out of school. These young people and their families have a right to know what is in that balanced budget amendment.

Twenty-four percent across the board would mean one of every four high school graduates currently in apprenticeship programs would be denied the job training that would allow them to get ahead and to earn a living. They have a right to know what is in this balanced budget amendment.

Would 24 percent across the board mean that one of every four children enrolled in the Head Start Program would lose also the help that they need to start each day and enter school ready to learn?

Essentially what we are saying, the long and the short of it is you cannot talk about and run for office on open government and then decide to shut it down when you are in charge. We are just asking the Republicans to come clean. We all know that balancing the budget is going to require sacrifice. The public knows that, Members of this body know that, and if they do not they should know that because it is going to be difficult. We have to make the tough choices. That is all we are asking here.

I joined my colleagues last year in supporting the Democratic balanced budget amendment that sought to achieve a balanced budget while trying to keep Social Security intact. Does the Republicans' balanced budget put Social Security on that chopping block? In fact it does.

Today in the Judiciary Committee, Republican members of the committee voted not to exclude and exempt Social Security from the balanced budget cuts. What does that mean? Seniors in this Nation have a right to know what this is about.

The fact is that the Republicans fear opening the debate on their ideas to the American public. They are afraid of letting people participate in this decisionmaking process that is critical to our Nation's future.

I am delighted to join my colleagues this afternoon in this discussion because as I said at the outset, nothing can be more important than this debate. Members of Congress have to know what is in that balanced budget amendment, the American public has got to know what is in that balanced budget amendment.

Mr. MILLER of California. If the gentleman will yield, I want to thank the gentlewoman for her remarks and point out she makes a very important point. There is more than one way to a balanced budget, and there are those who believe that the way to a balanced budget is simply to cut until you have arrived at that point by doing away with many, many programs of the Federal Government. There are others who believe you should tax and you should cut. Others believe, as the Chairman of the Federal Reserve Board told the Senate yesterday, that if you simply adjust the inflation factor by a point or a point and a quarter, you could arrive and would not have to make those cuts.

There are all of these options available, but I think the gentlewoman makes an interesting point. Some of the options have different ramifications for different people. If, as the Republican plan anticipates there is a tax cut, both capital gains and some kind of middle-income tax cut, it may very well be that when middle-income Americans look at that option they may say forget the tax cut, make the downpayment on the deficit. Keep the interest rate on my adjustable home loan down, keep the interest rate on my child's student loan down, and make sure that I can pay off my credit card debt, because if you are going to give me back $1.25 a day, then why not

just make sure that the interest rates are lower because I will lose more than that in 1 month if the Federal Reserve raises the interest rates and my home mortgage goes up.

We ought to let the American people decide which course they want to take. A lot of people have come up to me, as hungry as they are for tax relief, and say geez, if you could really make an additional dent in the deficit beyond what you did over the $500 billion or $600 billion that have already been made, I am for that, and I will forgo the tax cut because I want to make sure that the interest rates are low, that we can continue to create jobs, that my business can continue to thrive. That is what we are asking for.

We are saying to the Republicans, let the American public participate and choose how they would like to meet this obligation to get rid of this horrendous deficit.

□ 1330

But that is unfortunately what they are not going to allow, and I think the gentlewoman makes incredibly important points that every segment of our society has got to be able to examine this and say, "How does this affect me?"

What we know is when we play fair with the American people and you give them the knowledge, these are people who are willing to sacrifice as long as they know that everyone else is. As we have seen in the natural disasters that are besetting my State, neighbors are helping neighbors, communities. We saw it all up and down the Mississippi River 2 years ago.

This is a great country. Why do we not treat them like great people and invite them into the debate and have the Speaker of the House put the options on Internet and let the people choose and inform themselves? And then we will have to make the tough decisions that will flow from that kind of participation in this democratic system.

Mr. DURBIN. I yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. I am also delighted to enter into this debate.

It is said the measure of good government is not where we stand and what it does when times are good, the true measure of good government is where we stand and what it does when times are tough. That was the philosphy of Dr. Martin Luther King. I think it is appropriate at this time in history that we recall his wisdom, appropriate this weekend.

Soon Congress will consider a proposed amendment to the Constitution that would mandate a balanced budget. This is not a minor matter. This is a very populist concept and really needs to be debated by those of us in Congress and also by those in America. The vote we take on this proposal will echo in our lives for years and years to come. That is especially true if the provision requiring a three-fifths vote to raise revenue remains on final passage.

I support the goals of a balanced budget. As a local government official, chair of the board of commissioners of my county in the State of North Carolina, I had to live under a balanced-budget amendment, not only amendment, but a mandate. We did that, and I felt that is, indeed, the way government should function. That is, indeed, the way this body should function.

I also realize that we must accept the reality that in the near term we face and must accept to make some sacrifice. That sacrifice must be borne by all Americans. Our senior citizens, veterans, States, local communities, and our children will be required to, indeed, receive less from their Government. However, the people really need to know what, indeed, the sacrifices are they will be called to make. There will be cuts in the budget, less spending, and continued emphasis on reducing the deficit.

The issue is not will we cut. The issue is what will we cut. The issue is not should there be cuts. The issue is where will those cuts be. The issue is where will the cuts be the fiscal responsibility will compel us to cut. The question is not will we not cut. The question is where and how much and what will be the pain and how we will inform the American people.

The American people have a right to know, and I concur with my colleague who said the American people, if they are properly informed, usually are prepared to make that sacrifice.

A balanced-budget mandate will mean painful cuts in programs that many of our citizens and our communities have come to expect and have come to rely upon. It is because of a resounding impact of this proposal that we must demand, and the American people have a right to know, which programs the majority intends to keep and which programs they intend to eliminate or to reduce.

At the end of each day, those of us in government must be honest and answer the question by our policy who have we helped and who have we hurt.

The budget of the United States makes a statement about who we are and where we stand. It signals to our citizens and to the world the priorities that we are governing our lives by. We must be a nation determined to promote peace. Or will we be a nation designed to encourage war? Will we spend our money urging our young people to stretch for the stars, or will we spend our money on dubious weaponry? What will we say to our veterans who at great sacrifice have defended this country war after war, in fact they have risked their lives, will we say to them our balanced budget requires us to eliminate their pension and health care which we promised?

These demand answers now, not after April, not after all our citizens have paid their taxes. We need those answers now.

Who will be helped by this balanced-budget amendment, and who will be hurt?

If the majority has their way, we will have a flat tax, we are told. Under the proposal, every citizen will be taxed at the same rate, 17 percent. If the truth is known, the majority is not allowing you to understand at all the average American now pays less than that. They pay around 15 percent. So they are not telling the whole. Actually they are not telling you that the unearned-income money from dividends, interest, will not be taxed under that proposal. Those with stock and money in the bank will not have to pay that tax at all and, in fact, the rich will be excused from that.

But those who have families and students in college and student loans and medical bills and debts to pay on their house, they, indeed, will have to pay those taxes.

Will we breach our contract and our covenant with the elderly and say to our senior citizens at the sunset of their lives that, "We will not provide that which we promised; we will be cutting Social Security and Medicare"? It may be we will have to reduce these resources, but we need to be honest with our senior citizens.

Will we say to the small farmers who literally work their fingers to the bone for feeding this country and all the world, that we are no longer going to support you at any risk?

Will we say to rural areas, "There is no longer rural credit or rural housing"? None of this will be available if we say to our young that the balanced budget requires us to cut indiscriminately.

Will we say to our children, "We are no longer able to immunize you from disease or feed the hungry or shelter you from the cold because we are giving money to those who are more wealthy"?

The American people have a right to know the implication of this budget. Times were tough in our country in the 1930's. Our economy had virtually collapsed under the weight of a Great Depression.

How we responded then, and how we will respond now tells us something about our country. Then under the careful and compassionate hand of President Roosevelt, we did not eliminate programs. We refocused. We reenergized government to respond to that crisis. We did not just cut programs. We found ways to respond to the appropriate need then.

That appropriate use of government eventually ushered in an unprecedented growth in our country. The

economy was booming, and little did we know that we were moving toward his goal that we would have a car in every garage and families, indeed, would have homes and that they would provide for the children. Good times resulted from that in America.

Today we are facing a staggering balance-of-trade deficit with many of our foreign trading partners. Very often the car Americans can afford in their garage is from Japan, and that is not as it should be. The jobs that followed in 1950 have taken flight to cheaper labor markets. Indeed, crime is on the rise.

There are problems we have now. Teenage pregnancy is at an unacceptable level.

I say these are tough times. What will we do? How will we respond to this?

The question is how will we respond to these tough issues as we balance the budget? That is the issue the American people should know. Where will they fall in our response to them as a governing official?

We do not need a government for the sake of government. Certainly we need to reduce government where it needs to be reduced. But we do need a government that is appropriate, careful in its spending, fair in its revenue raising, and should dictate how we govern in a fair manner.

We must not waste. Our citizens need not want. But we must be truthful with our citizens and tell them what sacrifices they are going to bear.

We did not get elected to come here to create a robot-like system where entitlements are slashed indiscriminately. Some may need to be reduced. Why not tell the American people what we are about as we are to make these hard decisions?

In fact, the balanced-budget amendment may be the easy vote, because we do not have to stand up to people and to tell them this, indeed, is how I will propose to reduce this budget.

The majority proposed an answer to these difficult things by saying the balanced-budget amendment, with a two-thirds vote requirement, is the only way. I submit to you, Mr. Speaker, the American people have a right to know the sacrifices we are asking them to make and we are called to make.

I think the more responsible position is letting the people know.

□ 1340

Mr. DURBIN. I thank the gentlewoman from North Carolina, particularly for her reference to a man who might have been our greatest Democratic President, Franklin Delano Roosevelt. It brings to mind one of his most memorable phrases, which was when he spoke to the American people in the depths of the Depression and said, "We have nothing to fear but fear itself." I think the Republicans' slogan today is, "We have nothing to fear but the facts."

They are afraid to share the facts with the American people. As the gentleman from Texas [Mr. ARMEY] said last Sunday, they are afraid their knees would buckle when they faced the facts.

President Roosevelt had confidence in the American people. I think the Republican leadership of the House should have confidence in the American people too. Let them know what is in store, let them know the truth of what is involved in a balanced budget amendment. If it means 5 or 10 years from now the Social Security system or the Medicare system will be changed, should not families be alerted to that fact now so that they could make some sort of plans now for their future? To spring this on the family 5 or 10 years down the line when they are in retirement is beyond the time when they can do something about it. But to talk about it today is the honest way to approach it. I hope that the Republican leadership, Mr. ARMEY, Mr. GINGRICH, and others will have the same kind of faith in the American people that President Roosevelt did. Let them face the crisis together, let us come together and resolve this.

What is at issue here with these various items in the Republican contract is something as basic as the economic relationship between the 50 States and the Federal Government. When it comes to the question of unfunded mandates, what we hear from Mr. GINGRICH and the Republican side is that the Federal Government should stop telling the States what to do unless you are going to pay for it. Let the States decide is the call coming from the Republican side of the aisle. But I wonder, if you apply that to real-life situations, whether most Americans would agree.

I have a district that is on the Mississippi River. The quality of the water in that river is very important to the people who live along that river. But we cannot control the quality of that water in the State of Illinois. Now, we have to have a standard, a national standard that we can trust, starting from the headwaters of the Mississippi in Minnesota, working its way down. We need a Federal standard, if you will, a Federal mandate, to suggest that the water quality is something that we as Americans can trust.

Let me give you another example: A few years ago the State of Wisconsin had a drinking age of 18, and the State of Illinois had a drinking age of 21. So on the northern Illinois border, teenagers would get in their cars on Saturday night, drive over to Wisconsin, get drunk, and drive back, drive home, wrecking their cars, killing themselves and a lot of innocent people. It got so bad that they called the stretch of highway "Blood Alley" because of all the lives that had been lost due to the teenagers drinking in Wisconsin and coming back to Illinois.

Do you know what happened? The Federal Government, the committee I serve on, passed a Federal mandate and said we are going to have a uniform drinking age of 21 in the United States or, "Your State is going to lose Federal highway funds." Was it a mandate? Yes. Did it cost the State of Wisconsin? Yes, it did cost them to enforce it.

What was the result? Kids lives were saved, lives of innocent were saved. Blood Alley is just a bitter memory now, it is gone.

Time and again we find these Federal standards lead to a higher quality of life.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. I would like to make a comment about an article today that has to do with the balanced budget amendment, from the Wall Street Journal, by their economist Robert Eisner. He points out, with regard to a balanced budget amendment, households could not begin to balance their budgets the way the Government would be required to under the Republican plan. The point being, I guess, that if we are to look at investments either by the Federal Government or by families, families borrow to buy a car, to buy a home, get their kids to school; businesses borrow. If you had to take all of that, if you had to pay for everything out of current income, you would find yourselves unable to do the things that families normally do every day.

Now, just to go back to what my colleague from California was talking about, there are a variety of ways to deal with this issue. You can, as was suggested in this article, and as some of our colleagues suggested, that you separate out a capital budget from an operating budget, which is the way, in fact, most States today balance their budgets. They do that because they have a capital expenditure, it is paid for over the life of the asset, and you deal with your current expenditures out of current cash. Families do that every single day. By narrowing the playing field, if you will, what the Republicans are doing is not allowing for various ideas and various opportunities to come up so that we can debate each of these and figure out the best way in which you can balance that budget, thereby allowing both the Federal Government and families and businesses to continue to invest in their future, and not cut them off or shut them down in their ability to move forward.

So that we are in this most important debate, finding ourselves in a position where the public has called out and cried out—and I believe this is true in this election—for open government, participatory government, for not allowing for gridlock, for moving forward. And we see that all of that is

being throttled by the Republican leadership, and all in the name of saying that the public is afraid and would be fearful of the pain that is involved if we have to balance the budget. It does not make any sense.

Mr. DURBIN. Reclaiming my time, I think what the gentlewoman said so forcefully and eloquently is that basically we need to trust the American people, give them the information.

The Republican leadership appears to be very reluctant to do that. You know, we have been through this, some of us in this Chamber, back in the Reagan and Bush era, when we were told to just have confidence and faith in the so-called Laffer curve. That was appropriately named, the Laffer curve, and some of the different approaches, that it was all going to work out, we could increase spending, cut taxes, and when it was all over the economy was going to blossom and flourish. It didn't happen. What did flourish was our national debt during the Reagan-Bush era because we were buying into the economic theories of extreme thinkers. The Republicans have a tendency to gravitate toward extreme thinkers. I think we are hearing from those folks again.

I think most of us would agree we should reduce Federal mandates where they just involve bureaucracy and paperwork and do not serve a national purpose. But do not go too far. If the Republicans want to go so far as to jeopardize environmental quality, jeopardize health standards, they have gone too far. They should stay away from that extreme thinking.

We should move toward a balanced budget amendment, but from my point of view, more important than that is economic growth in this country. I would like to make sure we are creating new good-paying jobs. That should be our highest priority, not some bookkeeping standards that really do not pay any attention to the real world. That is the kind of extreme thinking Americans are not going to buy into. They want this Government, this Congress, to be sensitive to the real problems, to the real families, to the need for jobs, to the need for business to the need to expand.

Merely paying homage to some bumper sticker with some extreme viewpoint is not serving the national purpose.

I yield to the gentleman from California.

Mr. MILLER of California. I thank the gentleman. I think that is an important point. The point is now the Republican Members of this Congress are forewarned. We took that route once, we took an economic plan on the back of a cocktail napkin, called the Laffer curve, and reduced those cuts in taxes to the wealthiest people in this country, and dramatically slashed some of the spending on the domestic side but not on the military side. Once again, that is an echo we are hearing in this Congress. And the result was a trillion dollars' worth of debt. The result was interest payments of $300 billion, $400 billion a year, that will be paid for by every American family, paid for by all of our children.

Many of us voted against that plan. But the way it was presented to this Congress was that you had to vote that day, there could not be any hearings, you had to vote for the substitute, take it or leave it. There was no time to tell the American people what was done. There was no time to debate it on this floor. The Congress took it, unfortunately, and a trillion dollars later in red ink, hundreds of billions of dollars in interest payments that could have gone back to the people or could have been used for productivity in this country or for social progress was denied because of that kind of snap decision, the same kind of snap decisions we have seen around here that have been recanted within 1 hour, 2 hours, 12 hours, on the theory that everything has to be done immediately.

Now they are saying that they have got to rush this, they cannot let the people take a look at it because it will break their political momentum. What is more important: the economic momentum of this Nation, or the political momentum of the Speaker of the House? I think it is the economic momentum of this Nation.

We see time and again economists, chairmen of the Federal Reserve, saying, "Be careful what you do here because if you do it wrong and don't think it through, interest rates are going to go up." Everybody believes if interest rates continue to go up one more time or two more times, that the economic recovery is then choked off.

□ 1350

And then we can look forward to the auto worker being laid off, the aircraft manufacturer being laid off, the rail people being laid off, and once again there goes the Federal deficit, but that is not what these people are saying. They do not want to listen to this. They do not want to have these points of view aired in public.

This is supposed to be the most open time, the most open Congress. But yet we find out there is no time for debate, there is no time for the public's view. I say, you can't have it both ways. You cannot be the most open Congress. You cannot pass sunshine laws and then tell the American people to keep out.

Mr. Speaker, we owe them more. We owe them more dignity and more respect for their intelligence.

Ms. DELAURO. Mr. Speaker, would my colleague yield for just one second?

Mr. DURBIN. Yes, I would be happy to yield.

Ms. DELAURO. I just want to say I mean through all the discourse and commentary on this issue quite frankly, as a woman in West Haven, CT, said to me at office hours one morning, one Saturday morning, she said, "I wish for one minute that the people in Washington would put their feet in our shoes and understand what our lives are all about," and that is what this is about. It is what people want to know, is their standard of living going to be raised? Are they going to be able to get their kids to school? Are they going to be able to live in some kind of sense of security? Are they going to be able to pass on that American dream to their kids the way my colleagues' fathers, and my mother and father, did for me?

The whole point of this and part of that is that we do get our fiscal house in order. There is no question about that. But let us come clean with the American public and in fact tell them whether this balanced budget amendment is going to deny their kid, one out of four, a Pell grant to get them to school. Is it going to put their mother or elderly mother and father in jeopardy with regard to Social Security and with Medicare? Is it going to jeopardize their ability to get education and training so that they can get that first job? That second job? That fifth job? And earn a living wage? And is it going to do something to allow them to work and go to work in this country? Is it going to raise that standard of living?

Let us have that open debate in this body. The American people deserve no less around this issue of the balanced budget.

Mr. DURBIN. Mr. Speaker, I thank the gentlewoman from Connecticut [Ms. DELAURO].

As my colleagues know, one of the interesting things over the last 12 or 13 years is how popular this balanced budget amendment has become and how necessary in many respects, and yet each of us who serves in this Chamber knows that we have it within our own power to deal with this budget on a regular basis and try to reduce spending.

Last year I came to the floor with a reduction in an appropriation bill of 10 percent from the previous year, $1.3 billion in cuts, and I am sorry to report to my colleagues that many of the people who have this extreme passion for a balanced budget amendment were nowhere to be found when I needed their votes to pass my appropriation. They call for major surgery on the deficit, and they faint at the sight of blood when they see appropriation cuts, and that happened time and time again.

So I think now what we are saying now to the people who are proposing this bumper sticker balanced budget amendment is, "Get real. Tell us what we can live with, what you're prepared to live with. Put it on paper. Tell us what you are prepared to vote for.

Take it home and explain to your voters, as all of us are required to." And I do not think that is unreasonable.

As my colleagues know, ultimately the fate of this balanced budget amendment is not in this Chamber. We will pass it, I suppose, and the Senate might. Then it goes off to the State legislatures, and it takes 38 of them to approve it for it to become the law. Some 7,424 State legislators will actually decide whether or not there will be a balanced budget amendment in the Constitution.

Recently a Wall Street Journal article went around and asked some of those State legislators, some of whom had supported this in the past, what they thought of it now that it was on the horizon. A gentleman from Delaware, State Senator Robert Connor, a Republican, said, "For us it could be devastating. In the end we could be left with severe budget cuts and an increase in taxes in Delaware."

In Alabama a Democratic representative, Michael Bach, said it was a farce. The way the amendment looks now it simply shifts the burden to us. That is not what the people of Alabama need.

So, finally some folks are starting to realize what it is all about.

Going back to my earlier point, I hope the Governor of California will at least pause and think when he calls up his congressional delegation here in Washington and says, "We need help in California," that he is the same Governor who just at Tuesday's press conference in Sacramento said of the Federal Government, quote, we are going to sue their butts off, close quote, because they are imposing burdens on us that we should not have to pay for. Well, honestly I think we should come to the help of the people of California, but it would be helpful also if the Governor of California would sit down and at least take a look at his own request, that we, a deficit-ridden Federal Government, are coming to the rescue again, as we should, of residents of his State. And all of the people who are telling us, "Pass the balanced budget amendment; reduce the amount of money you have," should stop and think in Sacramento, CA, in Springfield, IL, in State capitals all across the country, that they will have new obligations and new responsibilities.

Let us get real. Let us get responsible. Let us be honest with the people of this country and let them know what is in store with the balanced budget amendment.

The gentlewoman from Connecticut.

Ms. DELAURO. I would just like to say to my colleagues, that's absolutely correct, and that is all we are asking for, is to have that opportunity for the discussion and for the debate.

And I join my colleagues today and others, and I think what I am prepared to do is to have this discussion and debate on a daily basis, if that is what is required in order to try to get the information out to the American people as to what, in fact, we are deliberating here and how it is being deliberated. We have to call on people who are in positions as Governors and elected officials to be responsible. It is not just a bumper sticker. It is not just a slogan.

If that is what we were doing in the past, and that is what we have decried and said we are not going to do in the future, then let us not go back to business as usual. Let us not do that. The American people, as I said earlier, deserve better than that, and we have an opportunity here. That is what we were sent here to do; that is what Governors were elected to do as well.

Mr. DURBIN. Mr. Speaker, I thank my colleague from Connecticut.

In the past special orders have been political monologs from one side or the other, and I would hope in the future that could change, and in the spirit of trying to bring that change my colleague from Indiana, my Republican colleague, asked for an opportunity to speak earlier, and, realizing we only have maybe 8 or 9 minutes left, if we could enter into a dialog, I would be happy to at the moment.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Illinois [Mr. DURBIN] for yielding, and I do not want to prolong the discussion, but what I think would be helpful for the American people is if maybe we could have some debates, not the English style debates we were talking about, where we could get two people on the gentleman's side and two on our side to come down and to debate at length the subject of the economy and how we are going to deal with it.

One of the things that I was going to take issue with and will be when I have my special order here in a few short minutes was the issue of interest rates that the gentleman from California talked about.

When Jimmy Carter was President, interests rates went to 21.5 percent——

Mr. DURBIN. They were horrible.

Mr. BURTON of Indiana. Because the inflation rate got out of control, and Mr. Volcker thought he had to do that to choke off inflation, and, when President Reagan came in and cut the top tax rate, which is not talked about very much, we ended up with seeing interest rates going down dramatically along with inflation.

So, when we start talking about, and the Democrat minority starts talking about, interest rates being out of control because of our policies—which we are talking about right now—I think we need to look at history and see that the real problem that was created as far as interest rates and inflation last time occurred primarily under Democrat administrations.

Mr. DURBIN. I think my colleague from Maryland would like to respond.

Mr. HOYER. Mr. Speaker, I thank my friend, the gentleman from Illinois [Mr. DURBIN] for yielding, and I want to respond to my friend from Indiana.

Interest rates, of course, and inflation rose very rapidly in the 1970's. As the gentleman well knows, for reasons unrelated to domestic policy, but very much related to the oil cartel that was created in the Middle East.

Mr. BURTON of Indiana. That was a fact.

Mr. HOYER. And energy costs skyrocketed. We had long lines, shortages, and energy prices skyrocketed.

But the gentleman also correctly observed that interest rates followed the inflation rate up, and the reason they do that obviously is because money, like any other commodity, is affected by inflation, and the payback, the amortization, the payback of the price of the money, is keyed to the differential between what our inflation rate is and what our cost of money is, and that is the real cost of money, the real.

And, as the gentleman knows, notwithstanding the fact that the interest rates were nominally high in the late 1970's, in point of fact as the gentleman——

Mr. BURTON of Indiana. Nominally? Twenty-one and a half percent?

Mr. HOYER. Nominally in terms of the difference between inflation, which was 17 or 18 percent, and interest rates which were 21 percent, a 3.5-point discrepancy. In point of fact, in the 1980's real interest rates, which is really what the gentleman is worried about because it is the difference between what our money depreciates at and what we have to pay it back at, were higher in the 1980's than they were in the 1970's.

Mr. BURTON of Indiana. Oh my. I will get into that more at length later, and I thank the gentleman.

Mr. HOYER. I will be glad to discuss that with the gentleman, and most every economist will say that is the fact, but of course the gentleman is correct. Most people did not think that because the numbers were not as large. But, in borrowing money, we really are very interested in what the real——

Mr. BURTON of Indiana. Let me just say to my colleague and the gentleman from Illinois, what I'd like to do, if we could, is maybe we could sit down at some point and decide on the two or three topics, and come down with two Members on each side, and have some real, in-depth debates that the American people, who may be tuning in, can watch and get both perspectives.

Mr. DURBIN. The gentleman from Indiana [Mr. BURTON] I think has made an excellent suggestion, and I also hope we can kind of create a different kind of environment for debate on the floor where we try to have more exchange of ideas. Certainly we want to express our viewpoint, and the gentleman does, too, but we should try to maintain dialog. I think it is more interesting for those who are observing the debate,

and perhaps we can generate some new knowledge for both of us.

□ 1400

I only have a few minutes remaining. The gentleman from California [Mr. BECERRA] has asked me to yield to him, and I am happy to yield to him at this point.

Mr. BECERRA. Mr. Speaker, I want to thank the gentleman for allowing me to have these few minutes.

I was watching some of the discussion over the television as I was in the Judiciary Committee, and I thought it was important enough to come down here, because at this very moment our committee is debating the balanced budget amendment and I just wanted to add a few points.

It seems to me that for the last month and a half we have been talking about how open this new Congress will be and how important it is to give the people of America a chance to really understand the workings of the House of Representatives and of the Senate. Yet it seems to me the first thing we are doing with this balanced budget amendment is closing doors to openness to the American public. We are not giving them any idea about how we are going to pay for anything in the balanced budget amendment.

As the gentlewoman from Connecticut pointed out, we are talking about cutting $1,200,000,000,000 over the next 5 to 7 years, and the American people should know what that means. It is to me somewhat disconcerting to find that in the Judiciary Committee today the only way we could try to extract anything from the Republican majority on how they intend to pay for this is to propose amendments to find out if they would include those amendments to protect certain programs, for example, Social Security. We had an amendment that would say that in the process of trying to balance the budget we would not go after the moneys that hard-working Americans have put into the Social Security fund. That amendment failed. The Republicans said we could not do that.

Now, their reasons are similar to that analogy that I recall from that zealous military man who said that in order to save the village he had to burn it. In essence, that is what we were told today in the Judiciary Committee. We cannot put an amendment in that would protect Social Security from the massive cuts, because if we do so, we will ruin Social Security. The logic evades me.

Just minutes ago—in fact, I missed the vote because I was trying to get here—we had a vote to try to exclude some major cuts like veterans' benefits for those who have served in the wars of this country, defending this country, and who have now come back injured. We could not get the Republicans to agree to that amendment.

So it is disconcerting to see that the only way to try to find out what they are not willing to protect is by proposing amendments which they are now rejecting.

The gentleman from California [Mr. MILLER] pointed out that right now in California, as they are suffering through some major devastation from the floods and rains, it seems almost incredulous to believe that we are now talking about a balanced budget amendment which would cut away the money for some programs like the Federal Emergency Management Agency which would provide those emergency dollars to California right now. We do not know whether that will happen or not because we cannot get anyone in the majority to tell us, and that is a true shame. It seems that what we should be talking about right now is openness. It reminds me of those games that the kids play. Right now we are playing hide and seek with the American people. Rather than playing hide and seek, I think it is about time, since we are playing with Americans' hard-earned dollars, that we play show and tell. And at this stage we have not seen any show and tell.

Mr. DURBIN. Mr. Speaker, I thank my colleague, the gentleman from California.

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

THE ECONOMICS OF SPENDING CUTS—AND WHITEWATER

The SPEAKER pro tempore (Mr. SAM JOHNSON of Texas). Under the Speaker's announced policy of January 4, 1995, the Chair recognizes the gentleman from Indiana [Mr. BURTON] for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I came down here tonight to talk about the Whitewater-Vince Foster-Arkansas Development Financial Authority debacle and how it pertains to the Clinton administration and in particular, to Bill and Hillary Clinton, the President and the First Lady. But before I do that, I feel compelled to respond a little bit to my Democratic colleagues who have been down here maligning the new Republican leadership about our economic policies and how we are going to deal with the financial problems of this country over the next 5 to 10 years.

First of all, let me say that we have been in power about a week to 10 days. You cannot expect everything to be accomplished in the first 10 days. After all, the Contract With America which we promised the American people before the election we will deal with is going to take a hundred days, and for us to do everything the Democrats are talking about today on the floor is virtually impossible. It is going to take a little bit of time to illuminate the American people as to where the cuts are going to take place and how extensive they will be.

Now, it is true that we are going to have to reduce over the next 5 to 6 to 7 years the cost of Government by about $1 trillion to $1½ trillion. That is doable, although my Democratic colleagues would lead us to believe it cannot be done without a lot of wailing and gnashing of teeth. We have a lot of Government agencies that can be done away with. We have a lot of Government agencies that can be reduced. The bureaucracy in this country can be cut dramatically.

On the first day of this session we reduced the congressional committee staff and the congressional budget by a third. That was just on the first day. So it can be done, but it is going to take time to go through each one of those agencies, each area of government, and cut the largesse that has been put on those budgets over the last 40 years. They have had control since 1954. They have had one House continuously since 1954 and both Houses for most of that time. So for us to turn around the runaway government that has caused these huge deficits and the problems facing this country is going to take more than 4 or 5 days.

Make no mistake about this, I say to my colleagues and to anyone else who may be paying attention across this great land of ours, we are going to reduce the size of Government. We are going to reduce taxes. We are going to pass a constitutional amendment that is going to say that if we raise taxes again, we are going to have to have a 60-percent vote, not 51 percent but 60 percent, because we do not want every Congress coming in here and saying on a whim that they want to raise taxes again, which has been the case for a long, long time. We are committed to streamlining Government and getting Government off the American people's backs as much as possible, and that includes the private sector, the entrepreneur, the businessman who creates these jobs in this country, as well as the cities and States that have been crying for years, "The Government in Washington tells us to do something and then doesn't give us the money to do it, so what we have to do is raise taxes at the local level, property taxes and sales taxes and State income taxes, to pay for it." So we have been putting undue burdens on local and State governments without giving them the wherewithal to deal with it.

What we want to do is reduce these Federal mandates and allow States and local governments to deal with their problems themselves, closer to the people, where they can do it better and more efficiently. And all these things we are going to be talking about in the weeks and months to come.

Chairman KASICH of the Budget Committee has said time and time again on national television that we are going

to create a bank account, if you will, where we make the cuts in Government spending first and put it in the bank, and then we use that to spend in other areas where it is absolutely necessary, where we can make cuts, like cutting taxes. We are not going to do the spending first; we are going to do the cutting first. That is something that is new and revolutionary in this body because every time in the last 40 years, when we wanted to do something, we just raised taxes; we did not try to cut Government, we did not try to cut the bureaucracy, and we did not try to cut the regulations that have been burdening the private sector.

My colleagues indicated in their comments just a few moments ago that we had to create jobs, and the implication was that Government had to help in creating jobs. Government has been the problem in stopping job creation by loading on the backs of private business people more costs and more Government mandates that they have to pay for.

□ 1410

If a businessman in Ohio or Indiana or California is told by the Federal Government he has to do something, and it is going to cost money, that money does not come from heaven. He has to pay for that some way. The way he pays for it is by raising the price of his product.

We are now in a global marketplace, a global economy. You can get people to work in Mexico for $1 an hour, including fringe benefits. So the American entrepreneur, when the Federal Government adds a mandate on his back that is going to cost money, it puts him in a less competitive position with that businessman in Mexico, who has a great advantage already at the beginning because of wage rates and other things that the Mexican Government does not require that we do.

So every time our Government adds more requirements on private business in this country, it costs them money and it ends up costing jobs. So the things that they are doing over there by adding mandates and Government controls on business ends up costing Americans jobs and drives American industry out of the country where the cost of doing business is less and the American jobs go with it.

So what we want to do as a new Republican majority is reduce those mandates on cities and States, reduce those mandates and controls on the private sector so we can unchain the free enterprise system, so we can be competitive in any world market competition with Japan, with Taiwan, with Korea, with England, with France, with Germany, any country. And that is going to be good for America. It is going to cause a burgeoning economy, a growing economy in the years to come.

Less Government, less taxes, less Government interference, and less Government control means a stronger economy in the long term. And that is anathema to the more liberal element that believes more Government is better. They have believed for 40 years that the way to get things moving in the right direction is to sock it to the rich and give it to the poor. And the implication was that if you have money, that is bad, and we are going to take it from the rich and give it to the poor, and that redistribution of wealth is going to solve the problem.

The fact of the matter is poor people don't create jobs. A man who doesn't have anything doesn't go out here and create jobs. You have to have something to invest for plant and equipment. So we have to make sure when we cut taxes, we cut it fairly, not just for the poor and the middle class, but for the people who have the wherewithal to create jobs as well. They are the ones who make the capital investment for economic expansion and more jobs.

So we shouldn't have this class warfare they have been talking about for 40 years, rich against poor, because we are all in this boat together. And if we help the businessman, if we cut, for instance, capital gains, it helps everybody. It helps create jobs because there is more money for investment in new capital goods and equipment and plant expansions.

So I really kind of get upset when they are attacking various classes in our country and, in effect, attacking the very system itself which we call free enterprise, because free enterprise is the way you create jobs and economic expansion, not by more Government, not by more taxes, and not by more regulation.

When they start talking about Social Security, for anybody who may be paying attention that is a senior citizen, we have already said that Social Security is off the table. There are no cuts in Social Security planned, and so when they start talking about that, they are creating a red herring.

I think that is pretty much what I wanted to say about my colleagues. As I said during a small colloquy with my Democrat counterparts, I hope we can have some real honest debates, maybe during special orders, in the weeks and months to come, so the American people can see very clearly where both sides are coming from. But in closing on this section of my special order, let me just say that we want to unchain the free enterprise system, we want to reduce the tax burden on American citizens, we want to reduce regulation on the private sector so they can be competitive in the world marketplace, and if we do those things, then this country is going to be much, much better off. And the thing that my Democrat colleagues fear absolutely the most is that this revolution that took place on November 8 will continue into the next election and the next election and the next election, because their philosophy is not what the American people want. And I think that is one of the reasons why you hear them squealing so much right now.

COMMENTS ON WHITEWATER

Now, let me talk about something that is very, very important that deals with a different subject, and it has to deal with the President of the United States and Whitewater, the Arkansas Development Financial Authority, and a lot of other things.

Before we adjourned last November, I discussed several aspects of the Whitewater investigation and other related scandals surrounding President Clinton, in special orders. I said at that time that many, many questions remained to be answered, and that congressional hearings were the only way to get those answers.

As we begin this new year and new session of Congress, the questions are still unanswered, and the need for hearings into possible illegal activities by the President and First lady and others need to be answered, and we need these hearings. The necessity is greater than ever.

Today I am going to discuss some of the most noteworthy controversies that were created and discussed last year and that came to light. Then I will discuss some new revelations and new events that unfolded during the recess over the Christmas holiday. In the coming weeks I will be taking time on the floor to discuss a number of these areas in much more detail.

First of all, let me talk about Vince Foster. He is the fellow who was the counsel to the President, assistant counsel to the President, who was found dead out at Fort Marcy Park. There is a lot of questions concerning his death.

The evening of Vince Foster's death at Fort Marcy Park, the White House chief of staff, Mack McLarty, ordered Vince Foster's office sealed. He said it should be sealed to protect everything in there because there may be some investigation concerning his death.

His office was not sealed. Instead, three White House officials searched his office in the middle of the night and removed many files from his filing cabinets, and these documents were taken away.

The three officials who went into his office in violation of the what the chief of staff, Mr. McLarty, said was going to be done, were Bernie Nussbaum, the President's counsel; Hillary Clinton's chief of staff, I don't know what she is doing in there, Margaret Williams; and special assistant to the President, Patsy Thomasson.

It was later revealed at last August's congressional hearings before the Committee on Banking, Finance, and Urban Affairs that Bernie Nussbaum gave one of the files concerning Whitewater to

Margaret Williams, Hillary Clinton's chief of staff. After checking with Hillary Clinton, Ms. Williams locked the file away upstairs in Hillary Clinton's personal residence, and several days later it was given to the President's personal lawyer. When the President's First Lady was asked about this, she said it was locked away in a file and we didn't look at it.

Now, that bothers me. I am not certain that they would take that out of his filing cabinet in violation of what Mack McLarty requested and what the FBI and police would request, put it in her filing cabinet upstairs, and then she says she didn't look at it.

Two days later Bernie Nussbaum went back into Vince Foster's office and conducted a second search of his office, and he told the Park Police and the FBI to sit on chairs outside the office so they couldn't see what he was doing, and he removed several more files.

Here are some questions that need to be answered in hearings before the Congress. Why did Bernie Nussbaum, Ms. Williams, Hillary Clinton's chief of staff, and Patsy Thomasson, the chief personnel officer at the White House, remove files from Mr. Foster's office in the middle of the night after the office was ordered sealed? What documents were they searching for and what documents did they take out, and did they destroy any of those documents?

Why weren't the Park Police and the FBI given immediate access to Mr. Foster's office? Why didn't the White House give them access to all of the documents to help them in their investigation? Why were the Whitewater files locked up in the personal residence after they were taken from Mr. Foster's office? And have investigators from the independent counsel's office been given access to all of those files? We may never known, because we don't know what was taken out of there and if any of them were destroyed.

Here are some new developments. One of the projects that Vince Foster was working on was preparing 3 years of overdue tax returns for Whitewater Development Corp. He was assistant counsel to the President and was in the process of preparing tax returns for 3 years of overdue taxes for the White Water Development Corp. He had no business doing that while he was in the White House. Nevertheless, he was in the process of doing that.

We can assume that these were among the Whitewater records removed from his office by Mr. Nussbaum. The President's deposition, the President gave a deposition concerning Mr. Foster given to the independent counsel, which was released as part of the Senate Committee on Banking, Finance, and Urban Affairs report. And in his deposition, President Clinton said he was not aware that Vince Foster was working on tax records for Whitewater.

Vince Foster was the associate counsel to the President. He was working in the White House. His responsibilities were to do what the President wanted. And yet he was working on 3 years of back tax returns for Whitewater, the President was involved in Whitewater, and he said he didn't know anything about it.

The question is how could the President not know that his personal friend was working on a project of that importance? Whitewater had become a major scandal at the time and was consuming everyone's attention at the White House. Yet the President said under oath he didn't know anything about it.

Now, there was a briefcase I want to talk about. Six days after Vince Foster's death, White House officials informed law enforcement officials that they had searched Mr. Foster's briefcase in the White House office. They found a suicide note written on a sheet of legal size paper torn into 27 pieces with 1 piece missing. The pieces of paper had no fingerprints on them. Torn into 27 pieces and no fingerprints on it.

I don't know how that happens, but I guess it does. Two earlier searches turned up no such note. Now, get that. Two earlier searches of the office and briefcase turned up no such note, yet 6 days later they found this note torn into 27 pieces with no fingerprints on it.

□ 1420

Here are some questions. How can a piece of paper torn into 27 pieces of fingerprints, at least a smudge on one of them, how could two previous searches of his briefcase have missed such a note?

Here are some new developments. New and very serious questions have surfaced recently about Mr. Foster's briefcase. Independent counsel, Kenneth Starr, who I think is doing a very good job on this case, Independent Counsel Kenneth Starr is questioning witnesses before a grand jury right now about this matter. According to press reports, two of the rescue workers who were the first ones to arrive at the scene told the FBI that they saw a black briefcase in Mr. Foster's car at Fort Marcy Park. The park police reported no briefcase when they searched his car.

The two rescue workers were George Gonzalez and Todd Hall. They told the FBI about the briefcase last March.

Questions: Did the briefcase in Mr. Foster's car belong to Mr. Foster? If so, how did it get from his car at Fort Marcy Park back to the office? Three, why did the park police say they found no briefcase in Mr. Foster's car? And four, why did Independent Counsel Fiske at that time make no mention of this controversy in his report? The FBI interviewed these rescue workers a full 3 months before the report was issued. So that briefcase was in that car and it was Mr. Foster's briefcase, and they found a suicide note 6 days later in the office. And it is the same briefcase. It did not just fly there. Somebody had to take it there. That needs to be looked into by a congressional hearing as well as the special counsel, the independent counsel.

Destruction of documents in Arkansas. In March 1992, during the Presidential campaign, the New York Times published a groundbreaking story on the Whitewater Development Corp. and the Clintons. Three employees of the Rose law firm, where Hillary Clinton was employed, three employees of the Rose law firm have reported that they were summoned to the Governor's Mansion by Hillary Rodham Clinton and were given records that they were told then to shred back at the law firm. They reported making at least six other trips to the Governor's Mansion during the campaign. The shredding began after the New York Times article and ran up through the election.

The New York Times article implicated the President and the First Lady in Whitewater. They took these files back from the Governor's Mansion to the Rose law firm for shredding on seven different occasions. One employee said a conservative estimate would be that there were more than a dozen boxes of documents that were ultimately shredded and destroyed.

In 1994, a part-time courier for the Rose law firm, a man named Jeremy Hedges, told a grand jury that he was told to shred documents from the file of Vince Foster, the man found dead at Fort Marcy Park, who was assistant counsel to the President. This guy at the Rose law firm, this young man was told to shred Vince Foster's files. This occurred after Special Counsel Robert Fiske announced in January that he would investigate Foster's death. That appears to be obstruction of justice.

Here we had a possible suicide or murder case that was going to be investigated by the independent counsel or the special counsel and after the fact the Rose law firm started shredding Vince Foster's files. What were they shredding down there, why?

Mr. Hedges said that he knew they were Mr. Foster's files because they had Vince Foster's initials on all of them.

Here are some questions: Why were documents destroyed in Arkansas during the 1992 Presidential campaign after the New York Times reported that Hillary and Bill Clinton were involved with the Whitewater mess? We have other reports that indicate that the Whitewater files that Hillary and Bill Clinton were involved in were taken from the Rose law firm over to the Governor's Mansion before the campaign and then documents were taken back to the Rose law firm after

this report by the New York Times and shredded. It appears they were the same documents, but we cannot prove that.

Two, did these documents contain crucial information about the Whitewater scandal that were needed by Federal investigators? One would guess that they probably did, but we do not know that for sure. Three, why were more documents destroyed in early 1994, after Mr. Fiske announced he would investigate the death of Vince Foster? Why did they start destroying all his files at the Rose law firm? And four, what documents were destroyed? And I am not sure we will ever know the answer to that one. But we do know that they were really destroying documents down there out of the Governor's Mansion after the campaign and after Vince Foster's death. That would lead one to believe that they had something to hide.

Now, Paula Casey, a conflict of interest. In 1993, Paula Casey was appointed by Bill Clinton to be the U.S. Attorney in Little Rock, AR. She had worked on his campaigns, and her husband had been appointed by Governor Clinton to a State job. She was a friend of Bill Clinton's, a very close friend.

Just before the election, the Resolution Trust Corporation sent the first of two criminal referrals concerning Whitewater to the U.S. attorney in Little Rock to investigate. It named the Clintons as potential beneficiaries of a check kiting scheme. Here we have this friend of Bill and Hillary Clinton, who is the U.S. attorney down there in Little Rock, and she had this referral from the Justice Department saying they should check this out, because there was a possibility of them being connected with a check kiting scheme.

Paula Casey, friend of Bill Clinton, who was the U.S. attorney, then let the referral sit on her desk for 9 months and did not do anything about it. She did not investigate. Why did she not do that?

In October 1993, the Resolution Trust Corporation sent a second criminal referral regarding Whitewater to the same attorney down there, U.S. attorney, Paula Casey. This one alleged that Madison Guarantee Savings and Loan illegally diverted $60,500 to Bill Clinton's 1984 campaign for Governor. So here is a second referral in a different case where there were funds diverted to Bill Clinton's campaign in the amount of over $60,000 illegally.

In October 1993, the pressure got pretty hot, because Paula Casey formally and secretly, without telling anybody, declined to investigate the matters brought in the first referral. She said, I will not investigate them.

Later that month, the RTC's referrals were reported in the press. When this happened, Paula Casey finally recused herself. So she refused to do anything, but then finally, when the press got onto it, she said, I will not get involved. I am going to recuse myself and let somebody else handle this.

Here are some questions. Paula Casey was a friend and supporter of President Clinton. He gave her her job. He gave her husband a job at the State. So why did she not recuse herself from this entire matter at the very beginning, when she got that first referral from the Justice Department? She waited 9, 10 months before she did anything. She had a clear-cut conflict of interest, but she did not do anything for darn near a year.

Second, how much more evidence could have been uncovered if an impartial prosecutor had been investigating this matter for the 9 months that the referral sat on U.S. Attorney Paula Casey's desk down there? And three, has Paula Casey been disciplined for her actions by the Justice Department? That is a question we ought to pose to Janet Reno, because Paula Casey certainly should be taken to task for not doing her job and letting this thing lay for at least 9 months.

Let us talk about another friend of Bill and Hillary Clinton, Dan Lassiter. Dan Lassiter was a multimillionaire in Arkansas. He was a friend and political supporter of Bill Clinton's. He contributed substantial amounts of money to Clinton's campaign for Governor, and he took the Clintons to several events around the State over a period of months and years on his own private plane.

Lassiter's investment company, Lassiter and Company, received millions of dollars in bond business from the State of Arkansas.

Question: Why did Mr. Lassiter's company receive the lucrative bond business from the State. Did Governor Clinton use his influence to steer these contracts to Mr. Lassiter because he was a friend? It was well-known in Arkansas at that time that Dan Lassiter was involved in drugs, in cocaine. He was the subject of a joint Federal/State criminal investigation.

In 1986, he plead guilty to Federal drug charges. Despite the seriousness of the charges, he spent less than 6 months in jail out of a 30-month sentence, and that was spent not in jail but in a halfway house.

He never went to jail.

In 1990, after he got out of the halfway house, Governor Clinton pardoned him.

Questions: Why did Bill Clinton pardon Dan Lassiter? Was it because Lassiter had been a reliable contributor to this campaigns? Was it because Lassiter loaned Bill Clinton's brother Roger $8,000 to pay off a drug debt and gave him a job? Bill Clinton's brother Roger got $8,000 from Dan Lassiter to pay off a drug debt.

All of these questions need to be answered in hearings.

Here is a little bit more on Mr. Lassiter. Last September, the Albuquerque Journal published a major expose about political interference in the investigation of Dan Lassiter and Roger Clinton. The article quotes former Lassiter employees at the Lassiter company as telling the FBI that they left Lassiter and Company between 1982 and 1985 because of the pervasive drug use at the company.

□ 1430

The article reported that the FBI received sworn statements from Lassiter employees that there were company Christmas parties where cocaine was served in ashtrays. They had it sitting all over the house.

Bill Clinton and Lassiter were very close friends. They went to a lot of parties together and a lot of functions, social functions together, so this was not a distant relationship.

The FBI and Arkansas State Police were cooperating in a joint narcotics investigation. State Police Investigator "Doc" Delaughter, and I hope everybody gets this, State Police Investigator "Doc" Delaughter told reporters that the investigation was closing in on Lassiter. He said, "Moneys could have been seized and planes could have been seized because we had evidence that cocaine was being used on these planes."

Bear in mind the President flew around in a lot of these planes during several of the campaigns and on personal trips. Cocaine was being used on these planes, and they could have been seized and moneys could have been seized during the investigation.

Delaughter also told the Albuquerque newspaper that the investigation was frustrated by interference by high-ranking State officials appointed by Governor Clinton. Delaughter said that he twice briefed State Police Director Tommy Goodwin over the phone about the investigation. Goodwin took the calls in the Governor's personal office.

He was talking to him about this drug problem and this investigation, and Goodwin, Tommy Goodwin, who was the State Police Director, he took those calls in the Governor's personal office. It is not known if Bill Clinton was in the room, but you would assume if it was the Governor's personal office he probably was there.

This investigation involved Bill Clinton's brother Roger. Delaughter told the newspaper that he was prohibited by his superiors from interviewing Dan Lassiter or Roger Clinton. The FBI did finally interview them, but Delaughter was told not to interview Roger Clinton, Bill Clinton's brother, or Mr. Lassiter.

A second State investigator, a man named Larry Cleghorn, was asked about political interference in the investigation of Lassiter. He said this: "You have to understand that we were in a State agency and our Governor was Bill Clinton. We just got done putting his brother in the penitentiary.

Lassiter was one of the Governor's big friends."

The State agents alleged that the State's part of the investigation was shut down prematurely for political reasons. Lassiter did eventually plead guilty to drug distribution, despite the interference by the State administration in the investigation. That was because the Federal investigation was ongoing as well.

Here are some questions:

Did then Governor Clinton's political appointees interfere in the investigation? It would appear they did. In fact, I think it is almost as clear as the nose on your face that they did.

Two, if they did, were they ordered to do so by Governor Clinton? If that is the case, there was an obstruction of justice.

Three, was Governor Clinton present in his office when the State Police Director was being briefed in the case of Clinton's brother?

Four, was Governor Clinton monitoring this case, which involved his brother and his friend?

Five, are these matters being investigated by the Justice Department or the Independent Counsel? And I believe the Independent Counsel is probably looking into all of this, because I have great confidence in Mr. Starr.

Let me just say that in the weeks and the months to come we will be continuing our investigation, my staff and I and others here on Capitol Hill, even though we have not had hearings, into Whitewater, the Arkansas development financial authority, the drug trafficking that was taking place and drug use, pervasive drug problem that was taking place at the hands of Mr. Lassiter. We will be looking into all aspects of this investigation and trying to report this to my colleagues.

I'm going to make a "Dear Colleague" for all the freshman Congressmen, both Democrat and Republican, who came in, so they can be kept abreast of what is going on. The fact of the matter is these questions must be answered.

A lot of people across this country are saying, you know, we ought to forget about Whitewater, we ought to forget about these investigations and go on. But the problem is no one is above the law, whether it is the fellow who sweeps the streets or sets pins in a bowling alley, if they still do that, or delivers papers, or the President of the United States.

If the President was involved in any kind of coverup regarding Whitewater, if there was any destruction of documents at the hands of the President or the First Lady that would obstruct the investigation into Whitewater, if the President did something to stop an investigation into drug dealing in Arkansas because this guy was his friend, if there was campaign money being given to the President's campaign that was illegal, that was being diverted through the Whitewater Development Corp., those are criminal violations.

I don't care who it is, they should be investigated thoroughly. If somebody violated the law, they should be prosecuted to the full extent of the law, no matter what their station is in life.

For that reason, we will continue our investigation. We will try to force hearings here on Capitol Hill. I believe there will be hearings. I believe Mr. Starr will continue his investigation of this. Hopefully, we'll come to some kind of a conclusion within the next year.

But make no mistake about it, my colleagues, we will be continuing special orders down here covering this and other topics related to Whitewater, and I hope my colleagues will pay particular attention, because it is very, very important.

NAFTA AND U.S. ECONOMIC POLICY

The SPEAKER pro tempore (Mr. JOHNSON of Texas). Under the Speaker's announced policy of January 4, 1995, the Chair recognizes the gentlewoman from Ohio [Ms. KAPTUR] for 60 minutes.

Ms. KAPTUR. Today, Mr. Speaker, we are going to spend some time focusing on a very important issue that came before the Congress about a year ago called NAFTA, the North American Free Trade Agreement, or as some of us would like to say, the agreement that some would call "no more taking American jobs away someplace else, especially south of our border."

If you have been reading the newspapers, though it is sometimes buried on page 17 or 25, you will note that in Mexico there is a severe financial crisis currently going on in that nation. the purpose of today's colloquy will be to discuss with my good friend, the gentleman from Oregon [Mr. DEFAZIO] and others who will join us, what this means for the American worker and what it means for the American taxpayer, as well as the citizens of Mexico, because this week we are introducing legislation which the gentleman from Oregon [Mr. DEFAZIO] will talk about in just a second.

For those of us who opposed NAFTA, it is difficult to get up here and say "I told you so," but if the pain were not so great for thousands of people in our country and thousands of people in Mexico, we would not be so compelled as we are today.

There is a new kind for foreign aid afoot in our land. It is called NAFTA. Because of the instability in Mexico, our taxpayers, with no vote occurring here in the Congress of the United States, our taxpayers are being asked to foot a multibillion dollar bail-out of the Mexican peso. We do not even get a seat at the table.

Congress has no vote. The taxpayers in my district have no vote. The players who are at the table are giving the whole set of transactions a very fancy name. They are calling it debt swaps. They are calling them peso bail-outs. They are calling it teso bonos.

The average person that lives on my street in Ohio doesn't know what all this is. Only people connected with Wall Street and the Federal Reserve are supposed to understand this. So today we are going to try to clear the air a bit, because what this deal is actually doing is asking our taxpayers to back up a minimum of $9 billion of loans to Mexico, and through the Federal Reserve an additional $5 billion plus, we don't know quite how much.

But of course it is the deposits of our people in our banks, that then make payments into the Federal Reserve, that creates Federal Reserve, so we are all connected to that system. And then there are additional funds coming from some of the commercial banks in this country that are having a whole lot to worry about at the moment.

Over this past year, if you think about it, our Federal Reserve has raised interest rates on the American people seven times. All of the press has been wondering why are they doing that, because wages aren't going up in America. There is no inflation. What is going on over at the Fed? In fact, some group of citizens demonstrated against a Fed a couple of weeks ago.

We understand what the Fed is up to. When you have got to discount losses that you are going to be taking on loans that went bad through the commercial banking system to countries like Mexico, and when you have to monetize $150 billion of trade deficit, you have a problem on your hands. They are taking it out in higher interest rates on the American people.

As my colleagues and I predicted, just 1 year after NAFTA, NAFTA has meant a worsening of America's trade position with Mexico. In fact, it has been cut in half. We were told, for example, in the auto industry that we would sell 60,000 more cars to Mexico, but if you look at this charter, this is the truth about what has been happening since NAFTA passed.

□ 1440

Prior to NAFTA passing, this red arrow represents how many cars and trucks Mexico was sending to the United States. Over the years we have only been sending a trickle into Mexico, represented by this little arrow.

But after NAFTA, which was supposed to make this arrow look better for our people and this arrow look worse, what do we have? We have more vehicles coming up from Mexico into the United States, and the trickle from the United States down to Mexico continues, largely automobiles going down to rental car agencies in Cancun and

Yucatan and Mexico City where our people vacation. There has been no real growth of the middle class in Mexico.

With what has been happening in Mexico, what have we seen? Their currency, called the peso, has been nearly cut in half. It has been devalued by nearly 40 percent since the end of December.

What does this mean? That means that their goods will be cheaper on export, which means this number, whether it is cars or whether it is electrical wiring harnesses, whatever, it will be cheaper for them to send more into our marketplace and it will be much harder for the United States to send goods down there because our goods will become more expensive in their market.

Mr. DEFAZIO. If the gentlewoman will yield on that point.

Ms. KAPTUR. I yield to the gentleman from Oregon.

Mr. DEFAZIO. I think I recall that during the debate over NAFTA, the gentlewoman from Ohio, myself and others raised the point that we thought the Mexican peso had been artificially propped up and overvalued in order to try and sell the NAFTA agreement. In fact as I recall, we said we thought it was about 20 to 25 percent overvalued. Of course we were wrong. Apparently it was 40 to 50 percent overvalued.

This was clearly on the part of the financiers on both sides of the border and some of the highest political officers in both countries an attempt to distort the ultimate impact of this agreement. In fact, the Mexican opposition party has filed criminal charges against their former president for concealing and manipulating the value of the peso, which has now crashed.

What this means, of course, is that the average Mexican worker, who has seen their wages decline rather dramatically over the last 20 years, will see another 40 or 50 percent decline relative to United States goods. Instead of having an average of $1,600 a year in buying power, that is, if they used all of their disposable income they could buy $1,600 worth of our goods, which was always the fallacy of NAFTA, it was never designed to sell goods to Mexicans, it was always designed to get cheap labor in Mexico to ship the goods here, now those Mexican workers will have total incomes in United States dollars of $800 or $900 a year. So if they save really hard, they might be able to buy a pair of running shoes at the end of the year from United States manufacturer based in Mexico, but not likely.

I think this is really key for us to explain to the American people. Not only has this happened, and not only are we now being asked to put up U.S. taxpayer dollars to prop up the peso.

This is the free market? It seems to me the free market is saying, "The peso is worthless, let it drop." No, we are going to prop it up with $9 billion out of our Federal treasury with no review by the U.S. Congress. Apparently Mexico can just draw on that $9 billion whenever they want.

Beyond that what is even more outrageous is the Federal Reserve Board which controls the deposits and the currency in this country has extended a secret line of credit to Mexico under secret conditions for a secret amount.

When my staff contacted the Federal Reserve, we were just told, "That's none of your business. We don't tell Members of Congress what we're doing." But if a bill comes due, if the Mexican Government declares bankruptcy or defaults, we will get the bill, the same way we did in the savings and loan crisis.

The American people are being played for suckers here again and this is what we need to communicate today. We are not going to let this keep happening without bringing the light of day to these secret deals.

Ms. KAPTUR. I want to compliment the gentleman for his leadership on this and for his introduction this week, along with several cosponsors including myself, of legislation to revoke NAFTA, until we can fix all the major missing pieces that are causing the continual job loss in our country and the tremendous instability in Mexico.

In a few weeks, we here in the Congress are going to be asked to vote on a balanced budget amendment. What is going to be very interesting about this whole debate is an issue like this one, when our taxpayers can be held hostage through our own U.S. Treasury Department and the Federal Reserve. When the private sector gets in trouble they receive special treatment at the doors of the Federal Reserve and at the doors of the U.S. Treasury. None of that is voted on here. It happens through a private set of relationships, but ultimately they get our taxpayers on the hook.

I have felt for a long time that if we are going to have requirements for certain types of budget balancing here in the Congress, we ought to put some additional restraints on the Federal Reserve and on our own U.S. Treasury Department which has all these sets of special relationships which in the end hold our taxpayers hostage and they cannot do anything about it.

It is the same thing as the savings and loan crisis. It is amazing how that stealth bomber got through here. We hardly had any debate. It came through at 2 in the morning. When the private sector's big financial interests really want something done here, they can certainly achieve it without any amendments to the Constitution. It just happens through sleight of hand.

Mr. DEFAZIO. I do not want to get too far afoot on the Federal Reserve, but I think it would be interesting for people watching to know that now this Congress has subjected itself to all laws. Yet the one entity now left in this country that is exempt from virtually every law, of conflict of interest, public disclosure, freedom of information, is the Federal Reserve Board. They have these extraordinary powers.

I can call and say, "Excuse me, I'm elected, I represent the Fourth District of Oregon, and I understand you are taking United States dollars and shipping them to Mexico to prop up the peso. I would just like to know what kind of collateral you got, what the terms of these loans are, and what you think the prospects are of repayment and how much money we're shipping to Mexico," and the Federal Reserve says to me, "That's none of your business, and we don't have to tell you. This is national security."

National security? National security when we are now paying to ship our jobs to Mexico? That is the bottom line here. We can document that there has been a net job loss through the first year of this agreement. That was not predicted by the proponents but was predicted by us.

The gentlewoman has demonstrated it very graphically with the automobile sector. In fact, autos were the No. 3 loser. The No. 1 loser was machinery and electric parts, which was going to build things in Mexico that will be shipped back here. They are a loser. Optical and photo was a big loser, and autos were No. 3.

We had a few winners. Tobacco. We exported more tobacco products to Mexico, we exported more articles of cork, and the Mexicans bought a lot more antiques and art from the United States during the last year.

How many jobs does that produce in America versus the deficit we are running in autos and other critical manufacturing sectors and a growing deficit and one that is going to grow astronomically with the devaluation of the peso?

These are questions that need to be asked and I really appreciate the fact that the gentlewoman has the guts to stand up here on the floor, because there is a lot of pressure, and you know it, for us not to talk out about this.

Ms. KAPTUR. I appreciate the gentleman's courage in doing so as well, and I find your statistic on art very interesting.

Because at the same time as we are losing jobs to Mexico, and our people's wages are not going up, art would be one of the major exports from the United States to Mexico. In 1991 there were only two billionaires in Mexico. Today there are over two dozen.

At the same time as the average Mexican citizen has lost buying power, if they were lucky enough to have $100 in savings in a local institution there, it has just been cut to $60. but somebody down there, and I have a hunch who it is, has been purchasing very expensive items, and I would guess it is

those families that traditionally have owned everything in that country and command the wealth and the real political power inside that nation

One of the questions we are asking, in fact, we are sending a letter today to the U.S. Treasury Department in the Clinton administration asking them about this $18 billion bailout of Mexico. Some of the questions I would just like to read, because I think the American people should be thinking about these as well:

The first one is that in view of the fact that our banks in this country are earning historic profits, and they have been for several months now, why is our Government's intervention in the form of this currency swap and special Government loans necessary? If the private sector gambles and loses in a country like Mexico, why should those losses not be borne by the private sector? Why do we allow these people who are buying art to get off scot-free and then run right up to the door of our treasury and ask the American taxpayers to back up loans to bail them out?

Back years ago this happened again when the Brady bonds were created, if people have long memories back in the late 1980's. That debt that was accrued by Latin American nations in those days, what happened to it?

□ 1450

Well, folks, it is still out there. It is now in the form of Brady bonds, and in 1990 Mexico had to convert $33 billion of its debt to Brady bonds, and guess that the interest rate is on those bonds? Forty percent.

When Mexico pays or is supposed to be paying off all of these debts, who is earning the 40 percent? One of the questions we are asking the Treasury is we would like to know does anybody on my street have a right to buy those 40 percent bonds?

Mr. DEFAZIO. Would it not be nice if some of these interest earnings, extended with the backing of the U.S. Government, went to help defray our own deficit here in the United States? Would it not be refreshing if for once the American taxpayers did not just extend guarantees and send taxpayers' dollars but in effect they were getting a return?

I know that is not the case. The 40 percent interest is going to private investors, the largest banks in the country who are now desperately knocking at the doors; actually they are inside. We are not allowed in, but they are inside saying we would like another $10 billion for Mexico. Please send it now because we are worried out our investments and our payments. They are not worried about the American taxpayers.

Ms. KAPTUR. When we are sending this letter, and I am glad you led me in to it here, the second question in our letter to the administration is to what specific banking and corporate interests does Mexico's first $26 billion in outstanding obligations that come due this year, in fact $10 billion of that comes due in the first quarter of this year, go? Specifically we want to know names of institutions and bond holders largely in this country that Mexico owes money to. It would be very interesting to see who they are.

Mr. DEFAZIO. Now we are going to lend them taxpayer dollars under this line of credit to repay the loans made by private interests in this country.

Ms. KAPTUR. Would it not be great if every American who owned a home mortgage could do the same thing? In other words, rather than paying their mortgage payment next month, all they have to do is call the Federal Reserve, sit around the table, and rather than paying the mortgage payment they give them a loan to pay it off. Great concept.

Mr. DEFAZIO. And it comes from other taxpayers.

Ms. KAPTUR. That is right. And one of the issues here, the third question we are going to ask of those business entities incorporated in the United States to which Mexico is indebted, we would like to know which ones of these business entities hold voting rights at the district Federal Reserve offices and in which regions of the country. I would sure like to know how the Midwest compares to the Northeast and to the Northwest and to the South of this country. It would really be nice to know who has special favors at the Fed.

Mr. DEFAZIO. Mr. Speaker, I would just like for the people who are watching to know this is not an "I told you so." And we are going to go through the list of things we predicted would happen with NAFTA that have come to pass, including the peso devaluation. But there are a lot of short memories in Washington, DC, and a short attention span in the media when it comes to these very critical issues. But "I told you so" is not going to be enough in this case because thousands more American jobs such as the ones the gentlewoman talked about are at risk, and now tens of billions of U.S. taxpayer dollars are at risk and "I told you so" is not an adequate response. And that is why we are speaking here today and that is also why we will be introducing, this week, legislation to trigger the repeal provisions of NAFTA. There was a 6-month option out of NAFTA and we are introducing legislation to say this has worked as poorly and as badly and even worse than we ever anticipated. It is a loser for the American taxpayers, it is a loser for the American workers, it is a loser for the Mexican workers, and a loser for the environment along the Mexican border and the United States border, and it is time to repeal it and put in place an agreement that will benefit people on both sides of the border and help raise standards of living rather than depress them and bankrupt the Treasury.

I will have to step off the floor but I will be back because I want to continue the discussion. And I believe the gentleman from Vermont [Mr. SANDERS] will step up and take my place.

Ms. KAPTUR. Thank you very much, Congressman DEFAZIO. I think it is important for the audience to know this is a bipartisan effort. In fact, conservative Republicans, conservative Democrats and moderate Democrats, mainline Democrats are all supporting this particular effort.

Today in the Washington Post on page A-13 there is a story that talks about what is happening in the Mexican stock market as a result of the rippling effects of this devaluation of the peso, and one of the Mexican bankers said, "This is really a meltdown of catastrophic proportions. So we have the United States offering us loans. Eventually you get yourself another $20 billion in debt, and how are you going to pay for it?" And that is really the reason we are very concerned and why we have asked for NAFTA to be revoked because we would like to know, and we have asked this question in letters we are sending to the Treasury, if Mexico defaults, as nations have had trouble paying their debts in the past, is it the intention of our Treasury Department to enlarge the assistance? And what about the Federal Reserve? We are very concerned that the commercial banks that are involved in these lines of credit, that in the peso bailout their lines of credit are uncollateralized. That is how we got into trouble back during the last Latin American debt bailout, they were uncollateralized loans. Why are our commercial banks, from what we have read in the paper, since the Fed will not talk to us directly on this, why are they being allowed to have uncollateralized loans?

I know the gentleman from Vermont, who has been such a leader on this, is on the floor, and it is a pleasure to welcome him on our side.

Mr. SANDERS. Mr. Speaker, I thank the gentlewoman very much for her leadership over the years. It is a pleasure to work with the gentleman from Oregon, PETE DEFAZIO, as well as other Members of the Congress. I am delighted to join with my colleagues today in supporting legislation which would repeal the NAFTA agreement that Congress passed last year.

When Congress passed NAFTA last year we were told that this trade agreement would be a step forward for both the economy of the United States and the economy of Mexico. We were told that it would be a win-win situation.

Unfortunately, 1 year later it appears to be a lose-lose agreement. Today up to 50,000 American workers have lost

their jobs as a result of NAFTA and have filed for NAFTA trade-assistance benefits. The Mexican economy today is staggering and wages in Mexico are plummeting. Most alarmingly, is in the last few weeks the U.S. Treasury Department has opened up a $9 billion line of credit in order to shore up the sinking Mexican peso and they have encouraged United States commercial banks to lend additional billions of dollars to shore up the peso, all of which could very well lead to a disaster for the American taxpayer who ultimately could be asked to pick up the damage.

It seems to me that what NAFTA is about is a continuation of a trade policy in this country which has been very unfortunate for the average American worker.

Today in this country, and we do not talk about this terribly often, we have a $150 billion trade deficit. With NAFTA that deficit is becoming worse. I feel that GATT will only accelerate that problem.

Economists tell us that for every $1 billion in trade we create some 20,000 jobs. That means that with $150 billion trade deficit we are looking at the loss of 3 million jobs.

Second of all, when we look at the economy in America today, there are people who say the economy is doing fine, we are creating new jobs. The point to make is what kind of new jobs are we creating, what kind of old jobs are we losing?

The new jobs that we are creating are, by and large, low-wage, part-time, temporary jobs that often have no benefits at all. The manufacturing jobs we are losing, in agreements like NAFTA, are decent-paying jobs that have good benefits.

□ 1500

That process of losing decent-paying manufacturing jobs and replacing them with low-wage, part-time, service-industry jobs is one of the reasons that the average American worker is seeing a major decline in his or her standard of living. It seems to me that the beneficiaries of the NAFTA agreement, and as you will recall, I say to the gentlewoman from Ohio [Ms. KAPTUR], the people who pushed hardest for this agreement will be the major multinational corporations in America who will take our jobs to Mexico where they can pay people a $1 an hour, or today with the devaluation of the peso even less.

Who are we kidding? Why will large corporations pay American workers $10 an hour, provide decent benefits, have to protect the environment, when they can go to Mexico and get the unfortunate and desperate Mexican workers to work for substandard wages, when they can go to China and hire people in an authoritarian society at 20 cents an hour?

I think it is absolutely appropriate that we in Congress demand the repeal of NAFTA, that we make certain that the American taxpayers are not stuck with a billion dollar bill in trying to shore up the peso or protecting American banks who are lending the Mexican Government money, and I also think it is very appropriate that we begin to take a fundamental and hard look at our entire trade policy, which has worked to benefit large corporations but has worked detrimentally to the needs of the average American worker. So I think that we are doing something that is important.

I hope that we will gather more and more support from Members of Congress to stand up, to repeal NAFTA, and to reverse our trade policies.

Ms. KAPTUR. I appreciate the gentleman joining us today, and your leadership on this throughout our country has just been tremendous, I say to the gentleman from Vermont [Mr. SANDERS], and your people are very lucky to have you as their Representative, for sure. I am sure you are as distraught as I am that people like ourselves receive phone calls from the administration, whether it is this administration or the prior administration, anytime we try to question when the big interests are able to get special access at the U.S. Treasury Department or at the Federal Reserve, it is amazing to me how quickly the administration responds.

So, for example, if Mattel Corp. or the Big Three or some of the big investment houses stand to lose anything, right away they get invited over to the Fed. They get welcomed. In fact, we were called by the Treasury Department very concerned about our saying anything about this whole question of the peso bailout here in Congress today. Yet when we tried to call them over a year ago and tried to get them interested and get the administration interested in workers across this country who would lose their jobs, they would not even come over and meet with us.

We wanted to put provisions in NAFTA to pay the kind of attention that is being paid to the investment community to the workers of our country, and we were given short shrift. In fact, we were not even welcomed into 1600 Pennsylvania Avenue, those of us concerned about what is happening to workers across this country. Yet we know there has been one factory a day closed in this country as a result of NAFTA.

We have a list in our office of thousands and thousands of U.S. workers losing their jobs, 50 jobs here, and in Horsham, PA, 40-some workers who used to make bridal and bridesmaids gowns, at Alfred Angelo Co., in Bennington, VT, your home State.

Mr. SANDERS. That was the Johnson Control factory in Bennington, VT, and that was a very painful situation, very serious loss to our community and to the hundreds of workers who were affected.

The only word I want to add to what you are saying, I say to the gentlewoman from Ohio [Ms. KAPTUR], as important as it is to document the loss of jobs, there is another process going on as well, and that is the lowering of wages of workers whose jobs remain in existence.

Very clearly when you have a process by which jobs are going to Mexico and China, when workers go into their employers and say, "We want a decent wage increase," what the employers are saying is, "Hey, you better take a 10-percent decrease in wages or we can take your jobs to Mexico or anyplace else." So this whole process in putting continuous pressure on the decline of real wages in America. That is a very important point to keep reaffirming.

Ms. KAPTUR. The gentleman from Pennsylvania [Mr. KLINK] has joined us here today, such a strong voice for industrial and manufacturing America. We are thrilled to have you as a cosponsor and welcome you here this afternoon.

I yield to the gentleman from Pennsylvania.

Mr. KLINK. Mr. Speaker, I was very pleased, sitting back in my office, to hear that you have taken this time to have this discussion.

As a relatively new Member just beginning my second term, you both know how hard we all fought and the message we carried during that year 1993, and we said that these things that have happened were going to happen. I sat on the Banking Committee. We knew there were problems with the peso. We knew there were problems with integrating the Mexican banking industry with the United States banking industry. Yet all of this was ignored when NAFTA came to the floor. It passed and became the law of the land.

Actually being rather new at this legislative business, I told those people who live in my district, a very blue-collar area around Pittsburgh, I put a lot of my heart, soul, and blood and sweat into my first year here into defeating something that I felt was very wrong not only for the workers in my district but very wrong for the workers across this Nation. That is NAFTA.

I would very much prefer that I be wrong. I want to be wrong. I want someone to say, "It is because you are new; you do not understand trade, Congressman RON KLINK. This is going to work. All of these promises. All of these jobs are going to be created. And you know what, the 160,000 manufacturing jobs that you lost in southwestern Pennsylvania over two decades, that whole thing is going to be reversed now because we have passed NAFTA, and we are now going into GATT and the trade policies, the gurus who have run trade for our country under Republican Presidents and Democratic Presidents, are all right,

and we are all wrong. We will go back and get educated and we will learn later on."

It is very painful to me, my fellow Members who have fought very hard against NAFTA with me, to stand here today. We do not want to say we told you so. We would prefer to be here taking up another issue, enjoying the prosperity, having our workers making a very livable wage, having them be able to have additional free time in the evenings and weekends to be with their families, creating safe and secure communities. But instead what has happened is all of those people who rushed down to Mexico to make investments are now asking the people who live in our districts to bail out the peso, to bail out the investments that they have made in Mexico over the past year, because they have lost 40 percent on their investments.

The peso was being propped up before the NAFTA agreement. It was being propped up falsely before this NAFTA agreement was ever secured.

Ms. KAPTUR. Just for a second, it interested me at what point the Government of Mexico decided to devalue the peso. You know, they have their Presidential elections in August, so everything was quiet up until August. Then we had a GATT vote here, and that was right after elections. We delayed it. Nothing was said. Nobody wanted to upset the applecart.

Then we had the vote on GATT here late in November, and, boom, right after that, when everything was set and secure, then the decision was made to devalue the peso, and our Government knew for a long time this was coming, the officials over at Treasury and the Fed.

So it was all orchestrated at the highest levels, no debate down here, no discussion, and now, as you say, our people have to foot the bill.

Mr. KLINK. If the gentlewoman would yield further, I will say that we brought up, and I remember all of us being on the floor during the GATT, that we knew that there were problems. Now we have got small staffs that deal with trying to solve problems that our constituents have with the Federal Government. We have legislative staffs that help us to do whatever our legislative assignments are on whatever committees and subcommittees we serve. But we do not have the ability, none of us, as Members of Congress, have the ability to be able to monitor each and every one of these agreements and each and every piece of legislation we vote on. Oh, but that we could. But we know there was a rotten apple in the barrel. We knew something was going on, no hearings, mock hearings they call it, on GATT, no real hearings. You are right, the Mexican elections went by the board. But what happened unfortunately again was that immediately after the passage of NAFTA we saw an uprising in Chiapas and, unfortunately, those people from Mexico, those scholars and those people working on the Mexican side, also against NAFTA, told us this unrest was going to occur. We knew there was going to be a problem in Mexico.

It did not take a week for bloodshed to begin to occur, and we have seen the problem of illegal aliens exacerbated.

My own State of Pennsylvania, No. 1 in the Nation with NAFTA trade-adjustment assistance applications, so it did not take long for these things to begin to happen.

The gentleman from Oregon is now here who has really been one of our leaders in the anti-NAFTA movement, the gentleman from Oregon [Mr. DEFAZIO], and who really has authored this bill that we are here as proponents of today.

It is time, I say to the gentleman from Oregon [Mr. DEFAZIO], and I thank you for your leadership, it is time that we pull off the mask, that we stop the charade and say this NAFTA has been a failure, it has been a failure to us as legislators, to the administration, to the American workers, and to the American investors, and even those corporations who have gone down there thinking they were finding tall, green grass and found out instead there is deep red ink.

I think deep red ink would be a polite description of what they are into in Mexico.

But what the gentleman said, and I thought this is something, these issues are so awesome; talk about the Federal Reserve Board, talk about the secret transfers of billions of dollars, the Treasury extending a line of credit of $9 billion of our dollars. A lot of people listening do not know what trade adjustment assistance is. What the gentleman is talking about it that in his State more people have lost their jobs and are now unemployed and have applied for a special Federal program set up under this legislation paid for this program. So when we passed this, we must have anticipated Americans were going to lose their jobs, because we set up a special program for people who lost their jobs.

Mr. KLINK. Absolutely.

Ms. KAPTUR. It is a $9 billion figure. They had a few millions of dollars to accommodate American workers. Here now we have a $9 billion bailout that we are not even aware of. I am sure it is more than that when you count the $5 billion that the Federal Reserve is putting into that. It is amazing how quickly, how quickly our Government jumps to the tune of those who have a lot of money, investors and bankers, but when it comes to workers who need attention, he and she got no attention in the body of the agreement.

Mr. DEFAZIO. Further on that point is, those 30,000 who have applied, many are lost in the Federal redtape. They have to prove beyond a shadow of a doubt that they can identify where their jobs moved to in Mexico. I believe the figure is 12,000 have been approved. That means that 18,000 are in need of special assistance. As the gentlewoman points out, out of a few hundred dollars a week for people whose jobs moved or were shifted back to Mexico, changed by United States policy, and yet at the snap of a finger, the Federal Reserve can spend billions of dollars with no Federal disclosure and the Treasury can pony up a $9 billion line of credit somehow, but the workers who are out of jobs are still waiting in line at the unemployment office, hoping, begging for a bit of help so they can get retrained.

Ms. KAPTUR. I yield to the gentleman from Vermont.

Mr. SANDERS. I think one of the questions we have to ask ourselves in this whole debate is who are the forces in America, who are the groups who pushed us into NAFTA? The answer is virtually, virtually every large multinational corporation.

Who are the forces who were opposed to NAFTA and who raised over a year ago many of the same concerns that we are raising right now? Those were the groups who represented the American workers, those were the groups who represented family farmers, those were the groups who were concerned about the environment.

What about the media? The gentleman from Oregon [Mr. DEFAZIO] made an interesting point, the gentlewoman from Ohio [Ms. KAPTUR] made the same point: We are talking about a $9 billion line of credit from the Treasury Department and a line of credit that we do not know from the Federal Reserve. Even in Washington, that is a lot of money.

Now, every day you turn on the television and you hear about welfare reform. Well, AFDC, aid to families with dependent children, is $12 billion, a lot of money. That is on the front pages every day. How much public discussion has this untold billions of dollars been receiving on the front pages of the paper? Money which is not going to poor people in America, money which is not going to the hungry children in America, money which is going to shore up the peso and perhaps to protect American banks which are investing in Mexico.

People in Vermont do not call me up and say, "Bernie, I want to use my taxpayer dollar to shore up the peso." I do not think I have gotten one call on that issue yet.

People are concerned about our deficit, they do not want to spend billions of dollars shoring up the peso. They would like that money to go to retire our deficit, they would like to see that money go to feed hungry children, they would like to see that money going to deal with the homeless.

The second point that I want to make on this discussion: After NAFTA was passed—and everybody in this room knows that it was a tight vote, both parties split and the American people were split right down the middle, and we checked—we were concerned about the nature of the reporting that we saw during the NAFTA debates and that I am seeing right now. We checked through every large newspaper in America—the New York Times, pro-NAFTA; the Wall Street Journal, pro-NAFTA; Gannett, pro-NAFTA; and so on and so forth; 17 of the largest papers in America were all pro-NAFTA. We did not find one that was anti-NAFTA.

So I would urge and request that the corporate media pay attention to this issue, maybe admit that they were wrong, and start giving some coverage to the fact that American taxpayers may be on the line for tens of billions of dollars in bailing out the Mexican economy.

Mr. DEFAZIO. If the gentleman would yield, I have five daily newspapers in my district and an untold number of weeklies. Every one of those five newspapers endorsed NAFTA.

Now just a little, tiny bit of history. I am from Oregon. We are famous for Willis Hawley. Everyone who has studied economics 101 hears about the disaster of the Great Depression having been caused by the Hawley-Smoot Tariff Act was passed 9 months after the crash of the stock market. So it is hard to say that somehow those tariffs triggered the stock market crash or the Great Depression. But they become a convenient whipping boy.

Now, if anyone raises reasonable concerns about our trade agreements, the fact that we do not have reciprocity with Japan, the fact that we are giving away sovereignty with GATT, or the fact of the case of the North American Free-Trade Agreement that we are now obligated to prop up the Government of Mexico with billions of United States taxpayer dollars, you are called a protectionist. I do not call that a protectionist.

We are told that this is a national security issue. Yes, it is a national security issue. We are talking about American jobs and American taxpayer dollars, and we want to protect our national security by revising and rewriting wholesale this agreement because it is a loser for the people of this country and for the people of Mexico.

Ms. KAPTUR. Would it not be interesting to have a meeting, and I would challenge our U.S. Treasury Department and the Federal reserve. If you have ever been over to the Federal Reserve, they have the largest board room meeting table you have ever seen in your life. I do not know where they got lumber for it. It is absolutely gigantic. On one side of the table we would have all the claimants who want our taxpayers' money, right? Would that not be great? And then on the other side we would have the representatives of every single company that has shut down in this country, and the workers that worked in those plants on the other side of the table; would that not be a great meeting over there? They would have more fun.

We would finally get the American people inside that board room and take them up to the Treasury Department, with the big room that they have over there with all the chandeliers. Would it not be an interesting meeting of all the bankers, Wall Street investors, the multinationals, the big banks who want loans and money from our taxpayers, putting our taxpayers at risk, and then the very people they put out of work in the same room? I think it would be one of the most exciting meetings in Washington.

Mr. KLINK. I think it is an interesting point that both of the gentlemen make with respect to the newspapers and their coverage on this issue. I come to this from the standpoint of having been in the news media for 24 years as a reporter myself. I think it is interesting now, and I made this point at a press conference earlier today, now that these reporters themselves are going to be asked to dig into their own pockets and take their tax dollars that are going to go to Mexico to prop up the peso, maybe all of a sudden there would be some interest in the fact that this NAFTA agreement is not working as promised.

The other point made just a few moments ago, again I think I have heard no one in my time in Congress who has been a better spokesman on corporate welfare than the distinguished gentleman from Vermont [Mr. SANDERS]; that is exactly what we are talking about. At a time when we have need for welfare reform, we all agree that the system is flawed, we need to make some changes to it, but we are talking about all of the welfare, 1 percent of the Federal budget. Now here we are talking about untold billions of dollars, not only in the corporate welfare that occurs in this country, but not to go offshore to prop up the peso so that this frivolous investment, this get-rich-quick scheme that pursued the signing of the NAFTA agreement, can be propped up and that they will not have to face the consequences that their investments have led them to, their faulty investments have led them. These are the same people you hear, "You have got to prop these companies up because we can't let those people who own stock in those companies be hurt by this, because these are companies that also provide jobs here in the United States."

The point of the matter is the reason they are in trouble is because they have not made their investments there.

□ 1520

They have not made their investment in American workers. They have decided to leave us behind, walk offshore, wherever the cheapest labor is, and they got caught, and now they want us to pay to get their fingers out of the cookie jar.

Ms. KAPTUR. I want to say something on that to the gentleman.

As my colleague knows, this talk about job training for American workers? I support all kinds of skilling up of the American work force and our kids in school, and vocational programs, and after-school programs, and college programs. But the point is, if we have got companies taking those jobs someplace else, why care how much training we give people? When they are finished with their education, there is not going to be a good-wage job with benefits there for them, and I yield to the gentleman.

Mr. SANDERS. I can remember on the floor of this House, in my first term 3 years ago, sometime around 2 o'clock in the morning, some $2 billion that some of us had managed to put in the budget in order to feed hungry children and take care of the needs of the millions of kids in this country who are doing without. It was taken out of the budget, my colleagues. We could not afford $2 billion to take care of hungry children in America. Big debate.

What really concerns me is not just that we are putting $9 billion into a line of credit from the Treasury Department, an untold line of credit from the Fed; what really gets me is there is no debate at all on this issue.

Now where are all of those people who ran for election in November who talked about accountability in government, who talked about the $200 billion deficit, who talked about the balanced budget amendment? Where are they now? I am listening; I do not hear anything.

I guess that when we talk about money for hungry children, when we talk about Federal aid to education, affordable housing, we cannot afford it. But when it comes to bailing out corporate America, when it comes to shoring up the peso, not only can we afford it, there is no debate, no discussion, not one word on the floor of the House.

Now our honorable new Speaker, very articulate gentleman, very clear about what he believes in; some of us are eagerly awaiting his words of wisdom on this important issue.

Last point on the issue:

In this last election 38 percent of the American people voted; 62 percent of the people did not bother to go to the polls. Tens of millions of people no longer believe that they have a voice in what happens in government, no longer believe that the U.S. Government is here to respond to their needs. They are boycotting American politics and

government, and one can understand why people give up on the political process.

People are working in my State of Vermont 50, 60, 70 hours a week to keep their families afloat. They are paying too much in taxes, and now, without any discussion, we have the Government talking about a $9 billion line of credit, and that is why people are giving up on the political process.

Mr. DEFAZIO. Mr. Speaker, if the gentlewoman would yield for just a moment, I would just like to go back to a point that came up during the press conference, and I noticed that the gentlewoman was a bit beleaguered by a reporter from her district who did not seem to understand the difference between a net trade balance and shipping a few cars to Mexico, and he would point to the representation of 2½ cars going to Mexico and say, "Well, look, that's an increase from one-and-a-half cars symbolized there going to Mexico. That means we send another 10,000 cars to Mexico." Unfortunately he was totally ignoring the other side of the ledger which showed another—I believe it is 200,000 cars coming from Mexico to the United States.

So, what this means is the United States actually entered into a deficit, a trade deficit, with Mexico for the first time in recent history of $81 million in October, and that is just the beginning. We are going to run trade deficits with Mexico.

Now I come from Oregon, and everybody says Oregon is a free-trade State, and, by gosh, we benefit from trade.

Well I met with Dr. Charles McMillan, Ph.D., contributor to the Harvard Business Review and scholar, a member of the Clinton transition team, to talk about trade issues yesterday. He said, "Isn't it interesting?" He said, "In the GATT debate and the NAFTA debate we heard how every State is running a surplus and benefits from trade, but somehow the United States of America is running a $160 billion trade deficit," and in fact he recalculated those numbers and found out that my home State of Oregon is a net loser in trade, as is virtually every other State in the Union, and for Mr. Clinton's State, big-time losses. Thousands of jobs from his State have been shipped overseas in the last year.

Now these are points we have to make because my colleagues will read the headline. It said, "Detroit Thrilled." They shipped 10,000 more cars to Mexico. It does not say Detroit really thrilled, they built 250,000 more cars in Mexico and shipped them here with dollar-an-hour labor. That is what the headline should be, but the press will not run that headline. They only run the one that comes out of the boardroom.

Ms. KAPTUR. The gentleman raises such an important point because those interests in our country, those monied interests, only want us to focus on one part of the equation, this part, the products going from America to Mexico which are——

Mr. DEFAZIO. Awful hard from here. I can hardly see it.

Ms. KAPTUR. Very, very small—and they say, "Wow, we are sending 20,000 cars. We are doing real well. We didn't send any before."

Of course they are sending them to rental car companies in Cancun and in Mexico City where Americans can vacation. They never talk about this number, the 277,000 cars and trucks coming the other way. It completely obliterates this, and that is why America's trade advantage with Mexico has been cut in half and, in October, went into the red. I say to my colleagues, you have to read the fine print so carefully.

It is just like articles in my own local newspaper back home when they talk about wages and they talk about the economy in our area. The last paragraph at the bottom of the page on the insert says, "But wages didn't go up. There is job creation, but there is no wage growth, and the reason is because we are cashing out our good jobs with good benefits to the low-wage nations of the world that are largely undemocratic in nature whether it's China, whether it's Mexico, whether it's many of the nations that repress their work forces and do not in their laws provide for the dignity of work."

It does not surprise me why our wages are going down.

Mr. DEFAZIO. And, if we use the other interesting statistic, maybe getting less esoteric here, Treasury has two sets of numbers, and that is for goods exported to Mexico that were made in the United States, and in the second is for goods that were transshipped.

We have become a point of entry for European goods that have shipped a container to New Orleans, and then will ship from New Orleans to Mexico in order to avoid the customs and tariff on European goods, and they add that into our balance of trade. Maybe one dock worker checks that container for 1 or 2 minutes of his or her day, but that was the total American contribution to that effort. But that counts as part of our exports to Mexico. It is, as my colleagues know, it is a transshipment.

I mean it is amazing, the lengths to which our Government has gone to try—and even when they get all done with that, they still have to show a deficit in October, and that was before we got to the devaluation, and does any American believe, or do any of those muckamucks really believe, that we can go on, year in, year out, running a trade deficit with the rest of the world of $120, $140, $160 billion, and someday the piper will not come due. We are not only exporting those jobs this year by running those trade deficits. Someday someone is going to ask us to cough up those dollars that we are shipping overseas. We have more than $1 trillion of Federal debt now. From 1917 until 1984 the U.S. Government was the largest creditor in the world, and now we are the largest debtor in the world. We owe more money to the rest of the world than all of those problem nations combined. Add them up, Brazil, Mexico, everybody else. Our trade debt is greater than every other nation in the world——

Ms. KAPTUR. If the gentleman will yield, I think that is why the Federal Reserve has been hiking interest rates in this country and taking it out of the hides of our people, not because inflation is a major issue in this country, not because our people's wages are going up, because in fact they are not except for those at the very, very top. But I think that is why the Fed is raising interest rates, because they are having to monetize the traded goods sector, and we have held these huge deficits with the rest of the world. I think with China it will be over $40 billion more of Chinese goods coming into this country than United States goods going over there this year. With Japan it will be a similar number. For the last 15 years we have not had any kind of trade balance with Japan. I do not think we have ever had one in fact. Now with Mexico the advantage we had is just disappearing overnight.

□ 1530

So I think that is why interest rates are really going up in this country.

Mr. SANDERS. The absurdities pile on top of the absurdities. Not only is everything that you are saying true in my opinion, but on top of that, we are spending tens and tens of billions of dollars to defend Asia against whom I am not exactly sure.

Some years ago we were told that it was necessary to spend huge amounts of money defending freedom against the Communist Chinese dictatorship. Well, surprise, surprise. The last I read, the Chinese Communist dictatorship still exists. But now they are OK because they are, for the first time, and have been for a number of years, welcoming tens of billions of dollars of American corporate investment. So we are spending huge amounts of money defending somebody in Asia, I am not exactly sure, against a country which now welcomes American corporate investment, and in fact many of the corporations like China, because it is very difficult for the Chinese workers to stand up and defend their own rights.

So the absurdity piles on top of the absurdity.

Ms. KAPTUR. Last week, we had the swearing in of Members of Congress, and there was a performance in the afternoon by a group called the Power Rangers, which is a very popular toy

where they have these animated shows that they take around the country and around the world. And most Americans do not realize that that particular toy, which sold over 300 million dollars' worth in our marketplace last year, there is not a single one made in this country.

In fact, the Power Rangers is owned by Bandai Corp., which is a Tokyo-based company. They employ about 700 people in Tokyo only in marketing. They employ all of their workers in Asia, especially in China and Thailand, and they pay them nothing. They then take those low wage produced goods and they sell them over here from $29 all the way up, there are some $5.95 figurines. But if you go into your local toy store, which I did and I turned over every toy that was there, they were all produced in China, they were produced in Thailand. And somebody is making the money off of the out sourcing of production by these big multinationals, whether it is Bandai or Mattel, which is located in our country. And most young girls do not know that there is not a single Barbie doll made in America. Mattel has out sourced all of its production, and yet the children, these companies look upon our children not as children, but as a market, as a market. And they buy time on all these television shows and all of the rest. And none of our workers are working, yet parents and grandparents go to the store, they want to buy that for their child or their grandchild, and they pay top dollar, $29 all the way up to $200.

Mr. DEFAZIO. If the gentlewoman would yield on that, because this is a point that occasionally a constituent brings up with me. And they say look, if we didn't have this free-trade agreement with Mexico, consumers would suffer. I said wait a minute, do you think that Chrysler, which is building a new large Dodge Ram truck plant, a truck that sells for a minimum, I think, of $15,000, some of them sell for as much as $30,000, I said do you think Mexicans with their former average earnings of $1,700 a year, this week reduced to about $800 or $900, are going to be buying many of the Dodge Rams which they build? And they say, well, no.

I said, have you noticed that since Chrysler or other United States firms started building these trucks in Mexico, that the price has come down? Oh, no.

Have you noticed that the profits have gone up, but the price has not come down?

Well, now that you say that, yeah, I guess I did notice they had their most profitable quarter ever.

I say that is the point. Even if you can argue that we should produce goods overseas because we can exploit cheap labor and it will be beneficial to the American consumer, the bottom line is that does not happen. The prices do not go down. The profits go up.

Nike Corp., based in Portland, OR, they don't make anything in America anymore. They used to manufacture shoes here.

Ms. KAPTUR. If the gentleman will yield, I read that Nike, it costs them $8 to make a pair of sneakers in China. They have some white collar workers up there in Oregon that are marketing people, just like the Bandai Corp., in Tokyo with Power Rangers. It costs them $8 because they pay their workers 10 cents an hour in places that you and I have never been in China. The American public doesn't see it. They ship the shoes over here, and we are charged $66.99 all the way up to $150, but they pay Charles Barkley $20 million to make us all feel good through advertising when we buy those shoes. And there are very few shoe manufacturing companies, most of those were located in Congressman SANDERS' region of the country, very few shoe manufacturing companies left in this country.

So our people are really being put over a barrel. And you are right, prices do not go down, but corporate profits go up. Prices go up and our wages are coming down. And there are some pretty significant reasons for it.

Mr. KLINK. If the gentlewoman will yield, I had the distinct honor last year to chair a hearing in Wilkes-Barre, PA, it was a company by the name of Leslie Fay. This gets us back to NAFTA. Because you understand at the time when we are being asked to prop up the peso, the administration and others are taking a look at how can we expand this NAFTA agreement to Central America and to South America.

This hearing was because the Leslie Fay Company wanted to pull out thousands of jobs from Wilkes-Barre, garment workers, and they wanted to take these jobs down to Central America. And we had two blouses there. One was made in Central America, and it was a $50 blouse, and the workers were paid 35 cents an hour. The other one was made by Leslie Fay workers in Wilkes-Barre, PA, and it costs $48, and the workers were paid over mininum wage for certain. So there is no savings on this.

Ms. KAPTUR. I believe that our time has expired. I just wanted to thank the gentleman here, the gentleman from Vermont [Mr. SANDERS], the gentleman from Pennsylvania [Mr. KLINK], and the gentleman from Oregon [Mr. DEFAZIO], for their leadership in speaking up for the people of the United States, the people of the continent, and the people of the world, not just those investors in large multinational corporations who have access to the media and to our own financial centers.

□ 1540

ELECTION OF MEMBERS TO COMMITTEE ON RULES

Mr. KLINK. Mr. Speaker, I offer a privileged resolution (H. Res. 34) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 34

Resolved, That the following named Members be and they are hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON RULES

Mr. Moakley, Ranking Minority Member;
Mr. Beilenson;
Mr. Frost;
Mr. Hall of Ohio.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BALDACCI) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.
Ms. VELÁZQUEZ, for 5 minutes, today.
Ms. JACKSON-LEE, for 5 minutes, today.

(The following Members (at the request of Mr. MCINTOSH) to revise and extend their remarks and include extraneous material:)

Mr. MCINTOSH, for 5 minutes, today, and on January 13.
Mr. MCINNIS, for 5 minutes, today.
Mr. BEREUTER, for 5 minutes, today.
Mr. KIM, for 5 minutes, today.
Mr. DREIER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BALDACCI) and to include extraneous material:)

Mr. TRAFICANT in six instances.
Mr. LEVIN in two instances.
Ms. VELÁZQUEZ.
Mr. FOGLIETTA in two instances.
Mr. SCHUMER.

(The following Members (at the request of Mr. MCINTOSH) and to include extraneous material:)

Mr. CHAMBLISS.
Mr. SOLOMON.
Mr. BURTON of Indiana.
Mr. PACKARD.
Mrs. VUCANOVICH.
Mr. COLLINS of Georgia.
Mr. HOKE.
Mr. WOLF.
Mr. LAZIO of New York.
Mr. NEY.
Mr. BILIRAKIS.

Mr. WALSH in two instances.
(The following Members (at the request of Ms. KAPTUR) and to include extraneous material:)
Mr. QUINN.
Mr. GILMAN in two instances.
Mr. MCCOLLUM.
Mr. KIM.
Mr. ORTON in two instances.
Mr. CARDIN.
Mrs. MALONEY.
Ms. KAPTUR.
Mr. MCCOLLUM.
Mr. LIPINSKI.
Mr. GEPHARDT.
Mr. FORBES.
Mrs. JOHNSON of Connecticut.
Mr. HOKE.
Mr. GALLEGLY.
Mr. SHUSTER.
Mr. DUNCAN.
Mr. FRANK of Massachusetts.
Ms. ESHOO.
Mr. UPTON.
Mr. FILNER.
Mr. STARK.

ADJOURNMENT

Mr. KLINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until Friday, January 13, 1995, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the first, second, third and fourth quarters of 1994 in connection with official foreign travel, as well as the consolidated report of Speaker authorized foreign travel for the third quarter 1994, pursuant to Public Law 95–384, and 1994 reports of various miscellaneous groups, are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Julian Dixon	5/27	5/31	Caribbean area								
Hon. Bill Richardson	5/27	5/31	Caribbean area								
Calvin Humphrey	5/27	5/31	Caribbean area								
Total									964.00		964.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN GLICKMAN,
Chairman, Oct. 17, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Ron Wyden	1/31	2/1	Japan		393.00		1,176.95				1,569.95
Hon. Bill Sarpalius	1/12	1/15	Russia		950.00		1,784.95				2,734.95
Christropher Mattson	1/12	1/15	Russia		950.00		1,784.95				2,734.95
Hon. John LaFace	1/11	1/13	Mexico		213.00		675.45				888.45
Marilyn Seiber	1/11	1/13	Mexico		213.00		450.45				663.45
Steve Jenning	12/26	1/6	England		[3] 138.00		520.45				658.45
Hon. John LaFalce	3/30	4/1	England		552.00						552.00
Committee total					3,409.00		6,393.20				9,802.20

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Reflects actual expenses.

JOHN LaFALACE,
Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. William J. Hughes	5/27	5/29	Sweden		482.00						482.00
	5/29	5/31	Finland		352.00						352.00
	5/31	6/2	Russia		600.00						600.00
	6/2	6/4	France		580.00		1,721.10				2,301.10
	6/4	6/7	Greece		639.00						639.00
Military air transportation [3]											
Hayden Gregory	5/27	5/29	Sweden		482.00						482.00
	5/29	5/31	Finland		352.00						352.00
	5/31	6/2	Russia		600.00						600.00
	6/2	6/4	France		580.00		1,721.10				2,301.10
	6/4	6/7	Greece		639.00						639.00
Military air transportation [3]											
William Patry [4]	6/2	6/4	France		580.00						580.00
Committee total					5,886.00		3,442.20				9,328.20

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Will be reported by the Committee on Armed Services.
[4] No transportation expenses.

JACK BROOKS,
Chairman, Oct. 18, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Joan M. Bondareff	4/8	4/11	Panama		414.00		(3)				414.00
Douglas J. Cheramie III	4/8	4/11	Panama		414.00		[4] 552.95				966.95
Gene Green, M.C.	4/8	4/11	Panama		414.00						414.00
George Hochbrueckner, M.C.	4/8	4/11	Panama		414.00						414.00
Sheila Clarke McCready	5/27	5/29	Sweden	3,750.50	482.00		(3)				
	5/29	5/31	Finland	1,900.80	352.00						
	5/31	6/4	Russia		1,250.00						
	6/4	6/7	Greece	157,450	639.00						2,723.00
Richard M. Russell	5/27	5/29	Sweden	3,750.50	482.00		(3)				
	5/29	5/31	Finland	1,900.80	352.00						
	5/31	6/4	Russia		1,250.00						
	6/4	6/7	Greece	157,450	639.00						2,723.00
Karen L. Steuer	6/22	6/24	France	4,767.60	870.00		[4] 659.95				1,529.95
Billy Tauzin, M.C.	4/8	4/11	Panama		414.00		(3)				414.00
Robert L. Wharton	5/27	5/29	Sweden	3,750.50	482.00		(3)				
	5/29	5/31	Finland	1,900.80	352.00						
	5/31	6/4	Russia		1,250.00						
	6/4	6/7	Greece	157,450	639.00						2,723.00
Cynthia M. Wilkinson	4/8	4/11	Panama		414.00		(3)				414.00
Committee total					12,323.00		2,086.05				14,409.05

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Transportation provided by Department of Defense.
[4] Commercial airfare.

GERRY E. STUDDS,
Chairman, Aug. 26, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Joan T. Rose	8/22	8/25	Korea		785.00						785.00
	8/25	8/29	Thailand		638.99						638.99
Military air transportation											
Commercial airfare							3,304.95				3,304.95
Committee total					1,423.99		3,304.95				4,728.94

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

E de la GARZA,
Chairman, Oct. 31, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Germany, Bulgaria, Austria, and Hungary, July 1–11, 1994:											
Hon. Earl Hutto	7/1	7/5	Germany		1,000.00						1,000.00
	7/5	7/7	Bulgaria		516.00						516.00
	7/7	7/8	Austria		240.00						240.00
	7/8	7/11	Hungary		657.00						657.00
Commercial airfare							1,003.05				1,003.05
Mr. Peter M. Steffes	7/1	7/5	Germany		1,000.00						1,000.00
	7/5	7/7	Bulgaria		516.00						516.00
	7/7	7/8	Austria		240.00						240.00
	7/8	7/11	Hungary		657.00						657.00
Commercial airfare							1,003.05				1,003.05
Visit to Cuba and Jamaica, July 3–4, 1994:											
Ms. Hazel Ross-Robinson	7/3	7/3	Cuba		0.00						0.00
	7/3	7/4	Jamaica		148.31						148.31
Visit to Russia, July 4–10, 1994:											
Hon. Glen Browder	7/4	7/10	Russia		2,000.00						2,000.00
Commercial airfare							3,424.95				3,424.95
Mr. Stephen O. Rossetti	7/4	7/10	Russia		2,000.00						2,000.00
Commercial airfare							3,424.95				3,424.95
Mr. Paul F. Walker	7/4	7/10	Russia		2,000.00						2,000.00
Commercial airfare							3,424.95				3,424.95
Visit to Korea, Thailand, and Republic of China, August 22–31, 1994:											
Hon. Marilyn Lloyd	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Republic of China		777.00						777.00
Commercial airfare							2,514.38				2,514.38
Hon. Floyd Spence	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/29	Republic of China		259.00						259.00
Commercial airfare							2,148.00				2,148.00
Hon. Solomon P. Ortiz	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Republic of China		777.00						777.00
Commercial airfare							2,527.00				2,527.00
Mr. Peter M. Steffes	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Republic of China		777.00						777.00
Commercial airfare							1,524.54				1,524.54

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mr. Andre K. Ellis	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Republic of China		777.00						777.00
Commercial airfare							1,524.54				1,524.54
Ms. Cathleen D. Garman	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Republic of China		777.00						777.00
Commercial airfare							1,524.54				1,524.54
Delegation expenses	8/25	8/28	Thailand				1,120.08		3,153.28		4 273.36
Visit to Germany, August 22–26, 1994:											
Archie D. Barrett	8/23	8/26	Germany		599.00						599.00
Committee total					24,261.31		25,164.03		3,153.28		52,578.62

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RONALD V. DELLUMS,
Chairman, Oct. 28, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Ron DeLugo	8/22	8/25	Germany	1,878.39	1,215.00	(3)					
Gene Green	8/22	8/25	Germany	1,878.39	1,215.00	(3)					
Ron DeLugo	8/25	8/30	England	910.85	1,415.00	(3)					
Gene Green	8/25	8/29	England	728.67	1,132.00	(3)					
Committee total					4,977.00						4,977.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

WILLIAM D. FORD,
Chairman, Oct. 24, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David Leach	7/19	7/24	Russia		1,600.00		3,013.55				4,613.55
Gerald Waldron	7/19	7/24	Russia		1,600.00		3,013.55				4,613.55
Catherine Reid	7/19	7/24	Russia		1,600.00		3,013.55				4,613.55
Michael Regan	7/19	7/24	Russia		1,600.00		3,013.55				4,613.55
Douglas Bennett	6/28	7/1	Switzerland		995.98		3,114.95				4,110.93
David Finnegan	8/28	9/1	Switzerland		1,335.00		2,100.15				3,435.15
Catherine Van Way	8/28	9/1	Switzerland		1,335.00		2,100.15				3,435.15
Al Swift, M.C.	8/27	8/31	Germany		944.00						944.00
	8/31	9/3	Italy		873.00						873.00
	9/3	9/5	Spain		488.00						488.00
Billy Tauzin, M.C.	8/27	8/31	Germany		944.00						944.00
	8/31	9/3	Italy		873.00						873.00
	9/3	9/5	Spain		488.00						488.00
Mike Oxley, M.C.	8/27	8/31	Germany		944.00						944.00
	8/31	9/3	Italy		873.00						873.00
	9/3	9/5	Spain		488.00						488.00
Arthur Endress	8/27	8/31	Germany		944.00						944.00
	8/31	9/3	Italy		873.00						873.00
	9/3	9/5	Spain		488.00						488.00
Committee total					19,285.98		19,369.45				38,655.43

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL,
Chairman, Oct. 26, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. G. Ackerman	8/8	8/10	Cuba		[3] 200.00		2,065.00				2,265.00
P. Berkowitz	8/31	9/4	Thailand/Bangkok		1,065.00				60.50		1,125.50
	9/4	9/6	Thailand/Udorn		131.00						131.00
	9/6	9/7	Laos/Vietiene		[3] 142.00						142.00
	9/7	9/9	Thailand/Bangkok		426.00						426.00
Commercial airfare							3,698.95				3,698.95
Hon. H. Berman	7/1	7/5	France		1,160.00		186.31		477.26		1,823.57
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czechoslovakia		1,120.00						1,120.00
Military air transportation											

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
E. Broitman	8/20	8/30	Indonesia		450.00						450.00
	8/30	9/5	Thailand		1,638.00				60.50		1,698.50
	9/9	9/10									
	9/6	9/9	Laos		426.00						426.00
Commercial airfare							5,698.95				5,698.95
G. Cannon	7/1	7/5	France		1,160.00		186.31		477.26		1,823.57
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czechoslovakia		1,120.00						1,120.00
Military air transportation											
	8/21	8/15	United Kingdom		333.00						333.00
	8/15	8/21	Israel		876.00						876.00
Commercial airfare							5,444.95				5,444.95
	10/2	10/9	Japan		2,600.00						2,600.00
Commercial airfare							3,891.95				3,891.95
N. Carman	8/28	9/4	Switzerland		[3] 1,620.60						1,612.60
Commercial airfare							2,063.05				2,063.05
F.M. Chambers	8/28	9/2	El Salvador		905.00						905.00
Commercial airfare							867.95				867.95
	9/15	9/18	Belgium						93.00		93.00
Commercial airfare							2,360.25				2,360.25
Hon. P. Deutsch	7/3	7/3	Cuba		(4)						
	7/3	7/3	Jamaica		(4)						
Commercial airfare							226.95				226.95
C. Doherty	7/5	7/9	Austria		[3] 864.00						864.00
Military air transportation											
M. Ennis	8/28	9/2	El Salvador		905.00						905.00
Commercial airfare							867.95				867.95
Hon. E. Faleomavaega	7/1	7/11	China		2,049.00						2,049.00
Commercial airfare							3,805.95				3,805.95
M. Gage	7/5	7/8	Austria		[3] 598.00						598.00
	7/8	7/12	Yugoslavia		[3] 789.00						789.00
	7/12	7/13	Hungary		[3] 182.00						182.00
Military transportation one-way											
Commercial transportation one-way							983.00				983.00
R. Garon	8/28	8/30	Burundi		142.00						142.00
Military air transportation											
B. Gordon	7/1	7/5	France		1,160.00		186.31		477.26		1,823.57
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czech Republic		1,120.00						1,120.00
Military air transportation											
	8/11	8/15	France		1,204.00						1,204.00
	8/15	9/6	Israel		1,460.00						1,460.00
Commercial airfare							1,378.15				1,378.15
D. Gordon	8/13	8/19	Ethopia		1,130.00						1,130.00
	8/19	8/23	Kenya		856.00						856.00
	8/23	8/29	South Africa		1,215.00						1,215.00
	8/29	9/1	Mozambique		840.00						840.00
Commercial airfare							6,095.95				6,095.95
K. Grant	8/13	8/19	Ethopia		[3] 800.00						800.00
	8/19	8/23	Kenya		[3] 725.00						725.00
	8/23	8/29	South Africa		[3] 915.00						915.00
	8/29	9/1	Mozambique		[3] 700.00						700.00
	9/1	9/2	South Africa		[3] 140.00						140.00
	9/2	9/3	Kenya		[3] 180.00						180.00
	9/3	9/7	Egypt		[3] 893.00						893.00
Commercial airfare							6,299.95				6,299.95
	9/25	9/29	Czech Republic		[3] 900.00						900.00
Commercial airfare							1,518.85				1,518.85
A. Griffin	8/28	8/30	Burundi		142.00						142.00
Military air transportation											
	8/30	8/30					353.00		96.47		449.47
	8/31	9/3	Egypt		600.00						600.00
Commercial airfare							2,151.00				2,151.00
Hon. A. Hastings	7/1	7/5	France		1,160.00		186.31		477.26		1,823.57
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czech Republic		1,120.00						1,120.00
Military air transportation											
T. Hirsch	8/11	8/15	France		1,120.00						1,120.00
	8/15	8/29	Israel		1,022.00						1,022.00
Commercial airfare							1,420.15				1,420.15
G. Ingram	8/13	8/19	Ethiopia		542.00						542.00
	8/19	8/30	Kenya		1,070.00						1,070.00
	8/30	8/30	Ethiopia								
Commercial airfare							5,258.25				5,258.25
B. Jenkins	7/1	7/5	France		1,160.00		186.31		477.26		1,823.57
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czech Republic		1,120.00						1,120.00
Military air transportation											
G. Kapen	8/18	8/23	Kenya		1,070.00						1,070.00
	8/23	8/29	South Africa		1,215.00						1,215.00
	8/29	9/1	Mozambique		840.00						840.00
Commercial airfare							6,202.95				6,202.95
C. Kupchan	8/21	8/29	South Africa		[3] 1,310.00						1,310.00
	8/29	9/1	Mozambique		800.00						800.00
Commercial airfare							5,867.75				5,867.75
Hon. R. Menendez	7/1	7/5	France		1,160.00		186.31		477.26		1,823.57
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czech Republic		1,120.00						1,120.00
Military air transportation											
K. Moazed	8/13	8/19	Ethiopia		1,130.00						1,130.00
	8/19	7/22	Kenya		428.00						428.00
Commercial airfare							4,382.00				4,382.00
A. Pandya	9/9	9/19	Hong Kong		3,640.00						3,640.00
Commercial airfare									3,537.95		3,537.95
Hon. D. Payne	8/28	8/30	Burundi		142.00						142.00
Military air transportation											
B. Poisson	8/20	8/30	Indonesia		450.00						450.00
	8/30	9/5	Thailand		1,638.00				60.50		1,698.50
	9/9	9/10									
	9/6	9/9	Laos		426.00						426.00
Commercial airfare							5,698.95				5,698.95

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
D. Restrepo	8/28	9/2	El Salvador		905.00						905.00
Commercial airfare							867.95				876.95
D. Shapiro	8/15	8/20	Israel		876.00						876.00
Commercial airfare							2,386.15				2,386.15
M. Sletzinger	7/5	7/8	Austria		648.00						648.00
	7/8	7/12	Yugoslavia		864.00						864.00
	7/12	7/13	Hungary		215.00						215.00
Military transportation, one-way											
Commercial transportation, one-way							983.00				983.00
Hon. C. Smith	7/22	7/24	Peru		522.00						522.00
Commercial airfare							2,740.95				2,740.95
Committee totals					$6,544.00		$12,677.00		$60.50		$19,281.50
D. Taft	7/22	7/24	Peru		522.00						522.00
Commercial airfare							2,430.95				2,430.95
R. Wilson	8/8	8/10	Cuba		[3] 200.00		1,486.00				1,686.00
Grand total for the 3rd quarter											155,323.79

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Represents refunds of unused per diem.
[4] A few hours.

LEE H. HAMILTON,
Chairman, Oct. 28, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. William J. Hughes	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Republic of China		777.00						777.00
Commercial airfare							2,514.38				2,514.38
Military air transportation [3]											
Committee total					2,201.00		2,514.38				4,715.38

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Will be reported by the Committee on Armed Forces.

JACK BROOKS,
Chairman, Nov. 29, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Shelia Clarke McCready	7/9	7/12	Germany		[3] 800.00		[4] 873.15				1,673.15
Fred Zeytoonjian, Jr	9/10	9/18	Norway		[3] 1,000.00		[4] 1,261.65		[5] 500.00		2,761.64
Committee total							2,134.80		500.00		4,434.80

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Cash advance issued by U.S. Department of State.
[4] Commercial airfare.
[5] Cash advance for registration fee.

GERRY E. STUDDS,
Chairman, Dec. 27, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
William Clay	8/22	8/25	Germany	1,878.39	1,215.00	(3)					1,215.00
Melvin Watt	8/22	8/25	Germany	1,878.39	1,215.00	(3)					1,215.00
Alcee Hastings	8/22	8/25	Germany	1,878.39	1,215.00	(3)					1,215.00
Gail E. Weiss	8/22	8/25	Germany	1,878.39	1,215.00	(3)					1,215.00
Doris Moore-Glenn	8/22	8/25	Germany	1,878.39	1,215.00	(3)					1,215.00
Laura Geer	8/22	8/25	Germany	1,878.39	1,215.00	(3)					1,215.00
William Clay	8/25	8/30	England	910.85	1,415.00	(3)					1,415.00
Melvin Watt	8/25	8/30	England	910.85	1,415.00	(3)					1,415.00
Alcee Hastings	8/25	8/30	England	910.85	1,415.00	(3)					1,415.00
Gail E. Weiss	8/25	8/30	England	910.85	1,415.00	(3)					1,415.00
Doris Moore-Glenn	8/25	8/30	England	910.85	1,415.00	(3)					1,415.00
Laura Geer	8/25	8/30	England	910.85	1,415.00	(3)					1,415.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Committee total					15,780.00						15,780.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivlent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

WILLIAM L. CLAY,
Chairman, Oct. 18, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Butler Derrick	7/1	7/5	France		1,160.00						1,160.00
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czech. Republic		1,120.00						1,120.00
Military aircraft											
Hon. Butler Derrick	8/22	8/25	Korea		785.00						785.00
	8/25	8/28	Thailand		639.00						639.00
	8/28	8/31	Repubic of China		777.00						777.00
Commercial airfare							2,514.38				2,514.38
Committee total					4,919.00		2,514.38				7,433.38

[1] Per diem constitutes lodging and meals.
[2] If foreign currently is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOE MOAKLEY,
Chairman, Oct. 5, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Anna Eshoo	7/1	7/5	France		1,160.00						1,160.00
	7/5	7/7	Hungary		438.00						438.00
	7/7	7/11	Czech Republic		1,120.00						1,120.00
Katherine Van Sickle	6/30	7/7	France		1,353.00				168.81		1,521.81
Commercial airfare							1,307.15				1,307.15
Michael Quear	7/6	7/9	France	4,756.68	876.00						876.00
Commercial airfare							1,248.15				1,248.15
Committee total					4,947.00		2,555.30		168.81		7,671.11

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GEORGE E. BROWN, JR.,
Chairman, Oct. 18, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mike Kopetski	9/13	9/18	France	7,931.35	1,505.00						1,505.00
Committee total					1,505.00						1,505.00

SAM M. GIBBONS,
Chairman, Oct. 3, 1994.

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Frank McCloskey		7/6	United States				1,889.25				1,889.25
	7/7	7/11	Croatia		679.00						679.00
Committee total					679.00		1,889.25				2,568.25

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

STENY HOYER,
Chairman, Oct. 28, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bill Richardson	7/16	7/19	Caribbean area		371.00						371.00
Calvin Humphrey, staff	7/16	7/19	Caribbean area		371.00						371.00
Louis Dupart	9/6	9/10	North America		900.00		589.45				1,489.45
Committee total					1,642.00		589.45				2,231.45

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN GLICKMAN,
Chairman, Oct. 17, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent - or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David Finnegan	11/8	11/11	Switzerland		825.00		3,203.25				4,028.25
Douglas Bennett	11/7	11/10	Switzerland		1,100.00		3,126.55				4,226.55
Ripley Forbes	10/9	10/15	France		1,225.00		1,800.25		568.00		3,623.25
David Finnegan	10/15	10/19	Brazil		600.00		3,079.96				3,679.96
Van Way	10/15	10/21	Brazil		900.00		2,896.95				3,796.95
Peter Stockton	10/3	10/5	Czech Republic		460.00						460.00
	10/5	10/11	Ukraine		1,300.00						1,300.00
Commercial airfare							2,765.25				2,765.25
Bruce Chafin	9/29	10/2	Austria		570.00						570.00
	10/2	10/5	Czech Republic		690.00						690.00
	10/5	10/11	Ukraine		1,300.00						1,300.00
Commercial airfare							2,503.35				2,503.35
Robert Roach	9/29	10/2	Austria		760.00						760.00
	10/6	10/7	Austria								
	10/2	10/5	Czech Republic		920.00						920.00
Commercial airfare							2,076.05				2,076.05
Dennis Wilson	9/29	10/2	Austria		570.00						570.00
	10/2	10/5	Czech Republic		690.00						690.00
	10/5	10/11	Ukraine		1,300.00						1,300.00
Commercial airfare							2,905.65				2,905.65
Committee total					13,240.00		24,352.26		568.00		38,165.26

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL,
Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David S. Whaley	11/27	12/3	Spain	259,580	[3] 2,009.00		[4] 670.95				2,679.95
Committee total					2,009.00		670.95				2,679.95

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Unused per diem in the amount of $791.84 returned to the U.S. Treasury—12/21/94 (Check #10880).
[4] Commercial airfare.

GERRY E. STUDDS,
Chairman, Dec. 27, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Robert Underwood	10/1	10/1	Palau				335.00				335.00
Committee total							335.00				335.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GEORGE MILLER,
Chairman, Dec. 28, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John J. LaFalce	11/14	11/15	Taiwan		234.00						234.00
	11/15	11/17	Vietnam		652.00						652.00
	11/17	11/19	Philippines		380.00						380.00
Commercial airfare							3,769.95				3,769.95
Committee total					1,266.00		3,769.95				5,035.95

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN J. LaFALCE,
Chairman, Dec. 30, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 5 AND JULY 9, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Amo Houghton (Member paid own airfare, lodging, and expenses).	7/5	7/9	Mexico								
Chet Lunner (Staffer received only per diem for trip).	7/5	7/9	Mexico		784.00						
Committee total					784.00						

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

AMO HOUGHTON,
August 8, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRELAND AND NORTHERN IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 2 AND SEPT. 8, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Richard Neal	9/2	9/8	Ireland/Northern Ireland		1,391.00		4,474.62				5,865.62
Kevin Peterson	9/2	9/8	Ireland/Northern Ireland		1,391.00		4,444.99				5,835.99
Committee Total					2,782.00		8,919.61				11,701.61

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RICHARD E. NEAL,
Oct. 2, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY, KAZAKHSTAN, AND RUSSIA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 27 AND SEPT. 3, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Pete Peterson	8/27	8/28	Germany		173.00						1176.15
	8/28	8/30	Kazakhstan		277.00	(3)					277.00
	8/30	9/3	Russia		1,350.00		(3)				1,350.00
	9/3	9/3	Germany								
Commercial airfare							1,003.15				
Shannon Smith	8/27	8/28	Germany		1,800.00						2,803.15
	8/28	8/30	Kazakhstan				(3)				2,803.15
	8/30	9/2	Russia				(3)				
Commercial airfare							1,003.15				
Suzanne F. Farmer	8/27	8/28	Germany		173.00						1,176.15
	8/28	8/30	Kazakhstan		277.00		(3)				277.00
	8/30	9/3	Russia		1,350.00		(3)				1,350.00
	9/3	9/3	Germany								
Commercial airfare							1,003.15				
Committee total					5,400.00		3,009.45				8,409.45

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

PETE PETERSON,
Chairman, Oct. 20, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO SLOVAKIA, BULGARIA, AND GERMANY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 7 AND SEPT. 20, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Cathy Brickman	9/8	9/11	Slovakia		2,400.00						2,400.00
	9/11	9/17	Bulgaria								
	9/17	9/20	Germany								
Commercial airfare							2,556.75				2,556.75
William Freeman	9/8	9/11	Slovakia		2,400.00						2,400.00
	9/11	9/17	Bulgaria								
	9/17	9/20	Germany								
Commercial airfare							2,556.75				2,556.75
Committee total					4,800.00		5,113.50				9,913.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH,
Oct. 17, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO AUSTRIA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 4 AND JULY 9, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Benjamin L. Cardin		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. John Dingell		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Mr. John P. Elliott		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Mr. David M. Evans		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Ms. Mary Sue Hafner		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. Earl F. Hilliard		7/3	United States				2,842.20				2,842.20
	7/4	7/9	Austria		1,200.00						1,200.00
Hon. Steny H. Hoyer		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Ms. Marlene Kaufmann		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. James P. Moran, Jr.		7/3	United States				2,842.20				2,842.20
	7/4	7/9	Austria		1,200.00						1,200.00
Hon. Harold Rogers		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. Carlos Romero-Barcelo		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Ms. Erika B. Schlager		7/4	United States				(3)				
	7/5	7/7	Austria		720.00						720.00
Ms. Victoria A. Showalter		7/3	United States				691.20				691.20
	7/4	7/9	Austria		1,200.00						1,200.00
Hon. Louise M. Slaughter		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. Floyd Spence		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. Craig Washington		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Hon. Henry A. Waxman		7/4	United States				(3)				
	7/5	7/9	Austria		960.00						960.00
Mr. Samuel G. Wise		7/3	United States				691.20				691.20
	7/4	7/9	Austria		1,200.00						1,200.00
Delegation expenses	7/5	7/9	Austria						21,490.74		21,490.74
Committee total					18,000.00		7,066.80		21,490.74		46,557.54

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military aircraft.

STENY H. HOYER,
Chairman, July 9, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 13 AND SEPT. 18, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Michael Kopetski	9/13	9/18	France		1,505.00		(3)				1,505.00
Tom Lewis	9/14	9/18	France		903.00		(4)				903.00
William Clinger	9/14	9/18	France		903.00		(4)				903.00
Ben McMakin	9/13	9/18	France		1,505.00		[3] 660.15				2,165.15
William Bishop	9/14	9/18	France		1,204.00		[3] 660.15				1,864.15
Peter Abbruzzese	9/14	9/17	France		602.00		[3] 2,678.65				3,280.65
Butler Derrick	9/14	9/18	France		903.00		(4)				903.00
Ron Lasch	9/14	9/18	France		903.00		[3] 1,348.08				2,251.08
Committee total					8,428.00		5,347.03				13,775.03

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Commercial air transportation/DOD.
[4] DOD.

BUTLER DERRICK,
Chairman, Dec. 14, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO EGYPT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 1 AND SEPT. 11, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Anthony C. Beilenson, MC	9/4	9/10	Egypt	LE4,698.54	1,386.00		3,014.55				4,400.55
Patricia Schroeder, MC	9/2	9/7	Egypt	LE3,112.02	918.00		6,463.55				7,381.55
Constance A. Morella, MC	9/2	9/7	Egypt	LE3,895.11	1,149.00		1,704.35				2,853.35
John E. Porter, MC	9/2	9/8	Egypt	LE4,678.20	1,380.00		6,860.95				8,240.95
Christopher H. Smith, MC	9/4	9/11	Egypt	LE5,481.63	1,617.00		2,627.15				4,244.15
Janet K. Faulstich	9/4	9/10	Egypt	LE4,698.54	1,386.00		3,014.55				4,400.55
Lisa Moreno	9/1	9/7	Egypt	LE4,657.86	1,374.00		2,247.95				3,621.95
Susan Wood	9/1	9/7	Egypt	LE4,657.86	1,374.00		2,247.95				3,621.95
Vicki Elkin	9/2	9/8	Egypt	LE4,678.20	1,380.00		4,488.95				5,868.95
Dorothy Taft	9/5	9/10	Egypt	LE3,915.45	1,155.00		1,921.15				3,076.15
Committee total					13,119.00		34,591.10				47,710.10

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TONY BEILENSON,
Chairman, Nov. 3, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. BRETT W. O'BRIEN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 16 AND JULY 19, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Brett W. O'Brien, staff	7/16	7/19	Caribbean Area		371.00						371.00
Committee total					371.00						371.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BRETT W. O'BRIEN,
Aug. 11, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. KRISTI E. WALSETH, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 11 AND SEPT. 24, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Kristi E. Walseth	9/12	9/17	Albania		2,400.00						2,400.00
	9/17	9/20	Italy								
	9/20	9/24	Hungary								
Commercial transportation											2,892.35
Committee total					2,400.00		2,892.35				5,292.35

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH,
Oct. 17, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. PHILIP G. DYER, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 6 AND SEPT. 13, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Philip G. Dyer	9/6	9/7	United Kingdom	227.51	349.50					227.51	349.50
	9/8	9/13	Africa—Uganda, Zaire, Rwanda		1,235.00						1,235.00
	9/13	9/13	France								
Committee total					1,584.50						1,584.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TONY P. HALL,
October 12, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. MARTIN HUGHES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 11 AND SEPT. 14, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency
Martin Hughes	9/11	9/14	Canada	653.96	477.00		421.92			653.96	898.92
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MARTIN HUGHES,
Sept. 30, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, 91ST INTERPARLIAMENTARY UNION CONFERENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 20 AND MAR. 29, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Eliot Engel	3/25	3/29	France		910.00	(3)					
Hon. John Tanner	3/25	3/29	France		870.00	(3)					
Hon. Barbara-Rose Collins	3/25	3/29	France		870.00	(3)					
Hon. Earl Hilliard	3/25	3/29	France		870.00	(3)					
Hon. Bennie Thompson	3/25	3/29	France		870.00	(3)					
John Calvelli	3/25	3/29	France		870.00	(3)					
Steve Abrams	3/25	3/29	France		870.00	(3)					
Veronica Craig	3/25	3/29	France		870.00	(3)					
Catherine Zimmer Liebel	3/20	3/29	France		2,698.82	(4)					
Delegation expenses						(5)	326.00				
Control Room expenses					7,321.49						
Official Meals					1,483.79						
Committee total					18,504.10		326.00				18,830.10

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Commercial airfare.
[5] One-way.

ELIOT L. ENGEL,
Sept. 27, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NORTH ATLANTIC, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 8 AND SEPT. 13, 1994

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Butler Derrick	9/9	9/14	Italy		1,236.00		(3)				1,236.00
Tom Lewis	9/9	9/14	Italy		1,236.00		(3)				1,236.00
William Clinger	9/9	9/14	Italy		1,236.00		(3)				1,236.00
Peter Abbruzzese	9/8	9/14	Italy		1,236.00		(3)				1,236.00
Ron Lasch	9/8	9/14	Italy		1,236.00		(4)				2,584.08
Committee total					6,180.00		1,2348.08				7,528.08

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] DOD.
[4] Commercial airfare.

BUTLER DERRICK,
Dec. 14, 1994.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

132. A communication from the President of the United States, transmitting his request to make available emergency appropriations totaling $11,695,000 in budget authority for the Department of the Interior and the Federal Emergency Management Agency [FEMA], and to designate these amounts as emergency requirements pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, pursuant to 31 U.S.C. 1107 (H. Doc. No. 104–17); to the Committee on Appropriations and ordered to be printed.

133. A letter from the Deputy Assistant Secretary (Communications, Computers and Support Systems), Department of the Air Force, transmitting notification that the installation commander at Tyndall Air Force Base, FL, is initiating a multi-function cost comparison pursuant to 10 U.S.C. 2304 note; to the Committee on National Security.

134. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Russia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

135. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of Tunisia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

136. 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 September 30, 1994, pursuant to Public Law 100–696, section 804 (102 Stat. 4610); to the Committee on House Oversight.

137. A letter from the Migratory Bird Conservation Commission, transmitting the annual report of activities for the fiscal year ended September 30, 1994, pursuant to 16 U.S.C. 715b; to the Committee on Resources.

138. A letter from the Secretary, Department of Transportation, transmitting the annual report on transportation user fees, fiscal year 1993, pursuant to 45 U.S.C. 447(e); to the Committee on Transportation and Infrastructure.

139. A letter from the Secretary of Health and Human Services, transmitting the 1992–1994 interim report of demonstration activities under Public Law 96–265, section 505(a), as amended and related activities; to the Committee on Ways and Means.

140. A letter from the Assistant Secretary for Environment, Safety and Health, Department of Energy, transmitting the Department's annual report on the progress in implementing CERCLA requirements during fiscal year 1993, pursuant to 45 U.S.C. 9651; jointly, to the Committees on Commerce and Transportation and Infrastructure.

141. A letter from the Administrator, Agency for International Development, transmitting a quarterly update report on development assistance program allocations as of September 30, 1994, pursuant to 22 U.S.C. 2413(a); jointly, to the Committees on International Relations and Appropriations.

142. A letter from the Acting Administrator, Agency for International Development, transmitting a quarterly update report on development assistance program allocations as of December 14, 1994, pursuant to 22 U.S.C. 2413(a); jointly, to the Committees on International Relations and Appropriations.

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:

[Submitted January 2, 1995]

Mr. MILLER of California; Committee on Natural Resources, Legislative and review activities of the Committee on Natural Resources during the 103d Congress (Rept. 103–890). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOAKLEY: Committee on Rules. Survey of activities of the House Committee on Rules, 103d Congress (Rept. 103–891). 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. LAFALCE:

H.R. 462. A bill to establish the Commission on the Review of National Policies Toward Gambling; to the Committee on the Judiciary, and in addition to the Committees on Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of Wisconsin (for himself, Mr. KLECZKA, Ms. KAPTUR, Mr. SENSENBRENNER, Mr. FORBES, and Mr. DUNCAN)

H.R. 463. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 and the Housing and Community Development Act of 1992 for employment relocation activities; to the Committee on Banking and Financial Services.

By Mr. BARTLETT of Maryland (for himself and Mr. STOCKMAN):

H.R. 464. A bill to repeal the prohibitions relating to semiautomatic assault weapons and large capacity ammunition feeding devices; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 465. A bill to ensure that the Caribbean Basin Initiative is not adversely affected by the implementation of the North American Free-Trade Agreement and to authorize entry into free-trade agreements between the United States and certain Caribbean Basin countries; to the Committee on Ways and Means.

By Mr. BATEMAN:

H.R. 466. A bill to authorize the Secretary of the Interior to acquire and to convey certain lands or interests in lands to improve the management, protection, and administration of Colonial National Historical Park, and for other purposes; to the Committee on Resources.

By Mr. BILIRAKIS:

H.R. 467. A bill to amend title 39, United States Code, to exempt veterans' organizations from regulations prohibiting the solicitation of contributions on postal property; to the Committee on Government Reform and Oversight.

H.R. 468. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war; to the Committee on Veterans' Affairs.

H.R. 469. A bill amend title 38, United States Code, to provide that remarriage of the surviving spouse of a veteran after age 55 shall not result in termination of dependency and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. GILMAN (for himself and Mr. MANTON):

H.R. 470. A bill provide for adherence with the MacBride Principles by United States persons doing business in Northern Ireland; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 471. A bill amend the Internal Revenue Code of 1986 to provide a tax credit to employers who employ members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 472. A bill establish a priority in the disposal of real property resulting from the closure or realignment of military installation toward States and other entities that agree to convert the property into correctional facilities for youthful offenders to be operated as military-style boot camps and to require the Secretary of Defense to develop a program to promote the expanded use of such correctional facilities; to the Committee on National Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAY:

H.R. 473. A bill repeal provisions of the Clean Air Act dealing with toxic air emissions; to the Committee on Commerce.

H.R. 474. A bill to repeal provisions of the Clean Air Act dealing with acid rain; to the Committee on Commerce.

H.R. 475. A bill to repeal provisions of the Clean Air Act dealing with stratospheric ozone protection; to the Committee on Commerce.

H.R. 476. A bill to amend the Clean Air Act to repeal certain emissions standards for motor vehicles which have not yet taken effect; to the Committee on Commerce.

H.R. 477. A bill to amend the Clean Air Act to allow emission reductions caused by fleet turnover to be created to the emission reduction requirements of the act; to the Committee on Commerce.

H.R. 478. A bill to amend the Clean Air Act to prohibit the Federal Government from requiring State plans to mandate trip reduction measures; to the Committee on Commerce.

H.R. 479. A bill to repeal the Clean Air Act Amendments of 1990 (Public Law 101–549); to the Committee on Commerce.

H.R. 480. A bill to amend the Clean Air Act to repeal the mandatory requirement for State motor vehicle inspection and maintenance programs for ozone nonattainment areas; to the Committee on Commerce.

By Mrs. FOWLER (for herself, Mr. FOLEY, Mr. GOSS, Mr. MICA, Mr. PETERSON of Florida, Mrs. THURMAN, and Mr. CALLAHAN):

H.R. 481. A bill to direct the Secretary of the Interior to make technical corrections to maps relating to the Coastal Barrier Resources System; to the Committee on Resources.

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, Mr. DORNAN, Mr. STUMP, Mr. HANCOCK, Mr. SAXTON, and Mr. JONES):

H.R. 482. A bill to direct that certain Federal financial benefits be provided only to citizens and nationals of the United States; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. POMEROY, Mr. THOMAS, Mr. GOSS, Mr. SHAYS, Mr. KOLBE, Mr. ROYCE, Mr. ARCHER, Mr. STUMP, Mr. BOEHLERT, Mr. HOUGHTON, Mr. PETRI, Mr. MILLER of Florida, Mr. ROHRABACHER, Mr. BARRETT of Wisconsin, Mrs. MEEK of Florida, Ms. WOOLSEY, Mr. MANZULLO, Mr. OBERSTAR, Mr. FORBES, Mr. BERMAN, Mr. TALENT, Mr. WALSH, Mr. BROWN of California, Mr. MINGE, Mr. DOOLEY, Mr. PETERSON of Florida, Mr. PORTER, Mr. YOUNG of Alaska, Mr. MARTINEZ, Mr. KLECZKA, Mr. ZIMMER, Mr. BAKER of California, Mr. HOBSON, Mr. FRANK of Massachusetts, Mr. MOORHEAD, Mr. FOX, Mr. FARR, and Mr. GREENWOOD):

H.R. 483. A bill to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIM:

H.R. 484. A bill to prohibit public welfare assistance to aliens not lawfully in the United States; to the Committee on Commerce, and in addition to the Committee on Ways and Means, Banking and Financial Services, Economic and Educational Opportunities, Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIM (for himself, Mr. MOORHEAD, Mr. ROYCE, and Mrs. SEASTRAND):

H.R. 485. A bill to expand the authority for the export of devices; to the Committee on Commerce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNOLLENBERG:

H.R. 486. A bill to amend the United States Housing Act of 1937 to reform the manner of determining rent paid for public housing dwelling units, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. ORTON:

H.R. 487. A bill to improve the Single Family Housing Mortgage Insurance Program of the Department of Housing and Urban Development; to the Committee on Banking and Financial Services.

By Mr. QUINN (for himself, Mr. OXLEY, Mr. ACKERMAN, Mr. ABERCROMBIE, Mr. BLUTE, Mr. SAXTON, Mr. BARRETT of Nebraska, Mr. MONTGOMERY, Mr. HOUGHTON, Mr. MEEHAN, Mr. BACHUS, Mr. BILIRAKIS, Mr. HEINEMAN, Mr. LAFALCE, Mr. KING, Mr. SMITH of New Jersey, Mr. SKEEN, Mr. CANADY, Mr. MCCOLLUM, Mr. SERRANO, Ms. MOLINARI, and Mr. BARRETT of Wisconsin):

H.R. 488. A bill to prohibit the distribution or receipt of restricted explosives without a Federal permit, and to require applications for such permits to include a photograph and the finger prints of the applicant; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. THORNBERRY, Mr. KNOLLENBERG, Mr. BONILLA, and Mr. MCHUGH):

H.R. 489. A bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment; to the Committee on the Judiciary.

By Mr. SMITH of Texas:

H.R. 490. A bill to amend the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights

are not infringed until adequate protection is afforded by reauthorization of the act, to protect against and compensate for economic losses from critical habitat designation, and for other purposes; to the Committee on Resources.

By Mr. SOLOMON:

H.R. 491. A bill to amend titles II and XVIII of the Social Security Act to ensure the integrity of the Social Security trust funds by reconstituting the Boards of Trustees of such trust funds and the Managing Trustee of such trust funds to increase their independence, by providing for annual investment plans to guide investment of amounts in such trust funds, and by removing unnecessary restrictions on investment and disinvestment of amounts in such trust funds; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 492. A bill to impose a tax and import controls on bullets expressly designated to penetrate law enforcement personnel bulletproof vests; to the Committee on Ways and Means.

By Mr. TRAFICANT:

H.R. 493. A bill to amend section 106 of the Housing and Urban Development Act of 1968 to improve the Housing Counseling Program of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 494. A bill to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to make grants to community development corporations for reducing interest rates on loans for economic development activities in five federally designated enterprise communities; to the Committee on Banking and Financial Services.

By Mr. UPTON (for himself, Mr. HOEKSTRA, MR. CAMP, Mr. CHRYSLER, and Mr. KNOLLENBERG):

H.R. 495. A bill to amend the Clean Air Act to delay implementation of enhanced motor vehicle inspection and maintenance programs; to the Committee on Commerce.

By Mrs. VUCANOVICH:

H.R. 496. A bill to prohibit site characterization of the Yucca Mountain site in the State of Nevada during fiscal years 1996 through 1998, and for other purposes; to the Committee on Commerce.

By Mr. WOLF:

H.R. 497. A bill to create the National Gambling Impact and Policy Commission; to the Committee on the Judiciary.

By Mr. GALLEGLY (for himself, Mr. LEWIS of California, Mr. WOLF, Mr. DORNAN, Mr. CUNNINGHAM, Mr. COX, Mr. YOUNG of Alaska, Mr. BEILENSON, Mr. HERGER, Mr. BERMAN, Mr. MCKEON, Mr. ROHRABACHER, Mr. MOORHEAD, and Mr. DOOLITTLE):

H.J. Res. 50. Joint resolution to designate the visitors center at the Channel Islands National Park, CA, as the "Robert J. Lagomarsino Visitors Center"; to the Committee on Resources.

By Mr. PETE GEREN of Texas (for himself and Mr. BARTON of Texas):

H.J. Res. 51. Joint resolution proposing an amendment to the Constitution of the United States to require three-fifths majorities for bills increasing taxes; to the Committee on the Judiciary.

By Mr. PETERSON of Florida:

H.J. Res. 52. Joint resolution proposing an amendment to the Constitution of the United States providing for 4-year terms for Representatives and limiting the service of Senators and Representatives to 12 years; to the Committee on the Judiciary.

By Mr. THORNTON (for himself, Mr. FIELDS of Louisiana, Mr. OLVER, and Mr. WISE):

H.J. Res. 53. Joint resolution proposing an amendment to the Constitution to provide for a balanced budget for the U.S. Government; to the Committee on the Judiciary.

By Mrs. KENNELLY:

H. Res. 32. Resolution designating minority membership to the Committee on House Oversight; considered and agreed to.

By Mr. GEPHARDT (for himself, Mr. BONIOR, Mr. FAZIO of California, Mrs. KENNELLY, Mr. LEWIS of Georgia, Mr. RICHARDSON, Ms. DELAURO, Mr. SPRATT, Mr. MILLER of California, Mr. OBEY, Mrs. CLAYTON, Mr. DURBIN, Mr. MFUME, Mr. MOAKLEY, Mr. CONYERS, Mr. SABO, Mr. BROWN of California, and Mr. SCHUMER):

H. Res. 33. Resolution providing for consideration of a joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States; to the Committee on Rules.

By Mr. KLINK:

H. Res. 34. Resolution designating minority membership to the Committee on Rules; considered and agreed to.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. EDWARDS introduced a bill (H.R. 498) for the relief of Jung Ja Golden; 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. 4: Mr. NORWOOD, Mr. WALKER, Mr. HUNTER, and Mr. LIVINGSTON.

H.R. 5: Mr. CHABOT, Mr. NEY, Mr. HASTERT, Mr. DORNAN, Mr. CREMEANS, Mr. FORBES, Mr. HANCOCK, Mr. DICKEY, Mr. LEWIS of Kentucky, Mr. MONTGOMERY, Mr. BONILLA, Mr. HAYES, Mr. PETE GEREN of Texas, Mr. STENHOLM, Mr. STUMP, Mr. PAYNE of Virginia, Mr. PETERSON of Minnesota, and Mr. CLEMENT.

H.R. 6: Mr. BACHUS, Mr. BURTON of Indiana, Mr. CHABOT, Mr. FUNDERBURK, Mr. HASTERT, Mr. HOKE, Mr. KIM, Mr. OXLEY, Mr. ROHRABACHER, Mr. SMITH of Texas, Mr. MOORHEAD, Mrs. VUCANOVICH, Mr. HUNTER, Mr. WALKER, and Mr. LIVINGSTON.

H.R. 9: Mr. STUMP.

H.R. 11: Mr. BURTON of Indiana, Mr. NORWOOD, Mr. WALKER, and Mr. LIVINGSTON.

H.R. 26: Mr. FOLEY, Mr. LARGENT, Mr. DOYLE, Mr. NORWOOD, Mr. PETERSON of Minnesota, Mr. SHAYS, Mr. TORRES, and Ms. MOLINARI.

H.R. 52: Mr. PASTOR, Mr. BARTLETT of Maryland, Mr. MCHUGH, Mr. SENSENBRENNER, Ms. DANNER, Mr. KLUG, Mr. MANZULLO, Mr. BROWN of Ohio, Mr. FOX, and Mr. GENE GREEN of Texas.

H.R. 65: Mr. HALL of Ohio, Mr. SKEEN, and Mr. TORRICELLI.

H.R. 70: Mr. MCCRERY, Mr. COX, and Mr. CALVERT.

H.R. 76: Mr. STUMP, Mr. SENSENBRENNER, Mr. MINGE, Mr. MANZULLO, Mr. FROST, Mr. WILSON, and Mr. BEREUTER.

H.R. 77: Mr. NEY, Mr. COBURN, Mr. BLILEY, Mr. NORWOOD, Mr. TATE, Mr. ROYCE, Ms. MOLINARI, Mr. HALL of Texas, Mr. FOX, Mr. DORNAN, and Mr. ENGLISH of Pennsylvania.

H.R. 103: Mr. ACKERMAN, Mr. SAXTON, Mr. PASTOR, Mr. MANTON, Mr. FILNER, and Mr. COLEMAN.

H.R. 104: Mr. KNOLLENBERG, Mrs. VUCANOVICH, Mr. COBURN, Mr. FROST, Mr. LIVINGSTON, and Mr. FOX.

H.R. 106: Mr. BERMAN and Mr. GOSS.

H.R. 109: Mr. RAHALL, Mr. PETE GEREN of Texas, Mr. GEKAS, and Mr. SKEEN.

H.R. 118: Mr. MCHUGH, Mr. KING, Mr. CANADY, Mr. SENSENBRENNER, Mr. HAYES, Mr. BEREUTER, Mr. COBURN, Mr. MCCRERY, Mr. ROHRABACHER, Mr. ROYCE, Mr. LIVINGSTON, and Mr. FRANK of Massachusetts.

H.R. 208: Mr. NORWOOD.

H.R. 209: Mr. BURTON of Indiana, Mr. CHABOT, Mr. CANADY, Mr. KNOLLENBERG, Mr. COBURN, Mr. ROHRABACHER, Mr. DORNAN, Mr. NORWOOD, Mr. HANCOCK, and Mr. ROYCE.

H.R. 210: Mr. ROHRABACHER.

H.R. 214: Mr. DORNAN and Mr. BURTON of Indiana.

H.R. 217: Mr. DOOLITTLE and Mr. JONES.

H.R. 218: Mr. NEY, Mrs. VUCANOVICH, Mr. COBURN, and Mr. FROST.

H.R. 259: Mr. INGLIS of South Carolina and Mr. ROHRABACHER.

H.R. 303: Mr. HALL of Ohio and Mr. SKEEN.

H.R. 359: Mr. BURTON of Indiana, Mr. LARGENT, Mr. HAYES, Mr. GEKAS, and Mr. LONGLEY.

H.R. 394: Mr. COBLE, Mr. DORNAN, Mr. TANNER, Mr. DICKS, Mr. SENSENBRENNER, Mr. HUNTER, Mr. BILIRAKIS, Mr. THOMAS, Mr. SCHIFF, Mr. GIBBONS, Mr. HANSEN, Mr. HEFLEY, Mr. BARTLETT of Maryland, Mr. HASTERT, Mr. WOLF, Mr. BATEMAN, Mr. BEREUTER, Mr. GORDON, Mr. EDWARDS, Mr. BAKER of California, Mr. INGLIS of South Carolina, and Mr. WALSH.

H.R. 450: Ms. DUNN of Washington, Mr. DICKEY, Mr. FORBES, Mr. HANCOCK, Mr. CHRISTENSEN, Mr. FUNDERBURK, Mr. GOODLATTE, Mr. COBURN, Mr. HUNTER, Mr. JONES, Mr. ROHRABACHER, Mr. BURTON of Indiana, Mr. MARTINI, Mr. BONO, Mr. WHITFIELD, Mr. COX, Mr. CUNNINGHAM, Mr. LARGENT, and Mr. MCHUGH.

H.R. 461: Mr. BLILEY.

H.J. Res. 3: Mrs. CHENOWETH, Mr. JONES, Mr. BURR, Mrs. CUBIN, Mr. STOCKMAN, and Mr. CRANE.

H.J. Res. 8: Mr. FORBES.

H.J. Res. 27: Mr. GILLMOR, Mr. BARCIA of Michigan, Mr. SENSENBRENNER, Mr. COBURN, Mr. LARGENT, Mr. FORBES, Ms. MCCARTHY, and Mr. KLUG.

H.J. Res. 28: Mr. CHRISTENSEN, Mr. CREMEANS, Mr. ENGLISH of Pennsylvania, Mr. METCALF, Mr. ROGERS, and Mr. VISCLOSKY.

H.J. Res. 49: Mrs. MALONEY, Mrs. MINK of Hawaii, Mr. THORNTON, Mr. OLVER, and Mr. COLEMAN.

H. Con. Res. 5: Mr. BURTON of Indiana, Mr. BOUCHER, Mr. FOX, Mr. MCNULTY, Mr. COBURN, Mr. NEY, Mrs. VUCANOVICH, Mr. WALSH, Mr. FORBES, Mr. GOODLATTE, Mr. HANCOCK, Mr. DORNAN, Mr. SKEEN, and Mr. STUMP.

H. Con. Res. 12: Mr. ACKERMAN and Mr. BURTON of Indiana.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 1: Mr. HOUGHTON.

SENATE—*Wednesday, January 11, 1995*

(Legislative day of Tuesday, January 10, 1995)

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Guest Chaplain, the Reverend Mark E. Dever, pastor of Capitol Hill Baptist Church, Washington, DC, offered the following prayer:

Let us pray:

Lord of Heaven, we come into Your presence this morning and offer You praise as a good God, who rules creation for the good of all those who love You, and more. Thank You for Your goodness to us in this country and in this Chamber.

We come to You in humility, realizing that amidst all the august architecture of this place and the trappings of power, that all of us are passing, You alone are eternal. We are changing, You are perfect. We know in part, You are all-knowing. We have some power, only You have all power. You are all good, too often our motives are mixed.

We pray especially for these Senators gathered here today. Use them, Lord, for the good of this Nation and the world. Through these creatures of clay, show Your goodness to us. Be pleased to bless them in their labor, helping them to help the rest of us go about our business in peace and quietness. Help them as they do our Nation's work.

Give them insight and will to conserve what is good in our laws, and to correct what is wrong. Assist them in promoting the good of all Your people, as they promote peace at home and abroad, and work to protect all that is good in our society.

Lord, though so much seems amiss today, we do praise You for the ways Your goodness is reflected in this country. Pray You would use these men and women to encourage that even more, for Jesus' sake. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

Mr. LOTT addressed the Chair.

The PRESIDENT pro tempore. The distinguished acting majority leader.

SCHEDULE

Mr. LOTT. Mr. President, on behalf of the majority leader, I am pleased to make this announcement of orders for Wednesday, January 11.

Following the time for the two leaders this afternoon, there will be a period for the transaction of routine morning business not to extend beyond the hour of 1:30 p.m. with the following Senators recognized to speak for the time indicated: Senator FRIST for 10 minutes; Senator HUTCHISON for 20 minutes; Senator CAMPBELL for 5 minutes; and Senator HARKIN for 20 minutes.

At 1:30 p.m. this afternoon, the Senate will resume consideration of S. 2, the congressional coverage bill. Senator LAUTENBERG will be recognized to offer an amendment on which there will be 25 minutes of debate.

Upon the expiration or yielding back of the time on the Lautenberg amendment, Senator BRYAN will be recognized to speak on an amendment. Following Senator BRYAN, Senator GLENN will offer a managers' amendment with 10 minutes of debate to be equally divided. Senator STEVENS will then be recognized to offer an amendment dealing with the Library of Congress.

Under a previous unanimous-consent agreement, there will be only first-degree amendments in order to the bill. Following disposition of amendments, the Senate will proceed to a vote on final passage of S. 2. However, no rollcall votes will occur prior to 5 p.m. this afternoon.

Also, for the information of Senators, the Senate will begin consideration of S. 1, the unfunded mandates bill, tomorrow at 10 a.m.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. I yield the floor.

Mr. CAMPBELL addressed the Chair.

The PRESIDENT pro tempore. The distinguished Senator from Colorado.

(The remarks of Senator CAMPBELL pertaining to the introduction of S. 193 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

UNFUNDED FEDERAL MANDATES

Mr. FRIST. Mr. President, I rise today to address two matters.

First, Mr. President, to let you and my other colleagues in the U.S. Senate know how honored I am to be a part of this noble institution and how much I look forward to working with each of you in conducting what Senator Howard Baker has called "the business of the people."

Second, I want to take a moment to address the issue of unfunded Federal mandates, and specifically the Unfunded Mandates Reform Act of 1995.

As I look around this great body I realize that I am one of the very few Members who has come directly to the Senate from the private sector with no previous ties to Washington, DC or, for that matter, politics. The people of Tennessee elected me as a true citizen legislator—to come to Washington for a period of time with a mission to accomplish and then return to Tennessee to live under the laws I helped pass. As a recently elected citizen legislator, I carry a very distinct advantage: a closeness to the people, a commonality of interest with real people with real jobs, and an immediate understanding of the message of November 8.

During the last year, I have traveled to most all of the 95 counties in my home State of Tennessee—from Memphis to Mountain City—listening to the thoughts and concerns of private citizens and local officials. Coming directly from the private sector, I heard their message in the clearest possible terms, unfettered by the preconceived notions and prejudices of Washington.

And their message was: "Change the direction of the country. Get the Federal Government off our backs, out of our pockets, and off our land. The arrogance of Washington is stifling us, and we are capable of making our own decisions." A simple, crystal clear message.

Mr. President, this is the message I bring to Washington. And there is no better example of the Federal Government's arrogance and unwanted meddling than the unfunded Federal mandates. As our majority leader so eloquently pointed out in his opening remarks of the 104th Congress, the 10th amendment provides that powers not delegated to the United States nor prohibited to the States are reserved to the States or to the people. Yet, through unfunded mandates, the Congress has forced its will upon the people by requiring State and local governments to pay for legislation over which they have no control. The result of these mandates is that local governments are forced to abandon their own priorities, to offer fewer services to the public, and to ultimately charge higher taxes and utility rates.

In my home State of Tennessee, for example, local officials from the city of Knoxville determined that they would have had an additional $11 million to spend on local priorities in the absence of 10 unfunded Federal mandates. According to their estimates, Knoxville could have spent $3.5 million for police and crime prevention were it not for these unfunded Federal mandates. Part of this money would have funded approximately 60 new police officers.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Examples such as these have been cited from cities across this country, from across America. It is essentially a problem of taxation without representation. That injustice helped bring about one revolution about 200 years ago, and I think on November 8 we saw another such revolution. The people have demanded that we put an end to such practice. The State and local battle cry, "no money, no mandates," has reached a fever pitch.

The test of any government is its responsiveness to its citizens. The solution to the problem of unfunded mandates is to require Congress to pay for any mandate it places on State and local governments.

Mr. President, I believe that Senate bill No. 1, the Unfunded Mandate Reform Act of 1995, is a step in the right direction. It will be an effective but simple mechanism to curb the unfunded mandates that are strangling America's communities. Requiring Congress to pay for its mandates will merely require Congress to live in the real world. Like the rest of America, Congress will have to learn to balance budgets, to provide services efficiently, to prioritize, and to make tough spending decisions.

For this reason, I have cosponsored the Unfunded Mandate Reform Act of 1995. I commend Senator KEMPTHORNE for his leadership over the past 2 years in raising the awareness of lawmakers and the American public regarding the unfunded mandate issue. As Mayor Victor Ashe, of Knoxville, TN, currently president of the U.S. Conference of Mayors and a champion of this cause has said: "This bill will begin to restore the partnership which the founders of the Nation intended to exist between the Federal Government and State and local governments."

However, Mr. President, I would be remiss if I did not say that there are aspects of this bill that can and should be improved. The bill has no affect on Congress unless the Congressional Budget Office first determines that a bill which contains an unfunded mandate will cost the State and local government more than $50 million over a single year. While I am sure much thought has been given to this threshold amount, and while I understand that increased demands will be placed on the CBO, I urge my colleagues to listen a little more closely to the will of the people. Their message was not to limit unfunded Federal mandates, it was to eliminate them. I urge my colleagues to give serious consideration to eliminating the $50 million threshold in the bill.

The second provision of the bill which disturbs me is the provision that allows Congress to override the prohibition on unfunded Federal mandates with a simple majority vote in the Senate. In essence, what we give to the American people with one hand we potentially take away with the other. I urge that this provision be strengthened to require a supermajority of 60 votes to waive this legislation. Those two concerns notwithstanding, I believe this bill is a good step in the right direction.

Mr. President, the directive of November 8 is clear: A return to Federalism, the idea that power should be kept close to the people. I believe that the Unfunded Mandates Reform Act of 1995, particularly if strengthened as I have urged, will go a long way toward saying to the American people that this body believes the people can and should be trusted with the power to make their own decisions. I urge my colleagues to strengthen and then pass this important piece of legislation as quickly as possible. Thank you, Mr. President.

I yield the floor.

The PRESIDENT pro tempore. Under the previous order, the Senator from Texas [Mrs. HUTCHISON] is recognized to speak for up to 20 minutes.

Mrs. HUTCHISON. Mr. President, I would like to yield 5 minutes to my colleague from Idaho, after which I will then take no longer than 15 minutes.

The PRESIDING OFFICER (Mr. GRAMS). Is there objection?

Without objection, it is so ordered.

The Senator from Idaho [Mr. CRAIG] is recognized.

A PLEDGE TO HELP

Mr. CRAIG. Thank you, Mr. President, I thank my colleague from Texas for yielding for a few moments. I appreciate a portion of her time.

Let me congratulate the Senator from Tennessee for a very clear message about why he came to Washington, reflective of the expectations of his constituency to respond to the issue of unfunded mandates. We will begin debate on that issue tomorrow, and it is exciting that my colleague, DIRK KEMPTHORNE, is the champion of that issue as we begin to address why the American public is so frustrated over what we do here, and this is one of the most effective ways of curbing it.

I also recognize my colleague from Colorado in his reintroduction of grazing law reform. I will join with him, and I have pledged, with my chairmanship of the Public Lands Committee of the Energy and Natural Resources Committee, that we will deal with this issue this year.

I have also appreciated the cooperation of the Secretary of the Interior. We have had several discussions over the last couple of months as he brings forth new rules and regulations that he would not deal with grazing fees per se and that he would offer some flexibility so that the authorizing committee could respond to the grazing industry and other interests out there that are concerned about the management of our public grass lands and how they will be grazed and under what policy they will be grazed.

For the balance of my brief time, let me suggest that there is a tactic underway, Mr. President, that while it may appear to be well directed, in my opinion, it is tremendously misguided. That is a tactic being used by the Democrat leadership at this moment to try to refocus the whole debate on a balanced budget amendment to our Constitution. There is that old adage that when you are out in the swamp surrounded by alligators, you are forgetting your initial purpose to come to the swamp was to drain it. That is exactly the tactic being used at this moment by the Democratic leadership in both Houses, to say: "For the next 7 years tell us every budget cut you are going to make. Let us be specific right down to the detail. What are you going to cut, and how are you going to cut the budget to arrive at a $1.3 billion reduction in the budget to get to a balanced budget by 2002?"

That is phony. It is just as phony as can be to play that kind of game. What we have to talk about here is what we want to do first and how we want to do it, and then let us proceed down a path that will yield a balanced budget by the year 2002.

Mr. SIMON. Will my colleague yield for a question?

Mr. CRAIG. I am happy to yield to my friend.

Mr. SIMON. I commend the Senator for his comments. If the demands of those of us who favor a balanced budget amendment spell out how we do it, they are always making speeches how you can balance the budget without a constitutional amendment. It seems to me that it is incumbent on them to spell this out also. Is that being unrealistic?

Mr. CRAIG. Well, to my colleague from the other side, and one of the primary sponsors of the balanced budget amendment, it would not be unrealistic. But what is realistic to talk about is the very thing that all of us know who focus on the balanced budget amendment. And how we get there by the year 2002 is a simple matter—although complicated and very tough to do—of reducing the growth rate of Federal budgets from about 5 percent to about 3 percent. When the American public hears that, they say to a Senator SIMON of Illinois or a Senator CRAIG of Idaho, that sounds immensely reasonable. While it may be tough to do, it is a heck of a lot more reasonable to understand that is the kind of approach we are talking about. Then, apparently, the game plan, or the threat, there is the impending damage that could come from that kind of language that would suggest we have to cut $1.3 trillion from budgets. What we could also say is that if we do not have a balanced budget amendment, by the year

2002 the Federal budget will be $1.3 trillion larger, or that the Federal deficit will be $500 or $600 billion annually, or that the Federal debt will be $6 or $7 trillion, or that interest on the debt will be $400 billion annualized.

That is not at all what they are talking about. Instead of talking about the kind of positive things that can grow and emanate from a balanced budget, they are talking about all of the negatives.

The American public knows exactly what we are saying and they are saying very clearly back to us: Do not get weak-kneed. Balance the Federal budget. Produce the mechanism that will result in that and give us a balanced budget amendment to the Constitution that will force the kind of fiscal discipline that this Congress has failed to respond to for now over three decades.

Mr. President, this 104th Congress is considering a historic and remarkable balanced budget amendment to the Constitution. Some partisan sparring broke out over the last few days. That's unfortunate.

Democrats have been asking Republicans, "Where's your plan?" specifically showing how to balance the budget by 2002?

Let us stay focused on the central issue. Which do we want: Balanced budgets or the status quo? Which do we want: An issue? Or passage of the balanced budget amendment? We know which is better for the country.

Let us remember what has brought us to this point: $4.7 trillion Federal debt; annual deficits now in the $160 billion range; and deficits projected to shoot toward $400 billion after the turn of the century.

Let us stay above partisanship. Some of my friends on the other side of the aisle sincerely support the balanced budget amendment but also are demanding to know specific budget cuts. I sympathize with your frustration; but don't be distracted.

Do not be fooled by a partisan tactic on the part of balanced budget amendment opponents to simply kill this amendment at any cost. Do not fall into that some old trap of trying to score a partisan point today at the cost of our children's economic well-being tomorrow. That is exactly the kind of shortsighted trade-off we're trying to stop by passing the balanced budget amendment.

The balanced budget amendment began as a bipartisan effort. Let us keep it that way.

Where are the specific cuts? There are literally hundreds of plans out there; there's no one way to balance the budget. What's lacking is some mechanism to force a consensus. There may be 100 plans in the Senate for balancing the budget, but not one of them will get 51 votes until we remove the easy alternative of borrow-and-spend.

Lessons of History: We have had the specific plans before us in the past. The way Congress has treated them demonstrates why we need to the balanced budget amendment. In the past, one/both Houses defeated numerous deficit-reduction plans full of specifics. Most recently, and in a bipartisan effort: Kerrey-Brown rescission/entitlement reform package (1994) (Penny-Kasich in the House, 1993).

"Draconian" budget cuts required? Contrary to what's being said, we know the direction we have to go, and how to get there. For example: "Glide Path" Plan: Federal spending is increasing now at about 5 percent, or about $75 billion per year. Simply trimming that growth in spending to 3.1 percent would balance the budget in fiscal year 2002. For those concerned about Social Security: We can trim the growth of non-Social Security spending to 2.4 percent and still balance the budget by 2002. This will require discipline, but it is a far cry from the doom and gloom scenario being portrayed by many opponents.

Name every budget cut in advance? Opponents of this proposal want it both ways. First they say, show them how we would cut the budget. Next they say balancing the budget by 2002 would be too painful.

But this tactic proves our point: The budget won't be balanced without passing the BBA first. Democrats want our plan, but where has the Democrat plan been? President Clinton did not propose a path to a balanced budget—current projections show deficits going way up after 1995.

Bad policy, putting the cart before the horse: When people decide they want to be healthier and live longer, they don't plan every meal and every workout for the next year. First they commit to do whatever is necessary. Then they pick the specific diet and exercise plan. The high failure rate for dieters illustrates our point that external enforcement is necessary. Specifying all the cuts before we even commit to balancing the budget condemns us to failure before we start.

Will the BBA work or won't it? Opponents cannot have it both ways: First, they say it is a fig leaf to cover budget failures in previous Congresses, that it's an empty promise; then they talk in terms of "slash and burn" to scare the interest groups into active opposition; I think they really do fear this amendment will work and are not willing to share the responsibilities.

Mr. President, I yield back to the Senator from Texas, and I thank her for sharing with me some of her time.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

(The remarks of Mrs. HUTCHISON pertaining to the introduction of S. 191 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa [Mr. HARKIN], is recognized to speak for up to 20 minutes.

A MESSAGE TO THE JAPANESE PRIME MINISTER

Mr. HARKIN. Mr. President, I thank the Chair.

Mr. President, as I and a number of my colleagues spoke on the Senate floor this past Friday, we pointed out that a terrible injustice has been done to thousands of workers in my State of Iowa, Illinois, and in Ohio. It is an action that has ramifications not only for the other workers throughout our country, but for international relations as well.

Mr. President, I just want to say that if there are people at the Japanese Embassy here in Washington who have their sets tuned in to the proceedings in the Senate, I ask them to turn the volume up and pay close attention to what I am about to say. I believe I am joined by my colleague, Senator SIMON, from Illinois, we have a message for the Japanese Prime Minister who is in Washington today, meeting with the President of the United States. We have a very strong message for the Japanese Prime Minister. I hope that the people of the Japanese Embassy will turn their sets up and start to pay attention right now because this message is for the Japanese Prime Minister.

The Bridgestone-Firestone Corp. is a Japanese-owned company. It announced it would permanently replace over 2,000 of its employees currently involved in a legal strike over proposed major cuts in worker pay and benefits and over a worsening of working conditions.

After earlier being hopeful that this lengthy strike would be successfully resolved through good-faith negotiations by both sides, it now appears that Bridgestone/Firestone has been acting in bad faith. This is irresponsible corporate behavior and it harms the United States of America.

We take the floor again to address this issue because as we speak President Clinton is meeting with Japanese Prime Minister Tomiichi Murayama, and I hope this message gets to the Prime Minister. Our President is meeting with him to discuss a number of important economic and international relations issues. We must improve our relations with Japan. Japan is an economic leader, and an ally of ours. Friendship and positive relations between our two nations is in the best interests of both countries and the entire world.

Mr. President, nothing does more to undermine positive relations and good will between our nations than acts like that taken by Bridgestone/Firestone. Here is a company that is profitable, whose workers have made it profitable by reaching record levels of productivity. Then they go and knock thousands

of workers out of their livelihoods because Bridgestone/Firestone is not willing to abide by the same contract signed by their two largest American competitors.

I want Prime Minister Murayama and his government to know how destructive these actions are, how it rips apart families and communities. These workers have given the best years of their lives to this company. They are highly productive, diligent, hard-working individuals. They took contract concessions when times were tough and the company needed them to remain in operation. Now that times are better, workers just want fair treatment from the company.

Mr. Prime Minister, these are workers like Sherrie Wallace who recently wrote me after she and her husband lost their jobs. Let me just read from this letter from Sherrie Wallace, a worker at Firestone:

When Bridgestone came to each of us asking for help because we were not doing as well as the company needed to do, we all did our best. They asked me for one more tire every day, and to stay out on the floor and forgo my cleanup time. Not only did I respond, so did each and every member of the URW. Not only did I give them the one more tire per day they asked for, I gave them three times what they asked for. Our production levels soared. We threw ourselves into our company believing that we all must succeed together in order to create a better way of life for all. The membership joined committees and we became involved and we gave them our hearts. We began to believe this company was different. We gave them our input to create a better working environment. To increase productivity we began to meet our production levels. We were proud of our company and our union. Together, we did make a difference. It is these things that make me wonder why does Bridgestone now demand such unreasonable demands?

In return for their increased productivity, workers are being asked to take a 30-percent cut in the introductory wage, cutting out four holidays, bunching up all their holidays at Christmas time, cuts in pay rates for work on Saturdays and Sundays.

I asked my staff, Mr. President, to compare what the workers in Japan were getting in Bridgestone Corp., compared to workers in America. I think you will find this pretty startling. In Japan Bridgestone union employees average annual wage is $52,500 a year, for the Bridgestone union employees in America, their average wages are $37,045 a year. The average monthly hours in Japan? One hundred fifty-two hours. In the United States? One hundred ninety-eight hours. Not only are our workers working more, they are getting paid less. Now, what the company says they want them to do is two shifts a day, 12 hours on, 12 hours off. They want them to work a crazy quilt work schedule. They would work three 12-hour days, then have 2 days off; then 2, 12-hour days, have three days off; then they work two 12-hour days, have 2 days off. Try to map out a schedule for your family life on that. It would be worse than the U.S. Senate. Workers would not know when they would have days off during the year.

In Japan, same company, same employees have three shifts, eight hours a day, and they rotate those shifts. The company says no, what is fair in Japan is not fair for our workers in America.

So, Mr. President, workers increase their productivity tremendously at this company. All the statistics show it. At Goodyear Tire & Rubber, they had a contract dispute last year, they settled it, setting the contract pattern for the rubber industry in this country and they moved ahead. Now what Bridgestone-Firestone is doing is saying they can beat their major competitors in America by squeezing their workers a little harder. Well, I do not think any company ought to gain a competitive advantage at the expense of its workers.

The United Rubber Workers have offered proposals through the Federal Mediation and Conciliation Service and the company refused to negotiate. This refusal is a refusal of the basic tenant of labor-management relations of collective bargaining.

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

The PRESIDING OFFICER (Mr. INHOFE). The Senator has 14 minutes remaining.

Mr. HARKIN. Mr. President, I will take a couple more minutes, but let me yield to my colleague from Illinois because I know his workers in Illinois are facing the same kind of situation as ours are in Des Moines, IA.

Mr. President, I yield at least 5 minutes to the distinguished Senator from Illinois.

Mr. SIMON. Mr. President, I thank my colleague from Iowa. I thank him for his leadership on this.

When he mentioned the States that are affected, he should have included Oklahoma, which is the State of the Presiding Officer. The Japanese Prime Minister is here today to create good will for his country, and I hope he has a very good visit. However, it is appropriate that we let the Japanese Prime Minister know right now here and clearly, that one of the Japanese-owned corporations in this country is creating ill-will in this country, and is not doing any good for United States-Japanese relations.

In addition to the comments of my colleague from Iowa, I would point out that the Secretary of Labor asked to meet with the chief executive of the Bridgestone-Firestone Co. here in the United States.

He refused to meet with the Secretary of Labor to talk about this. I have a wire service story in which Secretary Reich is quoted as saying:

I consider this outrageous, quite frankly. Japanese companies in this country have a sterling record of social responsibility, in general.

And I think that is correct. Most Japanese corporations in this country have an excellent record. This company is refusing even to meet with the Secretary of Labor. I have never heard of an American corporation or a corporation in this country refusing to sit down with the Secretary of Labor.

The company said:

* * * it would be happy to send Charles Ramsey, its chief negotiator—

Only they are not negotiating.

to meet with—

The Secretary of Labor.

That is like sending an errand boy. The Secretary of Labor ought to be able to sit down with the person who is making the decision.

This is only the third time, I am told, since the early 1930's when a major corporation—and that includes major corporations in the United States of America, with the air traffic controllers being one of the three—this is the third time we have had a permanent replacement of strikers of this magnitude.

Our whole tradition is against it. It is very interesting that this Japanese-owned corporation cannot do in Japan what they are doing in Oklahoma and Illinois and Iowa and Ohio and Indiana. It would be illegal for them to do it in Japan, and they are doing it here, contrary to our traditions. It is illegal to do it in Canada or all of Western Europe, except for Great Britain.

I think that the company is making a great mistake. I have been around public life for a while—I am 66 years old. I have observed a little, and I have noted when this pendulum swings too far to one side, pretty soon the pendulum is going to swing too far to the other side, and that is the danger in labor/management relations in this country. It is a danger for Bridgestone/Firestone.

I heard my colleague from Iowa say the other day that he would not buy any Firestone tires. Believe me, I am certainly not going to buy any Firestone tires, and I think there are going to be a lot of people in the United States who are going to feel the same way.

The sensible thing is to sit down and negotiate. I have, Mr. President, over the years been involved in some labor/management negotiations. Sometimes it gets tough, but getting people together around a table, sooner or later—a little bit like a conference committee between the House and the Senate—sooner or later you get something worked out. That is what Bridgestone/Firestone should do, not dismiss 2,300 employees. They ought to sit down and try to work things out. That is the American tradition.

I note that the Wall Street Journal, in an article about the chief executive of Bridgestone, refers to him as a bulldog, that he is a born gambler. Well, he

is gambling with something that is very important. He is gambling with his company's future. He is gambling with labor/management relations in this country. He is gambling with the lives of 2,300 workers and their families. I hope common sense prevails, and I hope the Japanese Prime Minister gets the message that we who have spoken on the floor of the Senate have nothing but good will toward Japan. I respect that country. I might add, I grew up in the State of Oregon—something I do not stress in the State of Illinois—but I grew up in the State of Oregon. My father was a Lutheran minister and, in 1942, stood up when Japanese-Americans were taken away from the west coast. That was my first real experience in civil rights. I was 13 years old then. I remember the hostility that my father received on that occasion.

I do not want to sour United States-Japan relations. I want an improved relationship. I think the Japanese Prime Minister would be wise to get a message to the chief executive of Bridgestone, sit down and try to iron this thing out.

I yield back my time to my colleague. And, again, I thank him for his leadership on this.

The PRESIDING OFFICER. The Senator from Iowa.

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

The PRESIDING OFFICER. Six and a half minutes.

Mr. HARKIN. Mr. President, I want to thank my colleague from Illinois, again, for his strong support for trying to inject some sanity and some reasonableness into these negotiations to try to settle this strike at Bridgestone/Firestone.

I want to say to my friends, whether they are watching in the Japanese Embassy, or to Prime Minister Murayama, I want to echo what Senator SIMON said. The vast majority of Japanese companies operating in this country operate in a highly responsible, effective, compassionate manner with their workers. I have seen many of them and, in many cases, the workers are happier there than perhaps they are at other companies that are not Japanese.

I do not want to cast Bridgestone's actions as something true of every Japanese company. That is not true. Senator SIMON is right on the mark with that. For some reason, this seems to be some kind of a rogue company. But it is always that bad apple that can spoil the barrel, and that is what Bridgestone/Firestone is going to do. They are going to color with their insensitive, outrageous behavior all the other fine Japanese corporations that are doing a good job in this country, I would hate to see that happen. I know the Senator from Illinois would hate to see that happen, too.

That is the message, I think, that we want the Japanese Prime Minister to take back with him. It is not just this one company and you can ignore it. This will have ramifications over and beyond just that one company.

Mr. President, I read from the letter from Sherrie Wallace who worked at Firestone 33 years. Her husband also worked there. Let me read one final paragraph. I will not read the whole letter. She said:

> You see, we are one of those families that both husband and wife work at Bridgestone/Firestone in Des Moines, IA. We both have lost our jobs, our benefits and our livelihood. We have had days and nights of no sleep, wondering where our life is heading. Trying to keep the "American Dream" alive with dignity, conviction to stand up for what you believe in and hope.
>
> Please hear our plead for help. * * * Over 25,000 employees, spouses and children will be affected by this one * * * incident.

So, Mr. President, I hope that the Japanese Prime Minister will heed this.

As I pointed out last year, Goodyear Tire and Rubber reached an agreement with its workers, and they were chosen to set the pattern for the industry. Well, they did. Now Bridgestone/Firestone has come in and said they want to break that pattern.

One can understand if, in fact, the workers are not productive, but as Sherrie Wallace pointed out in her letter, they have become highly productive. In fact, in March 1994, workers at Bridgestone/Firestone U.S. reached a new high of 80.5 pounds per man-hour and set an all-time record for pounds warehoused, and the company boasts that it did it with 600 fewer workers.

So it is not a problem of either they are not making money or that the workers are not productive. Just the opposite is true.

What Bridgestone/Firestone is saying effectively is that their workers are no more than pieces of machinery, to be used, depreciated and then thrown out on the trash heap without any concern for their families or years of service.

But there is an option, and let this be the final warning to Bridgestone/Firestone. I will read a letter to the editor of the Des Moines Register by a farmer by the name of Joe Weisshaar:

> A quick inventory tells me that my tractors, trucks, wagons, combine and cars roll on more than 140 tires. My vow to Bridgestone/Firestone is that if this strike is not settled within 30 days, I will never buy another tire made by them.

That is just one farmer's view from the State of Iowa.

I guess that ought to be the message sent to Bridgestone/Firestone. Our consumers have a choice, and if we have to and if Bridgestone/Firestone will not settle this in a decent manner, if they will not sit down, if they will not even speak to the Secretary of Labor, then maybe what the people of this country ought to do is just start rolling along on another brand of tires. And Bridgestone-Firestone ought to know that we have that option.

So, Mr. President, I urge the Japanese Prime Minister to take the message we are sending back to the head of Bridgestone/Firestone, urge him to reconsider his unfortunate decision, and to reopen in good faith negotiations with their workers. It would not only be in the best interests of the workers and their families and communities, but also the relations between our nations and the good will that is so important to maintain.

Mr. President, I yield back whatever time I have. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

The PRESIDING OFFICER. The Senator is recognized.

UNFUNDED MANDATES

Mr. DORGAN. Mr. President, we will soon in this Chamber turn to unfunded mandates bill, which is a piece of legislation that has been worked on by the Governmental Affairs Committee and by many Members of this Chamber. I wanted today to say a few words about that legislation to try to indicate why I support generally the subject, why I have worked on it in the Governmental Affairs Committee, and why I think it is important that we pass the legislation, but also why I think at the same time we ought to talk about all dimensions of this issue and why I intend to offer several amendments to it.

First of all, it is absolutely true that it has been far too easy for Members of the House and the Senate to decide that they want to offer amendments that will require someone out there in the country to do something, most specifically a State and local government, but also the private sector, without any given thought about how much the mandate would cost. Too often, we overlook the questions of what kind of problems the mandate could cause, how heavy the burden will be, and on whom will it fall.

Too often it has been easy to say "Here is what we impose, and you worry about the rest of it. You worry about what it is going to cost."

Well, this legislation simply says that when we are prepared to impose a mandate, we ought to be responsible enough to understand what it imposes on someone. What is the cost going to be?

Then, if we impose a mandate on State and local government, we ought to say, "Here are the resources with which you can do it."

Senator DOMENICI and I wrote in this legislation provisions that also include the private sector. It is not just mayors and Governors who are concerned about mandates. What about the private sector? What about the businessman and business woman who also get socked with mandates? So there is in this legislation language which Senator DOMENICI and I wrote that includes the private sector. We provide that you must, when you bring legislation to the floor of the Senate, have with that legislation an analysis by the Congressional Budget Office of what this is going to cost the private sector.

Let us vote with full information. Let us vote with more information than we have ever had in the past to understand what we are doing and what burdens our laws are imposing on people around this country.

Some will, I suppose, support this legislation in a manner designed to suggest that everything Government does is largely unworthy. I do not believe that. We have done a lot of things, including imposing some mandates that are worthy and important and that I would vote for again and again and again. Would anyone here reasonably suggest that we should not have passed the Voting Rights Act? I do not think so. That imposed a mandate, and it was perfectly legitimate. It was our responsibility to do it. We did it, and I am proud of it. I can give you other examples.

My point is that some mandates are important. Some mandates we ought to impose. I can tell you one I would like to see imposed. I have been trying for years. Hopefully, I will get it done. I do not think it is going to cost anybody very much. Do you know there are nine States in this country where you can get behind the wheel of your car and, with your right hand, put the key in the ignition and, with the left hand, hold a bottle of Wild Turkey or Old Crow or your favorite brand of whiskey and drive down the street drinking whiskey, and do so within the law?

In my country, I hope that will not last very long. There is not a State in this country that ought to allow drinking and driving. Nine of them do. At least nine of them do not have laws prohibiting open containers in vehicles or prohibiting the driver from drinking. I would like to mandate in every State in this country that no matter where you are driving with your family on vacation, you know you are not going to cross a State line and find in the next State that someone is drinking whiskey and driving, or drinking beer and driving, and turning into a murderer because the driver is drunk.

I would like to mandate that, and I have been trying. I have not been successful, but someday I am going to. I do not think it is going to cost the States that do not have this law a lot of money to decide they should comply with a reasonable mandate that you ought not drink and drive in this country.

I indicated over in the Governmental Affairs Committee that trouble runs on a two-way street in this country on the subject of mandates, and I said to State and local folks who testified that I support this legislation for the reasons I have just described now here on the floor of the Senate. But I also said as I participate in efforts to reform the way the Federal Government does business, we should and we will—and this bill will pass and will pass with my vote—require State and local governments to participate in reform as well. Mandates are a two-way street. Even as we talk about the burdens we impose upon them, there are officials out in other levels of government—Governors and others—who are plotting new ways they can hook their hose to the Federal tank and suck more Federal dollars out of the Federal tank; how can they get more Federal dollars?

I will tell you one way. They have decided to concoct phony schemes for provider taxes in Medicaid. Some states tax their health care providers, which brings in more Federal Medicaid dollars. Then these states reimburse their health care providers. In effect really the providers have paid no tax and the only result is that the states increase the Federal deficit by sucking more money out of the Federal trough.

We are going to reform the way we do business. They ought to reform the way they do business. It is not acceptable to me to have people complaining about unfunded mandates at the State and local level and then to see them in every conceivable way line up to see how much they can pail out of the Federal trough and get more Federal moneys in their area, some of it with schemes that are fundamentally phony.

Well, my point is, yes, let us change; let all of us change, not just the Federal Government but State and local government as well. The fact is we send a substantial amount of money back to State and local governments, some of it with no strings. I could give a list of programs for which we send billions, literally tens of billions of dollars, back to State and local governments in which they have the control over the spending and in which there are very few mandates, and in some cases none.

And I think, again, this is a two-way street. We need to work together. Let us try to stop imposing unreasonable burdens on each other, and let us all act responsibly and all construct the kind of behavior in Government that the American taxpayers expect us to have.

The legislation itself is good. There are a number of questions that will be asked about it that I think ought to be answered, and some were not answered in the Governmental Affairs Committee. It is reasonable for us to understand exactly what we are doing even now, as we deal with mandates. So there are a lot of questions. But when all the dust settles and the questions are answered, this legislation, I think, will be improved by some amendments. Then the legislation will pass, and it will pass with my vote because I have helped write part of it, especially including the private sector. But I am going to offer a couple of amendments. Let me describe the three of them.

One is, there is a commission described in this legislation to do some studying. It is a new commission. We do not need a new commission. The Advisory Commission on Intergovernmental Relations, ACIR, which has existed for a long, long while—I have worked with it, in fact I was appointed to serve on it a couple of years ago—is a commission existing to do precisely these kinds of things. We do not need to construct or produce a new commission. Let us use the commission that exists. In fact, the ACIR was the commission in this legislation up until a few weeks ago and was replaced for reasons I do not understand. So I will offer an amendment to place it back in the legislation.

Next, I am going to offer an amendment that deals with a mandate that sort of gets under my skin. We have a metric conversion act in this country. We are forcing America to go metric. It is not that I am living in the last century. It is not that I am backward. It is not that I fail to understand. I have nothing against metric. I do not happen to care how many kilometers it is to the next rest stop. So I do not want them taking down the highway signs telling me how many miles it is and putting up signs telling me how many kilometers it is. It does not matter to me. I want to know how long it takes to get there, and I guess I can best measure that by seeing how many miles it is.

We do not need a Metric Conversion Act that we enforce through the Federal Government, through the Department of Transportation, that will take down all those green highway signs on the interstate and replace miles with kilometers. It is a terrible waste of money. But more than that, in the deep recesses of the bureaucracy, in every agency, there is some metric conversion enforcement officer who is now busy at work, scurrying somewhere underneath a pile of paper, trying to figure out how to mess up the next project.

In North Dakota, we are going to try to build 20 little houses up on an Indian reservation to house Indian Health Service workers. Do you know what? Those 20 houses are held up. Do you know why? Because they have to be built under the metric system; metrification. Twenty houses have to be built under the metric system. I have been trying for 3 months to get a

waiver. You cannot do it. The bureaucracy simply does not bend.

I am going to offer an amendment that says let us suspend for 2 years the enforcement of the Metric Conversion Act. Just suspend the enforcement of it. Then let us have this commission that is going to study the other things get back to us and tell us what the Metric Conversion Act is costing us and why. Of what value is it to build a house using metric? It is more expensive and takes longer in the planning. This makes no sense to me. I am going to offer an amendment, and I hope we add it to this bill, that we suspend for 2 years the enforcement of the Metric Act while the study is done, the study which I hope will then convince us we ought not to be doing this.

Yes, parts of the private sector are going metric because if you want to compete in certain areas overseas you ought to do it in metric measurements. The automobile industry does that when they send cars overseas. I see nothing wrong with that. But we do not have to use metric when we want to build a house on an Indian reservation. That makes no sense to me.

I am going to offer another amendment, on the Federal Reserve Board. The Federal Reserve Board imposes the ultimate mandate. In fact, I think next week they will decide once again—closing their doors and in secret with their brethren, the banking community, the central bankers—decide to increase interest rates. And they will increase the cost of paying for the Federal debt by the Federal Government. They will increase the cost for State and local governments, and more important, they will increase costs on every American citizen. That is mandated. They are going to mandate an increase in interest rates that will cost every American citizen additional money.

So I am going to offer an amendment that is very simple but will give them an apoplectic seizure, I am sure, because even if you suggest somehow that they are maybe a part of America and we ought to understand what they are doing behind those closed doors, they say you are Fed bashing. I am not Fed bashing. But I am going to offer an amendment that says when the Federal Reserve Board meets in secret to decide once again they want to increase interest rates, within 30 days of that decision they must send a report to Congress and a report to the President that tells us how much that action cost us, what it cost the Federal Government in increased debt service.

Incidentally, the Fed's actions last year—again in secret, by the Fed, the central bankers who control the money supply—their actions last year increased the cost of debt service over the coming 5 years by nearly $125 billion. In other words, they, by their decisions, took back nearly one-fourth of the deficit reduction savings that we agonized over and debated and wrestled over here on the floor of the Senate for months the year before. They did not wrestle. They did not debate much. Actually, we do not know that because the door was closed. But I assume they reached a consensus very quickly on behalf of their constituencies. They took back, by their action to increase interest rates, about $125 billion in deficit reduction. Said another way, they took action to increase the Federal deficit by $125 billion because they increased the cost of paying for the Federal debt. But it was more than that. They increased the cost of home payments for people who have adjustable rate mortgages.

My point is this. When the Federal Reserve Board meets and decides it is going to mandate another interest rate increase, I just say, within 30 days you have a responsibility to tell us and tell the President what this increase will cost. The reason I make this suggestion is that I asked at a recent hearing of Federal officials what did this cost, your five or six interest rate increases last year? Do you know what was the cost of it, and who is going to pay it? They had not studied it.

So I am saying I would like the Fed to study it and give us a report. I will offer that amendment as well to this legislation, and I hope that some of my colleagues will support that and that we could add that provision to the unfunded mandates bill.

Let me finish where I began on this subject. This is a piece of legislation that I believe will be supported by substantial numbers in both political parties. Most of us understand it has been too easy to impose mandates on others, both State and local governments and, also, the private sector. There are mandates that are important, necessary, and which I support. We would not want, I believe, in this country, to decide we will retreat on the question of child labor. We have child labor laws prohibiting the hiring of 12-year-olds and paying them 12 cents an hour. We would not want to retreat on that. We would not want to retreat on the issues of worker safety. Should we have a safe workplace? Should we have child labor laws? There are dozens and dozens of things that we have done that helped create a better country. They are important and they have been in mandates.

But in recent years it has been too easy. In recent years there has been a call for us to be more responsible, and that is what this legislation says. Let us understand what this mandate is, who it costs and what it costs. If we do understand, we will make this Senate a better legislative body.

I hope that next week when we really debate this bill, Senators will not tell us that this bill is just the way it has to be as it comes out of committee and that they oppose all amendments. This bill is not perfect. I helped work on it and I know it is not perfect, and that is why I think we ought to have a free and open exchange, agree to some amendments where amendments have merit, and get this bill ready for final passage. We will have accomplished something together as Republicans and Democrats, and we will be responding to what I think is a real problem.

Mr. President, with that I yield the floor, and I make a point of order a quorum is not present.

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

The bill clerk proceeded to call the roll.

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

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

NOTE

Due to a printing error, the following statement from the RECORD of January 10 is reprinted in correct form at this point.

A MAN OF MANY TALENTS—SENATOR BENNETT JOHNSTON

Mr. BYRD. Mr. President, Madison in the Federalist No. 53 states, in part, as follows:

> No man can be a competent legislator who does not add to an upright intention and a sound judgment a certain degree of knowledge of the subjects on which he is to legislate. A part of this knowledge may be acquired by means of information which lie within the compass of men in private as well as public stations. Another part can only be attained, or at least thoroughly attained, by actual experience in the station which requires the use of it.

In the same Federalist paper, Madison writes as follows:

> A few of the members, as happens in all such assemblies, will possess superior talents; will, by frequent reelections, become members of long standing; will be thoroughly masters of the public business, and perhaps not unwilling to avail themselves of those advantages. The greater the proportion of new members and the less the information of the bulk of the members, the more apt will they be to fall into the snares that may be laid for them.

Mr. President, I speak today of a Senator who has demonstrated superior talents, a Senator with 22 years of experience in this body—Madison, having referred to men of "superior talents" and also to the advantages of "experience"—and BENNETT JOHNSTON is that man of whom I speak.

There is no department of public life in which the test of man's ability is more severe than service in this body. Little deference is paid to reputation previously acquired or to eminent performances won elsewhere. What a man accomplishes in this Chamber, he does so by sheer force of his own character and ability. It is here that one must be

prepared to answer for the many talents or for the single talent committed to his charge.

BENNETT JOHNSTON came to this body 22 years ago as a man of many talents. He did not wrap his talents in a napkin or hide them in the earth, as both Luke the Physician and Matthew make reference, but he put them to use that they might bear increase for his State, for his country, for the Senate, and for his fellow man. He has proved himself to be a superior legislator. I have served with him these 22 years on the Committee on Appropriations. He has proved himself to be a man with courage, with vision, with conviction, a man who is diligent in his work and faithful to his oath of office.

As the chairman of the Senate Committee on Appropriations during the last 6 years, I found him always to be conscientious and a man of his word. Fully aware of the admonition by Polonius that "those friends thou hast and their adoption tried, grapple them to thy soul with hoops of steel," it is with pride that I call BENNETT JOHNSTON friend. It is with sincere sadness that I have heard of his decision and I regret that, with the passing of these final 2 years of his term, the Senate will have witnessed the departure of one who has effectively toiled here in its vineyards and who has earned the respect and admiration of his colleagues. The people of the State of Louisiana chose well when, by the exercise of their franchise, they sent him here. Someone will be selected to take his place, just as someone will, in due time, stand in the place of each of us here.

After he lays down the mantle of service, we shall feel the same revolution of the seasons, and the same Sun and Moon will guide the course of our year. The same azure vault, bespangled with stars, will be everywhere spread over our heads. But I shall miss him, just as I know others will miss BENNETT JOHNSTON. Other opportunities will come to him, other horizons will stretch out before him, and he will sail his ship on other seas.

Erma and I will miss BENNETT and Mary, but the memories of these past years during which we have been blessed to render service together to the Nation will always linger in our hearts.

I think of lines by Longfellow as being appropriate for this occasion:

I shot an arrow into the air;
It fell to earth I knew not where,
For so swiftly it flew, the sight
Could not follow it in its flight.

I breathed a song into the air;
It came to earth, I knew not where,
For who has sight so swift, so strong
That it can follow the flight of song?

Long, long afterwards, in an oak,
I found the arrow still unbroke,
And the song, from beginning to end,
I found again in the heart of a friend.

Mr. President, I yield the floor.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS SAID YES

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty and responsibility of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at $4,798,792,100,063.36 as of the close of business Tuesday, January 10. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is $18,216.30.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

CONGRESSIONAL ACCOUNTABILITY ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2) to make certain laws applicable to the legislative branch of the Federal Government.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from New Jersey [Mr. LAUTENBERG] is recognized to offer an amendment, in which there will be 20 minutes under the control of the Senator from New Jersey and 5 minutes under the control of the Senator from Iowa [Mr. GRASSLEY].

Mr. LAUTENBERG. Mr. President, I thank the Presiding Officer.

AMENDMENT NO. 15

(Purpose: To reduce the pay of Members of Congress by the same percentage as other spending is reduced in any sequester caused by the failure of Congress to meet budget limitations on spending, or the budget deficit)

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 15.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

At the appropriate place in the bill insert the following new section:

SEC. . REDUCTION OF PAY OF MEMBERS OF CONGRESS IN EVENT OF SEQUESTRATION.

(a) IN GENERAL.—Section 601(a) of the Legislation Reorganization Act of 1946 (2 U.S.C. 31) is amended—

(1) in paragraph (1) by striking out "as adjusted by paragraph (2)" and inserting in lieu thereof "as adjusted by paragraphs (2) and (3)"; and

(2) by adding at the end thereof the following new paragraph:

"(3)(A) The annual rate of pay for each position described under paragraph (1) shall be reduced (for the period beginning on the effective date under subparagraph (B)(i)(I) through the end of the fiscal year in which such adjustment takes effect) by the percentage necessary to reduce the total annual pay for such position by the uniform percentage determined under—

"(i) section 251(a)(2) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 901(a)(2)) in any fiscal year in which there is a sequester under section 251 of such Act;

"(ii) section 252(c)(1)(C) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 902(c)(1)(C)) in any fiscal year in which there is a sequester under section 252 of such Act; and

"(iii) section 253(e) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 903(e)) in any fiscal year in which there is a sequester under section 253 of such Act.

"(B)(i)(I) An adjustment under subparagraph (A) shall take effect on the first day of the first applicable pay period beginning on or after the date on which an intervening election of the Congress occurs following the sequester.

"(II) Effective on the first day of the first applicable pay period beginning on or after October 1 of the fiscal year following the fiscal year in which an adjustment to effect under subclause (I), the rate of pay for each position described under paragraph (1) shall be the rate of pay which would be in effect if not for the provisions of this paragraph.

"(ii) If more than one adjustment would take effect on the same date in accordance with clause (i)(I), each applicable percentage determined under subparagraph (A) (i), (ii), and (iii) shall be added, and the resulting percentage shall be used in making a single adjustment.".

(b) REGULATIONS.—The Secretary of the Senate and the Clerk of the House of Representatives may prescribe regulations to carry out the provisions of this Act relating to the applicable Members of Congress.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this section.

Mr. LAUTENBERG. Mr. President, this amendment is fairly simple. It would include Members of Congress in actions that result from missing budget targets that have been set forth under the Budget Act. It would say that if we miss the targets specified and a sequester takes place, reductions in accounts across-the-board, or on a specific account, that we would also include Members' salaries; that we would

therefore cut, on a like proportion basis, the salaries of Senators and Congresspersons if the Congress failed to achieve its budgetary targets of limits on Government spending.

The amendment would eliminate a defect in current law that excludes congressional pay from across-the-board cuts or sequesters when spending limits are exceeded.

Mr. President, the central purpose of the pending bill, the congressional responsibility bill, is to create the same standards for Members of Congress as those applying to other citizens. The bill says that if we are going to impose laws on ordinary Americans, we are going to have to live up to those laws we in the Congress, we in the Senate, the same laws as we ask our constituents to obey. That is an important principle, Mr. President, and it is why I strongly support the underlying bill.

Unfortunately, the pending legislation does not put Congress and the public on even par, at least in one very important respect. In fact, one double standard in place would absolutely surprise the American people if they were more aware of it. And I will take a moment to explain.

Under the Budget Act, if Congress exceeds certain limits on spending or fails to meet legally established deficit targets, then the act may mandate automatic across-the-board spending cuts to assure that we maintain fiscal discipline. These across-the-board cuts are known as sequesters and they can apply to a very broad range of Federal programs and benefits.

Let us make no mistake. If Congress overspends under the Budget Act, ordinary Americans get hurt in the process—veterans can lose benefits they earned while fighting for our country; senior citizens with health problems can lose services under Medicare; middle-class students can lose the opportunities that student loans afford; and citizens living constantly these days in fear can lose the protection of additional law-enforcement personnel.

And yet, while ordinary Americans' programs are put on the chopping block, when their health, their security, and their educations are put at risk, guess who it is that gets off scot-free? That is right. Members of Congress. Their pay is protected, no matter what happens.

Mr. President, there is something wrong with saying that, if Congress violates the Budget Act, benefits for ordinary citizens should be cut, veterans' services should be cut, senior citizens' Medicare should be cut, student loans should be cut; the unemployed job training should be cut, but congressional salaries, those are sacrosanct, not to be touched. It is not right. If the public knew more about it, they would perhaps be even angrier than they already are.

Mr. President, I have been bothered by this double standard for some time. In the last Congress, I introduced legislation to eliminate this double standard. I called it the Congressional Overspending Pay Accountability Act. It was designed to do what its name suggested: Hold Members of Congress accountable if they overspend and if they violate their own budget rules.

This amendment is based generally on that earlier bill. I offer it today because the Congressional Accountability Act is the ideal vehicle for solving this problem. After all, this bill is about eliminating double standards. And the loophole that protects Members' salaries from spending cuts is the ultimate double standard. Unfortunately, in its current form, this bill does nothing about it unless this amendment is adopted.

So the amendment is very simple. It says that if Congress overspends, the pay of each Member of Congress shall be reduced by the same amount as all other affected spending. For example, if we exceed discretionary spending targets and trigger a sequester of 5 percent, Member pay for that next year will be cut 5 percent, as well. If the sequester cuts other programs by 1 percent, then the pay of Members of Congress will be reduced by 1 percent. I think it is important that if a target is missed, the pain be distributed equally. When cuts are made in programs, opportunities for education or health care are reduced. I think, somehow or other, we in the United States Congress ought to feel it some way other than putting a pencil to the paper.

We are recommending this amendment. I hope all of my colleagues will support it. I think it is a show of good faith. I think, otherwise, it smacks a little bit of hypocrisy to say we do not want our pay cuts, but we want everybody else's programs cut. I think it does not ring a very true signal for the American people. This amendment proposes to treat Members of Congress just like all other ordinary Americans who get hurt when the Budget Act mandates across-the-board cuts. I believe that is only fair.

We have not heard a lot about sequesters lately, Mr. President. In the past, we have seen sequesters as high as 5 percent, such as the one that reduced the military budget by that amount in 1986. Recently, Congress has complied with the Budget Act and has made a lot of tough choices. The threat of sequester has now increased substantially. Many in this town are intent on both increasing military spending and providing huge tax breaks to the wealthy at the same time we have heard promises of huge cuts in total Government spending. Apart from a few small symbolic programs proposed for elimination, we have not heard much of the details. We do not know whose benefits will be cut. We do not know whose programs will be eliminated.

Mr. President, if Congress locks itself in too tightly in overall spending caps, and then refuses to make the tough decisions to cut specific programs, what will happen? Well, one likely result will be a sequester. That possibility looms larger now than it has in many years.

Mr. President, there is a lot of debate now going on about a balanced budget amendment. The reason that that has developed is because all of us, whether one is a supporter of the balanced budget amendment or not, are anxious to bring this budget of ours under control. So we are resorting to techniques, we are resorting to programs instead of thoughtful planning on how to do it.

What we are saying is let us pass the balancing on to an amorphous structure, something that says if we cannot do it—and I think it is a blink of the eye, because we can do it—if we cannot do it, let them do it.

The case of the balanced budget amendment obviously, at one point along the line, falls to the courts to pick up the responsibilities. So I want to establish the fact—and I think my colleagues will agree—that we, too, are at risk in some way if we fail to do what we tell the public we want to do.

Mr. President, there will be handouts to the rich. They will be paid for in the end. There is a good chance that they will be paid for by ordinary Americans, whose Medicare and other benefits are subject to significant across-the-board cuts. The question I ask is, will Members of Congress feel their pain? Under the present structure, it does not look that way. The meat ax may fall, but our heads will not be in the guillotine. The blood on the floor will be the blood of lots of ordinary folks who have worked hard, played by the rules, and tried to make ends meet; but, once again, they will be asked to make or told that they are the ones who will make the sacrifice.

Mr. President, I am hopeful the reason we will prevail and we will avoid that kind of fiscal irresponsibility is the threat is real. If the ax falls, Members of Congress should risk their necks, as well. Mr. President, even if we never have another sequester, we should eliminate the loophole for Members' pay. It is a matter of principle. It is the exact same principle, the principle that motivates this bill. Members of Congress are citizens, like everybody else. When we violate our own budget rules, we should not give ourselves any special exemptions.

The staff that joins us here in this room, that supports Senators in their offices and supports Senators in their committees—hard-working people, people who want to do a job and get a decent day's pay—wants to know that their pensions are secure when it comes time to retire. If there is a sequester, they feel it in their paychecks when the legislative budgets are reduced. That risk ought to be applied to

those who are writing the bills. We ought to cut our pay to the same extent that anyone else who works for the Government might get cut if a sequester takes place.

Mr. President, if we are serious about reform, this amendment should pass overwhelmingly. I think that as each of the Members comes up to the well and announces their vote, that it is important the public be aware of the fact that if they vote "no," or vote against this amendment, that what they are saying is the old expression that kicks around here, "Do not tax you and do not tax me, tax the guy behind the tree." That is what we are saying if this amendment fails to pass. I am hopeful that we will see it pass, because I think it is an important declaration of principle to the American people. I think it says to them that we are in the same boat as they are.

It is a privilege to serve in this body. We are privileged and honored to have the responsibility of writing the laws that make this country a better place to live. We will be able to put our imprimatur, our signature on this, if we adopt this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LAUTENBERG. Mr. President, I ask the Chair, how much time is remaining on my side?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. LAUTENBERG. If a quorum call is put in place, how is the time charged?

The PRESIDING OFFICER. It requires unanimous consent at this time to put in the quorum call. The Senator must specify how the time would be split.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum. I have pledged to the majority leader that he will have 5 minutes, I think it is, to make his remarks. We will have the time run on our side of the clock.

The PRESIDING OFFICER. Is there objection to the request?

Mr. GRASSLEY. Reserving the right to object. I did not hear the unanimous-consent request. Was there one?

Mr. LAUTENBERG. There is. The unanimous-consent request is, if I may, Mr. President, that a quorum call be fully charged to our side because the majority leader has a commitment under the previous order of a 5-minute response.

Mr. GRASSLEY. That is OK with me.

Mr. President, I have 5 minutes under my control?

The PRESIDING OFFICER. That is my understanding of the unanimous-consent agreement, yes.

Mr. GRASSLEY. I allocate myself such time as I may consume out of the 5 minutes.

The PRESIDING OFFICER. Does the Senator from New Jersey withhold his quorum call?

Mr. GRASSLEY. Has the Senator yielded the floor?

Mr. LAUTENBERG. Yes.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, first of all, from the standpoint of a philosophical approach to what the Senator from New Jersey is trying to espouse, as his amendment does, I have affiliated myself in the past with some attempts—this is the first time I have heard this approach used—but I have offered amendments or cosponsored amendments myself that would say there should be no pay raise for Members of Congress until we get the budget balanced.

I think the Senator from North Carolina [Mr. HELMS] has offered an amendment on the floor of this body before that I voted for that probably would have cut our salary a certain period of time until we got to a balanced budget. I voted for that. So I am not unsympathetic with what the distinguished Senator from New Jersey is trying to accomplish. But I can say this in regard to the underlying legislation: The underlying legislation attempts to, and I think successfully does, apply the laws to Congress that we have exempted ourselves from that presently and for, in some instances, five decades have applied to the private sector, so that we no longer have a system of a double standard in America: One set of laws is for Congress and another set of laws is for the rest of the Nation.

That principle underlying this legislation then is the main argument for our not agreeing to the amendment of the Senator from New Jersey, because he imposes the requirement of sequestration on the rest of the budget to the salaries of Members of Congress. We are dealing totally within the public sector here. It has nothing to do with the application of laws that apply to the private sector on Congress from which laws we have been exempt, because the Federal budget, as an instrumentality of public policy, does not apply to the private sector.

So, basically, the same argument can be used against the amendment of the Senator from New Jersey that has been used against the amendments that have been proposed from the other side of the aisle on Thursday and Friday of last week, Monday and Tuesday of this week and now we are in the fifth day of discussing a bill. It is unrelated. It is a subject worthy of discussion, what the Senator brings to our attention, but not on this legislation. So, consequently, not this time. In the first week of April, according to the Senator from New Mexico, the distinguished chairman of the Budget Committee, the budget will be discussed in this body, and that is the appropriate place for the Senator from New Jersey to offer his amendment.

It gives me an opportunity to emphasize then, as I said once today, and I have said each and every day this bill has been up, that we are on our fifth day on a bill that the House of Representatives passed in 20 minutes on their first day of the session. If there was one clear message in the last election, it was that we should no longer have business as usual, and particularly this issue of the applicability of laws that Congress has exempted itself from to Capitol Hill. That was a major issue in the last campaign.

There is hardly a freshman Member of this body that has not told me that in every one of their campaigns—I am talking about the people that were newly elected on November 8—there is not a one that said this was not a centerpiece of their campaign. Do not take it from those of us who have been in this body a while. Take it from those who bring some inspiration to this body to show the people of this country that this body is not going to continue to act business as usual, ignore the will of the people and do our own agenda, because the agenda was set by the American people in this election—and this bill, this underlying piece of legislation that we are dealing with and will hopefully pass at 5 o'clock this afternoon, the Congressional Accountability Act, where we cover ourselves by the laws we have exempted ourselves from in the past.

So, I am asking my colleagues not to reject the substance of what the Senator says, the author of this amendment, but to reject it for the time being, and consider it again when the budget comes up the first week in April.

I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator's time on this amendment has expired. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I listened very carefully to the Senator from Iowa because he is someone who is very thoughtful. We served together on the Budget Committee. He is concerned about what takes place in terms of our acts related to the budget. I know that he is sincere when he makes the case for having this done at a later time.

I respectfully, however, disagree with my friend from Iowa because I think, A, that there will be no delay in terms of final consideration of this bill. There is a unanimous-consent order that is for this evening, and any single Senator can prevent that order from being altered in any way. So the vote will take place. So there is no further delay that is going to be caused by this amendment.

I think that it is quite clear that now—and I once again agree with the

distinguished Senator from Iowa—that we now are saying that this House, this body is subject to the same laws that we write for everybody else, and I agree with that. Therefore, in my view, this is the perfect opportunity to say not only will we obey the laws, in terms of our performance of our functions within our offices, but we are also going to take a personal hit if something goes awry if we do not plan carefully enough to meet the budget targets that we have set.

That law has been in place now I guess for 7 years—1986, I am reminded, 8 years, 9 years now—and we have had a couple of sequester years. But we have not had as much of a likelihood that a sequester ax will fall as we have facing the next year's budget, because everyone knows that we are trying to squeeze things down. In the process, if we miss those targets, we are going to have a sequester.

Once again, to overstate the case perhaps, I think that if the American people's programs—and we are not necessarily talking about the private sector, we are talking about the public sector, we are talking about senior citizens, we are talking about veterans, we are talking about students—if those programs are diminished, then I see no earthly reason why our salaries should not reflect some adjustment for that year that corresponds with the reduction in programmatic dollars that might be available.

So, Mr. President, I conclude my remarks. I yield back the remainder of my time and hope that we will adopt this amendment.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. LAUTENBERG. I do.

Mr. GRASSLEY. I yield back my time.

The PRESIDING OFFICER. All time has expired.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, under the unanimous-consent agreement, what is the next order of business?

The PRESIDING OFFICER. The next order of business will be the Senator from Nevada will be recognized.

Mr. GLENN. Mr. President, we will check and see if he is on the way over, and while he is on the way over I might make some remarks particularly addressed to people on our side of the aisle in that we on the Democratic side are the ones who have had the amendments on this legislation.

The distinguished majority leader, Senator DOLE, was able on his side to convince everyone to keep amendments off, with the idea of treating this whole thing expeditiously and getting it through. I certainly share his desire.

At the same time, it is within the right of every Senator to put forward amendments under Senate rules, whether germane or not. And I do personally think there will come a time in the future when we do adopt germaneness rules so we can keep a lot of extraneous legislation off of the floor.

What I wanted to say in addressing our side of the aisle in particular on this bill, we had a number of amendments and people lost on those amendments. We did not succeed in passing any of them. Sometimes when you get into debate in the Chamber, it gets into a rather heartfelt situation. We have issues about which people care very strongly, and they are not willing to give up easily. And there is a tendency sometimes to vote against the underlying legislation because people are in a state of semipique or disagreement or unhappiness because their particular amendment, which may or may not have been germane, did not pass.

Now, I hope if we have anyone on our side of the aisle who is taking that attitude and plans to vote against this bill because their particular amendment was not accepted, we can convince them to put aside that attitude and vote for this bill.

I think this bill is right. I think it is fair. There are a couple of things that are addressed by this bill. One is the perception out there in the country that somehow we are above the law; that we treat ourselves differently, and that is a perception, of course, about which we all must be concerned.

But second, the importance of this bill, quite apart from dealing with perceptions, it seems to me, is that you come back to the question, is it right or is it wrong that we pass this legislation? And I say it is right because what it does, it gives the same protection to our own Hill employees, those who work for us on Capitol Hill, that we have passed here in years past and said it is good for the rest of the country; we want to protect the workers out there with OSHA laws and we want fair employment laws and the right to organize—all these things that we say, yes, sir, under the American justice system, this is right for the rest of the country. I would say if it is right for the rest of the country and if people need that kind of protection out there or have rights that need protection, then our Hill employees have those same rights and to treat them fairly we need to pass this kind of legislation.

Mr. President, I was asked earlier today by one of the leading reporters here that covers the House and covers the Senate on a regular basis, just what difference does this bill make? Well, I think in some areas it makes a substantial change and in some areas it does not. Through the years, we have provided some protections in laws in a rather haphazard manner, and the haphazard manner has extended also to the process by which an employee could file a grievance of some kind and have it dealt with, with various procedures.

So what this bill does is to two things. One, it takes all of these different laws—in fact, under the antidiscrimination laws we apply four laws, some of which were covered before, some of which were not: Civil Rights Act of 1964, Age Discrimination, Americans With Disabilities Act, Rehabilitation Act, all under antidiscrimination; under public services and accommodations under ADA: title II, Americans With Disabilities; title III, Americans With Disabilities; workplace protection laws: Fair Labor Standards Act regulations to be promulgated that will track executive branch regulations on people that work irregular schedules or whose schedules depend directly on the Senate schedule, OSHA laws, Family and Medical Leave Act, Employee Polygraph Protection Act, Worker Adjustment and Retraining Act, Veterans Reemployment Act. Under labor-management relations, chapter 71 of title V will apply now.

So all of these are laws that we now say will apply, and we give a very specific grievance process that employees can use to address whatever problem they are having or however they feel they are being discriminated against or dealt with unfairly.

So it covers everything. And second, it provides this grievance process which we have not had before that takes care of some of the objections our Members have had through the years about this separation of powers from one branch of Government to the other.

Mr. President, I see our distinguished colleague from Nevada in the Chamber, and I am happy to yield to him anytime he is ready to go. I was filling in momentarily here with some comments to people on our side of the aisle while the Senator prepared.

Mr. COHEN. Will the Senator yield?

Mr. GLENN. Yes.

Mr. COHEN. Mr. President, I just want to take a moment to commend the Senator from Ohio for his statement urging his colleagues to support this legislation notwithstanding the defeat of a number of amendments that were offered and rejected.

I might say, just speaking for myself, that a number of the amendments which were offered, were they to be offered as free-standing legislation, probably would enjoy broad bipartisan support. But we should be clear about what is taking place. There is a momentum that has started in the House of Representatives. There is the Contract with America that the majority in the House and the Senate would like to see brought to the floor for debate and disposition. The majority is determined during that first 100 days to do whatever it can to facilitate that.

Now, given the fact that we have different rules in the Senate than in the House, they can act much more expeditiously than we can in the Senate. The

Senate was not designed to act in that fashion. In fact, this institution was designed to slow things down so we could have more careful deliberation than the other body.

I must say that even though amendments were offered and rejected, it did not necessarily reflect upon their respective merits. I would hope that the Senator's colleagues would heed his call for support for the underlying legislation, not only, as he indicated, because if a law is right for others it should be right for us. We should also recognize that the motivation for this legislation was not only to impose a sense of equity but also a sense of reality.

Someone once described Washington as being a city of marble surrounded on four sides by reality. That is what has been missing for the most part in terms of the reality of the consequences of what we do. We pass legislation from the very highest of motivations. We are trying to help people who are in need of help. We are trying to improve workplace safety; we are trying to improve the health and well-being of our constituents; we are trying to do many things on behalf of other people. Yet we do not necessarily do so in a way that is reflective enough of the consequences that must be borne by others that we do not have to bear ourselves.

So this is not only an issue of equity. I think it really is motivated principally from an issue of reality—that we will be more aware of the consequences of what we are about to do if we are forced to live under the same rules. So I would urge my colleagues to support the recommendation of the Senator from Ohio that, notwithstanding the rejection of the amendments which were offered, they lend their support to this measure.

Mr. GLENN. Mr. President, I appreciate very much the comments of my distinguished colleague from Maine.

Mr. President, I understand that the Senator from Nevada is ready and I think he was awaiting the arrival of the distinguished majority leader, who was to have a colleague with him, on the subject that he will present.

Until the majority leader arrives, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that I may proceed as in morning business.

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

Mrs. FEINSTEIN. Thank you very much.

CALIFORNIA FLOODS

Mrs. FEINSTEIN. Mr. President, I thought it might be in order to give a very brief status report on the condition of the flooding in the State of California. It is a strange and altogether tragic irony that just about 1 year ago southern California was hit by wildfire and then the shattering Northridge earthquake. The 1-year anniversary of the Northridge earthquake will be this coming Tuesday, January 17.

As we evaluate the recovery and expenditure of nearly $11 billion of Federal funding that has been committed to disaster relief in that earthquake, record levels of rain are falling in California and have been since late last week, flooding rivers, washing out roads, causing mud slides, knocking out electricity and water supplies, and affecting the lives of hundreds of thousands of people throughout the State.

So I rise today, Mr. President, to give a brief status report on that record rainfall and flooding.

To begin with, I have been in contact with FEMA Director James Lee Witt, who is currently in California, and my State staff is on alert to provide whatever assistance they can. In addition, Transportation Secretary Peña, Housing Secretary Cisneros, and Federal Highway Administrator Slater are on a 1 o'clock flight today to California to assess what additional Federal assistance will be necessary in the days and weeks ahead.

Although the spirit in my State may be temporarily dampened, I am really confident that Californians will once again show the resilience and the determination that we have shown in the past and that we will overcome this disaster as we have the others. Californians have come together in times of disaster, and we will do so once again.

Last night, at about 11:30 p.m. eastern time, less than an hour after a request from Gov. Pete Wilson, President Clinton declared a Federal disaster for 24 of California's 58 counties. I thank the President on behalf of California for quickly declaring this emergency so individual disaster assistance funds could begin flowing.

FEMA started taking calls for disaster assistance as early as this morning. For those that might be watching C-SPAN, FEMA encourages all disaster victims to call this number, 1-800-462-9029, for information and to register for Federal assistance.

Preliminary estimates of the damage are as follows: At least six people are dead; over 1 million have been affected by power outages up and down the State. Very preliminary damage estimates exceed $50 million as of now. This will undoubtedly rise as the waters recede and a full assessment of damages is made. Thousands of people have been evacuated from their homes.

According to news reports, California has been hit with 6 months' worth of rain in 10 days. Last night I talked with Dr. Joe Friday, the Director of the National Weather Service, and he stated to me that although there is a brief respite today, heavy rains are apt to continue through the weekend. More than 50 major highways and freeways and hundreds of roads are closed due to flooding. In one 7-hour period yesterday, the California highway patrol logged 530 accident calls. That is more than five times the normal level, and by early afternoon had dealt with almost 500 disabled vehicles just in southern California alone.

What is clear is that in many areas of the State near-record levels of rain have fallen with devastating consequences. Let me describe some examples of just what the State is facing. In the Russian River area of northern California, the entire business district and hundreds of homes in the community of Guerneville in Sonoma County have been underwater for the last few days. The Russian River has swelled to record flood levels. According to the U.S. Geological Survey, Monday's water flow in the Russian River was the highest ever recorded. The word from California this morning is that the river has begun to recede back to normal levels. However, Sonoma County has been without water, and the State is bringing water in. Everybody is being urged to boil their water.

All 2,800 residents of Hamilton City in Glenn County were evacuated as the Sacramento River rose 3 feet above flood stage. People literally are kayaking down the main business street, State Street, in downtown Santa Barbara.

Many of the communities still recovering from last year's earthquake and severe wildfires have been particularly hard hit, such as Malibu and many of the canyons in southern California. Everything that was a river or a creek yesterday is a flood basin today. The Pacific Coast Highway from Malibu to Santa Barbara has been closed due to mud slides.

Pepperdine University and local businesses in the Malibu canyon are closed due to flooding. The Pepperdine campus was used for helicopter evacuations of residents in the surrounding canyon.

Fortunately, but not for lack of practice, the local, State, and Federal responses are timely and effective. The State Office of Emergency Services under the direction of Richard Andrews quickly established a state operations center to coordinate State assistance. The California National Guard has activated 75 trucks, helicopters, boats, and 300 personnel, conducting rescue and evacuation operations in seven counties.

FEMA Director James Lee Witt, already in California, is remaining in the State to coordinate the Federal disaster response. FEMA damage assessment teams have been on the ground

since the weekend, though much of this work is impossible until the water finally recedes after the final rainfall. We do not know when that will be. FEMA has been requested by the State not to establish disaster assistance centers. All financial assistance to people will be done by teleregistration, through the number that I gave earlier. I would like to repeat it once again. Anyone who is a victim of the flood and wishes either information or assistance should call 1-800-462-9029. The system is in place right now and will be taking calls for as long as necessary. Personnel have been deployed from FEMA's Infrastructure, Individual Assistance, and Hazard Mitigation Programs to California to begin work with State and local officials.

As I mentioned, Secretaries Cisneros and Peña are on their way now to California to decide what additional assistance might be warranted. I will work closely with my colleague, Senator BOXER; my colleagues in the House; and you, Mr. President, and others in the Senate. Over 30 congressional districts in California have been affected by this disaster, and we, together, will make sure that Federal response is swift, effective, and complete.

My heart goes out to the families that have members who have perished in this, our latest disaster, and to the many thousands of people that have been affected by the rising waters. My message to them is that FEMA will be there until we can get people back in their homes, businesses back on their feet, and lives back in order.

I thank you very much, Mr. President, and I yield the floor.

CONGRESSIONAL ACCOUNTABILITY ACT

The Senate continued with consideration of the bill.

Mr. GLENN. Parliamentary inquiry, Mr. President. Are we back in legislative session now?

The PRESIDING OFFICER. Yes, we are.

Mr. GLENN. Mr. President, I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I will take just a few moments because I understand from the Senator from Ohio that we will for a short period go into recess following my statement, is that correct?

Mr. GLENN. Mr. President, that is correct. The majority leader said when we were finished now, we will go into recess until 4:30 when he will come to the floor and have a colloquy with Senator BRYAN.

Mr. WELLSTONE. Mr. President, I thought that while I was here I would summarize this past week for other Senators, and just as important, for people in the country, action of the Senate on some key political reform agenda items that were again blocked here in the Senate.

The piece of legislation that has been before this body is called the Congressional Accountability Act. There were a number of amendments introduced on the floor this week that I think spoke to the heart of accountability. Many, many Senators have been talking about reform. I just want to summarize for a moment the record.

There was the Wellstone-Levin-Feingold-Lautenberg lobbyist gift ban. One of the central political reform item agendas, Mr. President—along with lobby registration and real campaign finance reform—and this was tabled on virtually a party-line vote. This was, once again, an amendment that was connected to what all of us have said we are about, which is to end this taking of gifts, expensive meals, and vacation travel from lobbyists and other special interests. I believe the Senator from Michigan, the occupant of the chair, was actually one of the few from his side who voted for this. But with the exception of the Senator from Michigan and a couple of other Senators from the majority, it was almost a straight party-line vote.

There was another amendment, the Wellstone amendment, to restrict political contributions from lobbyists who have lobbied a Member within a year. I think that goes to the heart of this sort of nexus between money and lobbying, and the extent to which people in the country feel left out of the loop of governing. This, I am sad to say, was not just a party vote. There was an overwhelming vote against this, and I really believe we are making a big mistake by not, in a very significant way, reforming this political process and doing something about the mix of money and its influence in politics.

There was an amendment by Senator FORD, from Kentucky, to prohibit the personal use of frequent flier miles by Members of Congress and staffers. While Senate rules already prohibit this, this amendment would have codified the rule for us and extended the rule to House Members.

Senator MCCONNELL's amendment struck language from the Ford amendment that would have applied the prohibition consistently to the House and Senate, allowing House Members to continue the practice of using frequent flier miles for family vacations, expensive meals, and other means of having their lifestyles subsidized indirectly by their official travel, paid for by the taxpayer. So Senator FORD's reform amendment was unsuccessful, voted down in what was largely a party vote.

There was the Exon amendment to require specificity in how we propose to get to a balanced budget and to prohibit outlays in excess of revenues in the year 2002.

Mr. President, what Senator EXON was trying to do was say, let us have some truth in budgeting, let us be accountable, let us be honest and direct with people about the cuts we are going to be making if we pass the balanced budget amendment to the Constitution. That amendment was defeated by almost a party-line vote. Now, I opposed that amendment for other reasons, but I do believe that, at a minimum, Members of Congress ought to make clear the huge cuts that would be required by the balanced budget amendment before we vote on it. By and large, that vote on the Ford amendment was also a party-line vote.

Again, what Senator EXON was trying to say for those who were for the constitutional amendment to balance the budget—I am not—is please be direct and honest with people and let us be clear about how we propose to get there. It was voted down on what was, by and large, a party-line vote.

There was the Kerry amendment to prohibit the personal use of campaign funds. It would have imposed tough new rules to prevent abuses by some Members of Congress in this area, including the leasing of cars for essentially personal use in the Washington area, paying for recreational travel, meals, and the like. Again, this amendment was tabled.

There was another attempt to address the problem of personal use of frequent flier miles by my colleague, the Senator from Ohio, Senator GLENN. The Glenn amendment was to extend to the legislative branch the same frequent flier rules that apply to the executive branch. That was tabled on essentially a party-line vote.

And finally, Mr. President, and I summarize, there was the Wellstone amendment on children. My colleagues on the other side of the aisle have been saying over and over again, "We are not going to impose cuts that are going to hurt children, that would create more hunger or homelessness among children." This amendment asked Senators to go on record voting for what they have been saying. Believe it or not, that amendment was tabled on virtually a party-line vote.

Mr. President, I just present this summary because somewhere, someplace in the United States of America, people should know that the so-called reformers did not follow through on a great deal of the reform agenda; in fact, they are blocking it. Americans should know that there is much that we can and should and must do to make this process more open, more accountable, more honest. And over and

over and over again, on many important amendments, we had virtually straight party-line votes defeating these reform efforts by people who ran for office on a reform agenda.

Mr. President, I know that the majority leader on "Face the Nation" a couple of weeks ago, in talking about the gift ban said something to the effect that: "We're in control of the Congress now, and we're going to set the agenda."

Party control has shifted, and the majority leader is a skillful legislator and a skillful leader. But my question, Mr. President, looking at the past week is: When are we going to get beyond party-line votes? When are we going to get to the merits of amendments if, every time a Senator brings an amendment to the floor, it is automatically tabled because the majority leader says that is not what our party is going to support?

My question for my colleagues is: When are we going to see a little more independence?

I hope that we follow through on commitments we have made to the people in this country, which is that we are going to be serious about reforming this process. The Congressional Accountability Act is a good, sound, positive piece of legislation in that direction, but we had an opportunity to do much more, and I have given examples of amendment after amendment after amendment that I bet 90-plus percent of Americans would support which were tabled on virtually party-line votes. I thought people wanted us to get beyond that. I thought people wanted each and every one of us to be independent, to vote on the merits of the legislation, to vote on what we think would be good for the people back home.

Did Senators vote against an amendment saying we would not do anything to create more hunger and homelessness among children because they thought this amendment was not good for the people they represent back home? Did Senators vote against gift ban or abuses of frequent flier miles or other campaign finance reform measures because they thought the people back home whom they represent did not want them to vote for these amendments? It was virtually a straight party-line vote.

So, Mr. President, we will see, with the unfunded mandates bill that will be before the body within the next day or so, but I certainly hope as soon as possible, Senators will consider each and every amendment based on their merits, not based on party calculation—based upon what the people back home would want them to do—or based on their own personal convictions and independence, regardless of what they think the majority of people back home want to do.

Different people have different models of how they represent their States. Right now, what I have seen, by and large, is virtually a straight party-line vote, all about control, all about power, and not about the merits of the amendments or the legislation, but a retreat from the very reform agenda that many of my colleagues said they were committed to.

So I look forward to the next piece of legislation, and I hope that we will do better. I intend to continue to fight for this political reform agenda, including lobbying registration and gift ban reform, and tough, comprehensive campaign finance reform legislation here in the Senate. I commend my colleagues on their work on the Congressional Accountability Act, which I wholeheartedly support. I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Iowa.

RECESS

Mr. GRASSLEY. Mr. President, since there are no further amendments, other than the managers' package—and that is to this bill that is before us—and no other Senators are seeking the floor at this time, I ask unanimous consent that the Senate now stand in recess until 4:30 p.m. this afternoon.

There being no objection, the Senate, at 3:09 p.m., recessed until 4:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mrs. HUTCHISON].

The PRESIDING OFFICER. The Chair, acting in her capacity as Senator from Texas, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VISIT TO THE U.S. SENATE BY DISTINGUISHED GUESTS

Mr. DOLE. Madam President, and my colleagues, we are very honored today to have visitors from Japan, the Prime Minister, Mr. Murayama; the Minister of Foreign Affairs, Mr. Kono; Parliamentary Deputy Chief Cabinet Secretary, Mr. Sonoda; Assistant Director of the First North American Division, Mr. Suzuki. They have been here visiting with President Clinton earlier today, and Senator DASCHLE and I have had a very good visit.

As you know, we have had a strong, good relationship with Japan since World War II. The commemoration of the conclusion of that war will be next year. I was saying to the Prime Minister that obviously you look to the past and you remember the past, and you remember the agonies; but we also look to the future. We have our problems and they have their problems. We have our problems with them, and they have their problems with us.

I say to my colleagues that I hope you will take this opportunity to say hello to the Prime Minister and the Minister of Foreign Affairs and other members of the delegation. To facilitate that, I ask unanimous consent that we stand in recess until 5 p.m.

There being no objection, the Senate, at 4:54, recessed, until 5:01 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ASHCROFT).

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

CONGRESSIONAL ACCOUNTABILITY ACT

The Senate continued with the consideration of the bill.

Mr. DOLE. As I understand it, under the agreement, there will now be a colloquy between myself and the distinguished Senator from Nevada, Senator BRYAN.

The PRESIDING OFFICER. That is the Chair's understanding.

Mr. DOLE. I ask unanimous consent that the Lautenberg amendment be set aside.

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

Mr. BRYAN. Mr. President, I yield to the distinguished majority leader.

Mr. DOLE. Does the Senator from Nevada wish to make a statement first and have me respond?

Mr. BRYAN. As the majority leader prefers. I am willing to do it either way.

Mr. DOLE. I think I should respond to the Senator's request.

Mr. BRYAN. I thank the leader.

Mr. President, Members of the Senate, yesterday I was prepared to offer an amendment to the Congressional Accountability Act, S. 2, which would have made congressional pensions and that of our employees on a parity with other Federal civil servants.

The distinguished majority leader and I had several conversations on the floor yesterday evening. I received an assurance from him that he believed that this is an important issue for the Senate to address. I know that it is his intention to do so, and I accept his representation that this is a matter that is going to come before the body.

I indicated to the majority leader that I would forbear in offering the amendment. However, if I saw no action by the Easter recess of this year, it would be my intention to offer an amendment on congressional pension reform, to any piece of legislation which might then be pending on the floor of the Senate for action.

I am satisfied in my own mind that the majority leader shares my commitment to address this and I accept his

representation and I thank him for his comments.

But I think that our colleagues need to understand, that although we are not going to be voting on this today because of the commitment that I have had from the distinguished majority leader, this is not an issue we are going to be able to postpone and bury. It is going to come before the Senate very shortly. I want to acknowledge and express my appreciation to the distinguished majority leader for his assurances along that line. I look forward to working with him and our colleagues on both sides of the aisle.

I thank the leader.

Mr. DOLE. I thank the Senator from Nevada.

I know that we have a number of colleagues on both sides of the aisle who share the concerns just expressed and that the junior Senator from Pennsylvania, Senator SANTORUM, may wish to say a word at this time.

Mr. SANTORUM. I thank the majority leader for yielding.

Mr. President, I commend the Senator from Nevada for his efforts on this subject. This was an area that I had expressed interest in in the House. In fact, I introduced a bill that almost mirrors word for word what the Senator from Nevada is doing.

This is an important issue of gaining credibility with the American public that we are not going to treat ourselves any different than any other Federal employee when it comes to employee benefits. It puts us on a level no more and no less generous than other Federal employees. I think that is where we should be.

There is no reason that we should have a more generous pension system here than other Federal employees. That is what the amendment of the Senator from Nevada would do. I will join him in cosponsoring his bill.

I appreciate the majority leader's intention to allow this to percolate through the committee system and give it an opportunity for hearings—this is a new subject that has not been discussed in committee—give it an opportunity to be discussed in committee and hopefully be moved through in a speedy fashion. But, if not, we have the opportunity to come to the floor and then offer an amendment to a bill here to move this issue to the floor, where I believe it belongs.

I thank the majority leader for yielding and for his agreement to do this.

Mr. DOLE. Mr. President, I know, in addition to the Senator from Pennsylvania on this side of the aisle, the Senator from Tennessee, Senator THOMPSON, has a direct interest in this legislation.

I wish to commend Senator BRYAN as the prime mover of this effort. I think it should be addressed. It will be addressed, I can assure the Senator from Nevada, the Senator from Pennsylvania, and other Senators. We need to find out, we need to determine, we need to make a record to make certain that congressional pensions are in line with other Federal employees. If they are too generous or if they are out of line, then we need to make changes.

It is my understanding that Senator BRYAN, along with my distinguished colleague from Pennsylvania, Senator SANTORUM, are going to introduce legislation today and, if introduced, this legislation will be referred to the Committee on Governmental Affairs. After consulting some of my colleagues on the committee, including the distinguished chairman from Delaware, Senator ROTH, I have every reason to believe that the committee or one of its subcommittees will hold hearings on the pension reform issue at some point later this year.

Now, let me make it very clear—because I know the Senator from Nevada is acting in good faith, and this Senator is acting in good faith—not only will we have hearings, but we hope something will be reported out of the committee. Because, if it is not reported out of the committee, then I am not going to stand here and block an effort by the Senator from Nevada later on if he stands up to offer an amendment to something else. I give him that assurance right now.

It should come out of the committee with a big bipartisan vote. If it is determined changes should be made, it ought to be made on a bipartisan basis. It ought to be brought to the floor and we ought to act on it.

I told the Senator from Nevada last night—he talked about the Easter recess; it may not happen quite that quickly—that I think there should be some pressure, I do not mean it in the negative sense, for the committee to respond as quickly as possible. I know there are other things that have to be done. But this, too, should be a priority in the chain of events, because a lot of people are concerned about this; a lot of people write to us about this. So let us address it. Let us face up to it.

So I just assure the Senator from Nevada, as I did last evening, that I am sympathetic to what he is attempting to do and I will be trying to cooperate with him every step of the way.

Mr. BRYAN. Mr. President, I express my appreciation to the distinguished majority leader.

I might just inquire, in terms of procedure, it originally was my intention to make a statement about the bill. I know you have a rollcall vote scheduled at this time. I am prepared to make about a 5- or 10-minute statement, if that is agreeable to you.

Mr. DOLE. Yes.

Mr. BRYAN. Mr. President, I will introduce legislation that will put congressional retirement benefits and that of our employees—I think it is important for Members, as well as the public generally, to understand that what we are talking about is not only Members of Congress but our employees are in this same system—that will put our benefits and those of our employees on a parity with other Federal employees. Under current law, as has been alluded to on the floor moments ago, the pensions Members of Congress and our employees receive are considerably more generous than those of other Federal employees. It is my judgment this practice is not justifiable and, in fact, is unacceptable.

Under the present retirement system, Members of Congress and other Federal employees who were part of the Federal work force prior to 1984 are enrolled in the Civil Service Retirement System [CSRS].

Under 1984 legislation, all Members of Congress, our employees, and other Federal employees are enrolled in FERS or the Federal Employee Retirement System. This chart illustrates the point that my colleague from Pennsylvania was making just a moment ago. The accrual rate is significant because the accrual rate multiplied by the number of years of service and the final high-3 salary determines your pension. For example, an individual under the old system, who has been a Member of Congress or congressional employee, has an accrual rate of 2.5 percent. So for a 10-year period of time, that Member would receive a pension of 25 percent of their final high-3 salary. Under FERS, the accrual rate for Members is 1.7 percent, therefore, a Member who serves 10 years would have pension of 17 percent of their final high-3 salary. You can see that the old system is considerably more generous than the new system.

The accrual rate for other Federal employees under the CSRS system is 1.5 percent for their first 5 years; 1.75 percent in second 5 years; after 10 years of service, 2 percent.

You can see that throughout the entire system, Members of Congress are treated more favorably for purposes of the retirement system. Now, it is fair to point out that under the Civil Service Retirement System, Members do contribute 8 percent, non-Members of Congress, nonemployees of Congress, contribute only 7 percent. Even though there is a 1-percent differential in contribution, the Member's pension is a substantially enhanced benefit.

That same disproportionate formula carries through under the FERS system where Members of Congress and our employees get a 1.7-percent accrual rate, which means in 10 years we would receive a pension of 17 percent of our final high-3 salary. The accrual rate for other federal employees is 1 percent, so they would only receive a pension of 10-percent of their final high-3 salary.

Once again, the contribution rate for Members of Congress and our employees is 1.3 percent, which is slightly

higher than the .8 percent that non-Members of Congress and our employees would be contributing.

The thrust of this legislation, Mr. President and my colleagues, is simply to put everybody on a level playing field prospectively. Any accrued benefit would not be taken away. Service under the old system would be calculated under the old formula. Only future service would be calculated under the new formula.

I think it is only fair that we not treat ourselves, as Members of Congress, differently from other dedicated public servants who may serve in the Park Service or the Department of Transportation, in which their devotion to public service is no less than our own.

Let me give you the practical impact of that, and then I will yield the floor here in a moment.

Members will recall I described the FERS system as one for those of us who have been hired since 1984. For 10 years of service as a Member of Congress, our pension would be 17 percent of the average of the last 3 years of our service prior to retirement. Those in the executive branch of the civil service would get only a 10-percent pension of their average of the last 3 years. In 20 years, Members of Congress get a 34-percent pension; other Federal employees under the FERS system get 20 percent. For 30 years, it is 44 percent, and other members that are not Members of Congress or their employees receive substantially less.

Under the old system, which existed prior to 1984, 10-year Members of Congress get a 25-percent pension of the average of their last 3 highest years; other executive branch employees get 16.4 percent. For 20 years, Members of Congress get 50 percent and executive branch gets 36.5 percent. For 30 years, it is 75 percent, and other federal employees receive 56.3 percent.

My point is that we seek equality of treatment. It is a principle embraced, I think, in the Congressional Accountability Act. That is one of the reasons why I had proposed to offer it as an amendment at that time. Let me just say, based upon the assurances of the majority leader, which I accept, I have agreed to forbear and not to offer this amendment. I said by Easter, we would take a look and see if this legislation is moving. If it is, I am willing to give some additional time. This is not an issue that we will be able to dodge. I intend to bring it to the floor. I know a number of our colleagues on both sides of the aisle share a similar perspective.

Mr. President, let me just conclude by saying that I think it is absolutely essential to show the American people that we are not treating ourselves differently from other members of the Federal civil service. Members of Congress should not receive a more generous retirement. This is a matter of fairness.

I would have to say that in townhall meetings we have in Nevada, this issue comes up many times. I have asked why this exists. That is why I introduced legislation along these lines in the last session of Congress.

How is it that Members of Congress are treated differently than other civil service employees? I think the answer is, it is not defensible. We cannot justify it, in my view. We have an obligation to change it prospectively. I am persuaded by the show of bipartisan interest and support. I think we can change it. We ought to change it.

I look forward to working with my colleagues on both sides of the aisle to eliminate what I consider one of the major areas of inequality that exists between the Congress and others who serve in Federal service positions outside of Capitol Hill. We should do it as soon as possible.

Mr. President, I yield the floor.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to set aside momentarily the Lautenberg amendment.

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

AMENDMENT NO. 16

(Purpose: To make technical amendments)

Mr. GRASSLEY. Mr. President, I send to the desk a managers' amendment offered by Senator GLENN and myself and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself and Mr. GLENN, proposes an amendment numbered 16.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 2, in the item referring to section 220, strike "code" and insert "Code".

On page 11, line 14, insert a comma before "irrespective".

On page 27, line 14, strike "would be appropriate" and insert "may be appropriate to redress a violation of subsection (a)".

On page 30, line 6, strike "section 403" and insert "subsections (b) through (d) of section 403".

On page 30, lines 17 and 18, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 31, between lines 3 and 4, insert the following:

(5) COMPLIANCE DATE.—If new appropriated funds are necessary to comply with an order requiring correction of a violation of subsection (b), compliance shall take place as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the order requiring correction becomes final and not subject to further review.

On page 31, line 13, after "(b)" insert "except".

On page 31, between lines 17 and 18, insert the following:

(3) ENTITY RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for categories of violations of subsection (b), the entity responsible for correction of a particular violation.

On page 32, line 6, insert "and the Office of the" before "Architect".

On page 32, line 6, strike ", and to the" and insert "or other".

On page 32, lines 7 through 9, strike ", as determined under regulations issued by the Board under section 304 of this Act,".

On page 35, line 13, strike "and" and insert a comma.

On page 35, line 14, insert before the semicolon the following: ", and any entity listed in subsection (a) of section 210 that is responsible for correcting a violation of this section, irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such a violation occurs".

On page 36, line 3, strike "(a) and (f)" and insert "(a), (d), (e), and (f)".

On page 36, lines 4 and 5, strike "(a) and (f)" and insert "(a), (d), (e), and (f)".

On page 36, lines 15 through 17, strike ", as determined appropriate by the General Counsel pursuant to regulations issued by the Board pursuant to section 304".

On page 37, line 4, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 37, line 12, strike "section 6(b)(6)" and insert "sections 6(b)(6) and 6(d)".

On page 37, line 14, strike "655(b)(6)" and insert "655(b)(6) and 655(d)".

On page 37, line 16, strike "section 405" and insert "subsections (b) through (h) of section 405".

Beginning with page 37, line 24, strike all through page 38, line 4, and insert the following:

(6) COMPLIANCE DATE.—If new appropriated funds are necessary to correct a violation of subsection (a) for which a citation is issued, or to comply with an order requiring correction of such a violation, correction or compliance shall take place as soon as possible, but not later than the end of the fiscal year following the fiscal year in which the citation is issued or the order requiring correction becomes final and not subject to further review.

On page 38, between lines 18 and 19, insert the following:

(3) EMPLOYING OFFICE RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (a), the employing office responsible for correction of a particular violation.

On page 38, line 23, after "General Counsel" insert ", exercising the same authorities of the Secretary of Labor as under subsection (c)(1),".

On page 39, line 3, strike "and".

On page 39, line 4, after "Assessment" insert ", the Library of Congress, and the General Accounting Office".

On page 39, lines 12 through 14, strike ", as determined under regulations issued by the Board under section 304 of this Act,".

On page 41, lines 17 and 18, strike "Subject to subsection (d), the" and insert "The".

On page 42, line 25, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 44, line 1, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 44, line 8, strike "graphs (1) and" and insert "graph (1) or".

On page 44, line 8, before "may" insert a comma.

On page 45, line 1, strike "(c)" and insert "(d)".

On page 45, line 6, strike "(d)" and insert "(e)".

On page 45, line 20, strike "(d)" and insert "(e)".

On page 49, line 9, strike "(e)" and insert "(f)".

On page 49, line 14, strike "(d)(2)" and insert "(e)(2)".

On page 49, line 18, strike "(d)" and insert "(e)".

On page 50, line 3, strike "witness".

On page 54, strike line 11, and insert "than December 31, 1996—".

On page 56, line 25, insert "Senate" before "Fair".

On page 57, line 1, strike "of the Senate".

On page 67, line 16, strike "issuing" and insert "adopting".

On page 68, line 15, after the semicolon, insert "and".

On page 73, line 3, before the period insert "under paragraph (1)".

On page 75, line 4, before the period insert ", except that a voucher shall not be required for the disbursement of salaries of employees who are paid at an annual rate".

On page 75, line 4, after the period insert the following: "The Clerk of the House of Representatives and the Secretary of the Senate are authorized to make arrangements for the division of expenses under this subsection, including arrangements for one House of Congress to reimburse the other House of Congress.".

On page 75, between lines 4 and 5, insert the following:

(b) FINANCIAL AND ADMINISTRATIVE SERVICES.—The Executive Director may place orders and enter into agreements for goods and services with the head of any agency, or major organizational unit within an agency, in the legislative or executive branch of the United States in the same manner and to the same extent as agencies are authorized under sections 1535 and 1536 of title 31, United States Code, to place orders and enter into agreements.

On page 75, line 5, strike "(b)" and insert "(c)".

On page 77, line 9, after "after" insert "receipt by the employee of notice of".

On page 80, line 24, strike "(b)" and insert "(a)".

On page 88, line 18, before "this section" insert "section 404 and".

On page 89, line 21, strike "may" and insert "shall".

On page 90, line 11, strike "(d)" and insert "(e)".

On page 90, line 14, after "be," strike "may" and insert "shall".

On page 90, line 25, strike "paragraph (1)" and insert "subsection (a)".

On page 91, line 5, strike "407" and insert "405(f)(3), 407,".

On page 93, strike lines 3 through 8, and insert the following:

(c) HEARINGS AND DELIBERATIONS.—Except as provided in subsections (d), (e), and (f), all proceedings and deliberations of hearing officers and the Board, including any related records, shall be confidential. This subsection shall not apply to proceedings under section 215, but shall apply to the deliberations of hearing officers and the Board under that section.

On page 94, line 12, strike "102(b)(2)" and insert "102(b)(3)".

On page 105, lines 7 and 9, insert "of 1990" after "Act".

Mr. GLENN. Mr. President, I have worked together with Senator GRASSLEY on this. It is a technical amendment and makes all sections conform to other sections and conform grammatically. We are glad to accept it on this side of the aisle.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 16) was agreed to.

Mr. GLENN. Mr. President, I move to reconsider the vote.

Mr. GRASSLEY. I move to lay that motion on the table.

The motion to table was agreed to.

AMENDMENT NO. 15

Mr. GLENN. Mr. President, what is the pending business?

The PRESIDING OFFICER. Amendment No. 15, offered by the Senator from New Jersey.

Mr. GLENN. I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, on behalf of the majority leader, I move to table the Lautenberg amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 15 of the Senator from New Jersey. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER], is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—61

Abraham	Coverdell	Grassley
Ashcroft	Craig	Gregg
Bennett	D'Amato	Hatch
Bond	DeWine	Hatfield
Breaux	Dodd	Helms
Brown	Dole	Hollings
Burns	Domenici	Hutchison
Byrd	Faircloth	Inhofe
Chafee	Frist	Inouye
Coats	Gorton	Jeffords
Cochran	Gramm	Johnston
Cohen	Grams	Kassebaum
Kempthorne	Nickles	Snowe
Kyl	Packwood	Specter
Lieberman	Pell	Stevens
Lott	Pressler	Thomas
Lugar	Roth	Thompson
Mack	Santorum	Thurmond
McCain	Shelby	Warner
McConnell	Simpson	
Murkowski	Smith	

NAYS—38

Akaka	Feingold	Levin
Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Bradley	Harkin	Nunn
Bryan	Heflin	Pryor
Bumpers	Kennedy	Reid
Campbell	Kerrey	Robb
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	

NOT VOTING—1

Rockefeller

So the motion to lay on the table the amendment (No. 15) was agreed to.

Mr. GLENN. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, may we have order.

The PRESIDING OFFICER. The majority leader is recognized. The Senate will be in order.

Mr. DOLE. If I can have my colleagues' attention so I can make an announcement?

I move to reconsider the vote.

Mr. GLENN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed at this point in the RECORD:)

• Mr. ROCKEFELLER. Mr. President, the health, safety, and labor laws that now protect workers in the private sector should cover the Federal Government. Applying these laws to the Congress is a long overdue reform which has my total support.

I am disappointed that I am not able to be in Washington this week to participate in this important legislation. However, I am conducting very critical business for the people of West Virginia that I felt could not be put aside.

Early last year, I initiated plans to lead a large trade and investment mission to Japan and Taiwan beginning January 7. The mission was scheduled for this time to make sure it would take place when the Congress was not in session. Unfortunately, the congressional schedule was changed at the last minute by the new leadership, long after plans for this important mission had been finalized and could not be changed.

The mission, known as Project Harvest, includes 27 business leaders from important and different West Virginia industries. Working with the U.S. Department of Commerce and the State

of West Virginia, the Discover the Real West Virginia Foundation is coordinating our search for export opportunities and high-paying, secure jobs for our State. It is, I believe, a historic journey that will reap benefits to the people of West Virginia for many years to come.

I am proud to be able to lead this historic Project Harvest mission on behalf of the people of West Virginia, but regret that it takes me from Washington during this time when we are considering the Congressional Accountability Act.

In the current rush to reform, we should not overlook that this bill is almost identical to legislation drafted by Senators GLENN, LIEBERMAN, and GRASSLEY in the last Congress. That legislation, known as the manager's amendment to H.R. 4822, was blocked from consideration in the Senate by stealth objectors.

What is now taking place is enactment of legislation previously blocked by those who have finally "seen the light" in the need for this reform. In the coming months, I am sure we will see other conversions from the obstructionism that we saw so frequently in the last Congress to an eagerness to take action. It's unfortunate that Americans had to wait.

Mr. President, I am proud that the people of West Virginia have seen fit to send me to represent them in the U.S. Senate. There are many dedicated and good people who are elected and appointed to serve here. As we press forward to review and reform, we must be mindful to those who have preceded us, and the legacy we will leave to those who follow.

We should never forget the counsel of the Framers of the Constitution who provided for independence between the branches of Government. We have the solemn responsibility to preserve and defend that independence.

None among us takes that charge more seriously than the senior Senator from Kentucky [Mr. FORD] who has raised reasonable concerns about the provisions of this bill which will permit investigations and review of the Congress by other branches of the Government. We should all be wary of what could become improper meddling in the constitutional system.

I share those concerns, and believe we can fully preserve a proper balance of powers between the legislative, the judicial, and the executive branches of Government, and at the same time, better protect our staff. I am satisfied that this legislation strikes the necessary balance. I commend the sponsors of this bill, and am thankful to Senator FORD for his leadership in reminding us of our institutional responsibilities.

Mr. President, another of our responsibilities in the Senate is to carefully review and improve what may be popular legislation which often receives less careful scrutiny in the other body. I am astonished, for example, that so many of my colleagues rejected the efforts in the past few days to strengthen and improve the Congressional Accountability Act. Why should we not seek to finally gain enactment of long-delayed gift-ban legislation, approved last year, and then blocked from final passage in the final days of that session? What better time to limit undue influence than this legislation to improve the workings of the Congress?

I certainly support this and other amendments aimed at improving the operations of the Congress. Unfortunately, all of these improving amendments were rejected in the past week. I note that none of these votes has been close, and that my vote would not have changed the outcome of any proposed amendment.

Mr. President, solving the problems of my people in West Virginia has my total attention. That is why I have worked so very hard over the past three decades to find and bring well-paying, secure jobs to our State, and why I now am away from the Senate. In a changing world and global economy, our State will need to look far beyond its borders to find the resources we will need to create long-term employment and prosperity.

I take seriously my duty to participate in the proceedings of the Senate, and to exercise the opportunity afforded me to cast my vote for West Virginia on the Senate floor. I am hopeful that the people of my State will realize how very seriously I take my responsibilities to make our State a better and more prosperous place to live. Sponsoring and leading a delegation of West Virginia business people to Japan and Taiwan is part of that effort, and I wanted to insert this explanation of my absence in the Senate and why I felt it could not be avoided.●

Mr. MURKOWSKI. Mr. President, I rise to express my strong support for the Congressional Accountability Act (S. 2), and to urge all of my colleagues to vote for this legislation. This legislation is way overdue.

When the American electorate voted in a Republican congressional majority, the public's sentiment could not have been clearer. Their message to Capitol Hill was straightforward: End business as usual and become more accountable to the will of the people.

The legislation that we are about to vote on is the Senate's first response back to the American public. In this bill we say to the American public that we must live under the same rules and laws that we impose on the rest of the country. For too long, the House and the Senate have acted with an arrogance about our institutions. We have, in effect, said that we are above the law. Today, that arrogance ends.

Under this legislation, Congress is required to comply with the same health, safety, civil rights, and labor laws that all American businesses must comply with. And that means compliance with the 57-year-old Fair Labor Standards Act, the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; the Occupational Safety and Health Act of 1970; the Rehabilitation Act of 1973, and a host of other laws that Congress has deemed appropriate to impose on American business.

It is astounding to this Senator that we have waited so long to pass this legislation. There is not a constituent in my State of Alaska who can comprehend how we as legislators can exempt ourselves from the health, safety, and labor laws that they must contend with. Nor can I.

But with the passage of this bill, our message to the American people is that Republicans have heard your voice and we are going to change how the people's business is conducted in Washington DC. This is but the beginning, an important first step, but only a step.

Tomorrow we will begin debate on another piece of legislation that parallels the concepts embodied in S. 2. The legislation we will begin considering tomorrow (S. 1) will bring to an end the practice of Washington sending mandates to the States and local governments—ordering them to comply with a plethora of new laws and regulations—and not giving the States and local governments a single dime to comply with these directives from Capitol Hill.

The thread that unfunded mandates and congressional law exemptions share is insular arrogance. It reflects a political philosophy which implies that we in Washington know what is best for the country, but we are unwilling to live by the laws we expect everyone else to live by, and we are unwilling to share in the costs of complying with the laws we impose on the rest of the country.

But with the election of the first Republican congressional majority in more than 40 years, Congress' insular arrogance is ending. We will live by the same laws as the rest of the country and we will begin a debate about ending more than three decades of deficit spending by changing our Constitution to put an end to Federal deficit spending.

Mr. President, the American public is closely watching this Congress. I believe today's vote unmistakably shows that when they put their faith and trust in the new Republican majority, their hopes for change would not be disappointed. I hope that my colleagues on the other side of the aisle will see the wisdom of adopting this legislation on a bipartisan basis. There is no excuse for Congress to remain above the law.

Mr. DOLE. Mr. President, in federalist No. 57, James Madison made the following observation. He said:

[The House of Representatives is] restrain[ed] from oppressive measures [because] they can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of the society. This has always been deemed one of the strongest bonds by which human policy can connect the rulers and the people together. It creates between them that communion of interests and sympathy of sentiments of which few Governments have furnished examples * * * if this spirit shall ever be so far debased as to tolerate a law not obligatory on the legislature as well as on the people, the people will be prepared to tolerate anything but liberty.

Unfortunately, Mr. President, the Congress has not always adhered to James Madison's timeless vision of representative Government. For far too long, Congress has severed its connection with the people, imposing new rules and regulations on the private sector, while seeking to exempt itself from those same rules.

Not surprisingly, many of our citizens have begun to view the Senate and the House of Representatives as the Imperial Congress, as an institution that considers itself above the law and without accountability.

This past election day, the American people finally decided it was time to shake up the Washington status quo. Not only do the American people want less Government, less regulation, and lower taxes, they also want Congress to clean up its own act by living under the very laws we seek to impose on everyone else.

Last week, by a unanimous vote of 429 to 0, the House passed its own version of congressional-coverage legislation, taking the first big step toward restoring the credibility of Congress with the American people. And, if all goes according to plan, we could have a congressional-coverage bill on the President's desk as early as next week—the first bill passed by the 104th Congress, and the first bill of the new Congress signed into law by President Clinton.

As a result of S. 2, Congress will have to abide by the minimum wage and civil rights laws. Congressional offices will be subject to OSHA-style inspections. Congressional employees will have the right to unionize. And they will be entitled to family and medical leave, just like workers in the private sector.

To ensure that Congress abides by these laws, S. 2 establishes an independent Office of Compliance with a five-member Board of Directors. The Directors on the Board will be jointly appointed by the Senate majority leader, the Senate minority leader, the Speaker of the House of Representatives, and the House minority leader. The Office will also have a general counsel, an executive director, and two deputy executive directors, one for the Senate and one for the House. Each of the deputy executive directors will be responsible for promulgating the implementing regulations for his or her respective House.

In addition, S. 2 contains an important provision that hasn't received much attention during this debate. This provision requires that any future legislation affecting private employment must be accompanied by a report describing the manner in which the legislation will apply to Congress. If any provision of the proposed law does not apply to Congress, the report must include a statement explaining why this is so. This reporting requirement will help ensure that Congress resists the temptation of exempting itself from future regulations and rules.

Hopefully, Mr. President, S. 2 will herald a new era of regulatory caution, where Congress thinks twice before imposing a new Government-crafted requirement on the private sector. It's one thing for Congress to create a new regulatory burden; it's something quite different when Congress has to bear the burden too.

In fact, S. 2 may have its biggest impact on the private sector, as Congress becomes increasingly reluctant to impose more rules, more regulations, more redtape.

Finally, Mr. President, I want to congratulate my distinguished colleague, Senator CHUCK GRASSLEY, for spearheading the congressional-coverage effort here in the Senate. Without his hard work and commitment, S. 2 would not be the priority that it is today. I also want to take a moment to recognize my colleagues, Senators NICKLES, LIEBERMAN, and THOMPSON, for their important contributions as well.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, we are now going to final passage. That will be the last vote today.

Then tomorrow, we will start on unfunded mandates, debate only, at 10 o'clock. We worked out a problem with the distinguished Senator from South Dakota, the Democratic leader, I guess based on—because the report was not filed.

We are trying to get an agreement, I might say to my colleagues, many of whom want to leave here early Friday or even tomorrow evening. If we can get an agreement to lock up all these amendments, I am certainly willing to accommodate my colleagues in these early days, as we did today, in fact. So help us put that together, because our staff on each side is working on it. Do not list every amendment you have ever thought of, because we would like to finish it by a date certain next week, Tuesday or Wednesday.

So there will be no further votes tonight after this vote.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, I also want to commend my colleague, Senator GRASSLEY, for his outstanding work and expeditious work on this bill, and also my colleague, Senator GLENN, for his efforts, and Senator LIEBERMAN. I know it has taken a long time, there have been a lot of amendments, and I thank my colleagues.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2) was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on passage of the bill, as amended.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

The PRESIDING OFFICER (Mr. GORTON). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—98

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Bond	Grams	Murkowski
Boxer	Grassley	Murray
Bradley	Gregg	Nickles
Breaux	Harkin	Nunn
Brown	Hatch	Packwood
Bryan	Hatfield	Pell
Bumpers	Heflin	Pressler
Burns	Helms	Pryor
Campbell	Hollings	Reid
Chafee	Hutchison	Robb
Coats	Inhofe	Roth
Cochran	Inouye	Santorum
Cohen	Jeffords	Sarbanes
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Smith
Daschle	Kerrey	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone
Feingold	Lott	

NAYS—1

Byrd

NOT VOTING—1

Rockefeller

So, the bill (S. 2), as amended, was passed, as follows:

S. 2

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Congressional Accountability Act of 1995".

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

Sec. 1. Short title and table of contents.

TITLE I—GENERAL

Sec. 101. Definitions.
Sec. 102. Application of laws.

TITLE II—EXTENSION OF RIGHTS AND PROTECTIONS

PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

Sec. 201. Rights and protections under title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and title I of the Americans with Disabilities Act of 1990.
Sec. 202. Rights and protections under the Family and Medical Leave Act of 1993.
Sec. 203. Rights and protections under the Fair Labor Standards Act of 1938.
Sec. 204. Rights and protections under the Employee Polygraph Protection Act of 1988.
Sec. 205. Rights and protections under the Worker Adjustment and Retraining Notification Act.
Sec. 206. Rights and protections relating to veterans' employment and reemployment.
Sec. 207. Prohibition of intimidation or reprisal.

PART B—PUBLIC SERVICES AND ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

Sec. 210. Rights and protections under the Americans with Disabilities Act of 1990 relating to public services and accommodations; procedures for remedy of violations.

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Sec. 215. Rights and protections under the Occupational Safety and Health Act of 1970; procedures for remedy of violations.

PART D—LABOR-MANAGEMENT RELATIONS

Sec. 220. Application of chapter 71 of title 5, United States Code, relating to Federal service labor-management relations; procedures for remedy of violations.

PART E—GENERAL

Sec. 225. Generally applicable remedies and limitations.

PART F—STUDY

Sec. 230. Study and recommendations regarding General Accounting Office, Government Printing Office, and Library of Congress.

TITLE III—OFFICE OF COMPLIANCE

Sec. 301. Establishment of Office of Compliance.
Sec. 302. Officers, staff, and other personnel.
Sec. 303. Procedural rules.
Sec. 304. Substantive regulations.
Sec. 305. Expenses.

TITLE IV—ADMINISTRATIVE AND JUDICIAL DISPUTE-RESOLUTION PROCEDURES

Sec. 401. Procedure for consideration of alleged violations.
Sec. 402. Counseling.
Sec. 403. Mediation.
Sec. 404. Election of proceeding.
Sec. 405. Complaint and hearing.
Sec. 406. Appeal to the Board.
Sec. 407. Judicial review of Board decisions and enforcement.
Sec. 408. Civil action.
Sec. 409. Judicial review of regulations.
Sec. 410. Other judicial review prohibited.
Sec. 411. Effect of failure to issue regulations.
Sec. 412. Expedited review of certain appeals.
Sec. 413. Privileges and immunities.
Sec. 414. Settlement of complaints.
Sec. 415. Payments.
Sec. 416. Confidentiality.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Exercise of rulemaking powers.
Sec. 502. Political affiliation and place of residence.
Sec. 503. Nondiscrimination rules of the House and Senate.
Sec. 504. Technical and conforming amendments.
Sec. 505. Judicial branch coverage study.
Sec. 506. Savings provisions.
Sec. 507. Use of frequent flyer miles.
Sec. 508. Sense of Senate regarding adoption of simplified and streamlined acquisition procedures for Senate acquisitions.
Sec. 509. Severability.

TITLE I—GENERAL

SEC. 101. DEFINITIONS.

Except as otherwise specifically provided in this Act, as used in this Act:

(1) BOARD.—The term "Board" means the Board of Directors of the Office of Compliance.

(2) CHAIR.—The term "Chair" means the Chair of the Board of Directors of the Office of Compliance.

(3) COVERED EMPLOYEE.—The term "covered employee" means any employee of—

(A) the House of Representatives;

(B) the Senate;

(C) the Capitol Guide Service;

(D) the Capitol Police;

(E) the Congressional Budget Office;

(F) the Office of the Architect of the Capitol;

(G) the Office of the Attending Physician;

(H) the Office of Compliance; or

(I) the Office of Technology Assessment.

(4) EMPLOYEE.—The term "employee" includes an applicant for employment and a former employee.

(5) EMPLOYEE OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL.—The term "employee of the Office of the Architect of the Capitol" includes any employee of the Office of the Architect of the Capitol, the Botanic Garden, or the Senate Restaurants.

(6) EMPLOYEE OF THE CAPITOL POLICE.—The term "employee of the Capitol Police" includes any member or officer of the Capitol Police.

(7) EMPLOYEE OF THE HOUSE OF REPRESENTATIVES.—The term "employee of the House of Representatives" includes an individual occupying a position the pay for which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in subparagraphs (C) through (I) of paragraph (3).

(8) EMPLOYEE OF THE SENATE.—The term "employee of the Senate" includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (C) through (I) of paragraph (3).

(9) EMPLOYING OFFICE.—The term "employing office" means—

(A) the personal office of a Member of the House of Representatives or of a Senator;

(B) a committee of the House of Representatives or the Senate or a joint committee;

(C) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; or

(D) the Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, and the Office of Technology Assessment.

(10) EXECUTIVE DIRECTOR.—The term "Executive Director" means the Executive Director of the Office of Compliance.

(11) GENERAL COUNSEL.—The term "General Counsel" means the General Counsel of the Office of Compliance.

(12) OFFICE.—The term "Office" means the Office of Compliance.

SEC. 102. APPLICATION OF LAWS.

(a) LAWS MADE APPLICABLE.—The following laws shall apply, as prescribed by this Act, to the legislative branch of the Federal Government:

(1) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

(2) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(3) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(4) The Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.).

(5) The Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.).

(6) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(7) Chapter 71 (relating to Federal service labor-management relations) of title 5, United States Code.

(8) The Employee Polygraph Protection Act of 1988 (29 U.S.C. 2001 et seq.).

(9) The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

(10) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(11) Chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

(b) LAWS WHICH MAY BE MADE APPLICABLE.—

(1) IN GENERAL.—The Board shall review provisions of Federal law (including regulations) relating to (A) the terms and conditions of employment (including hiring, promotion, demotion, termination, salary, wages, overtime compensation, benefits, work assignments or reassignments, grievance and disciplinary procedures, protection from discrimination in personnel actions, occupational health and safety, and family and medical and other leave) of employees, and (B) access to public services and accommodations,

(2) BOARD REPORT.—Beginning on December 31, 1996, and every 2 years thereafter, the Board shall report on (A) whether or to what degree the provisions described in paragraph

(1) are applicable or inapplicable to the legislative branch, and (B) with respect to provisions inapplicable to the legislative branch, whether such provisions should be made applicable to the legislative branch. The presiding officers of the House of Representatives and the Senate shall cause each such report to be printed in the Congressional Record and each such report shall be referred to the committees of the House of Representatives and the Senate with jurisdiction.

(3) REPORTS OF CONGRESSIONAL COMMITTEES.—Each report accompanying any bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations reported by a committee of the House of Representatives or the Senate shall—

(A) describe the manner in which the provisions of the bill or joint resolution apply to the legislative branch; or

(B) in the case of a provision not applicable to the legislative branch, include a statement of the reasons the provision does not apply.

On the objection of any Member, it shall not be in order for the Senate or the House of Representatives to consider any such bill or joint resolution if the report of the committee on such bill or joint resolution does not comply with the provisions of this paragraph. This paragraph may be waived in either House by majority vote of that House.

TITLE II—EXTENSION OF RIGHTS AND PROTECTIONS

PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

SEC. 201. RIGHTS AND PROTECTIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967, THE REHABILITATION ACT OF 1973, AND TITLE I OF THE AMERICANS WITH DISABILITIES ACT OF 1990.

(a) DISCRIMINATORY PRACTICES PROHIBITED.—All personnel actions affecting covered employees shall be made free from any discrimination based on—

(1) race, color, religion, sex, or national origin, within the meaning of section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2);

(2) age, within the meaning of section 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a); or

(3) disability, within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and sections 102 through 104 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112–12114).

(b) REMEDY.—

(1) CIVIL RIGHTS.—The remedy for a violation of subsection (a)(1) shall be—

(A) such remedy as would be appropriate if awarded under section 706(g) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(g)); and

(B) such compensatory damages as would be appropriate if awarded under section 1977 of the Revised Statutes (42 U.S.C. 1981), or as would be appropriate if awarded under sections 1977A(a)(1), 1977A(b)(2), and, irrespective of the size of the employing office, 1977A(b)(3)(D) of the Revised Statutes (42 U.S.C. 1981a(a)(1), 1981a(b)(2), and 1981a(b)(3)(D)).

(2) AGE DISCRIMINATION.—The remedy for a violation of subsection (a)(2) shall be—

(A) such remedy as would be appropriate if awarded under section 15(c) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(c)); and

(B) such liquidated damages as would be appropriate if awarded under section 7(b) of such Act (29 U.S.C. 626(b)).

In addition, the waiver provisions of section 7(f) of such Act (29 U.S.C. 626(f)) shall apply to covered employees.

(3) DISABILITIES DISCRIMINATION.—The remedy for a violation of subsection (a)(3) shall be—

(A) such remedy as would be appropriate if awarded under section 505(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 794a(a)(1)) or section 107(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12117(a)); and

(B) such compensatory damages as would be appropriate if awarded under sections 1977A(a)(2), 1977A(a)(3), 1977A(b)(2), and, irrespective of the size of the employing office, 1977A(b)(3)(D) of the Revised Statutes (42 U.S.C. 1981a(a)(2), 1981a(a)(3), 1981a(b)(2), and 1981a(b)(3)(D)).

(c) APPLICATION TO GENERAL ACCOUNTING OFFICE, GOVERNMENT PRINTING OFFICE, AND LIBRARY OF CONGRESS.—

(1) SECTION 717 OF THE CIVIL RIGHTS ACT OF 1964.—Section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) is amended by—

(A) striking "legislative and";

(B) striking "branches" and inserting "branch"; and

(C) inserting "Government Printing Office, the General Accounting Office, and the" after "and in the".

(2) SECTION 15 OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—Section 15(a) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(a)) is amended by—

(A) striking "legislative and";

(B) striking "branches" and inserting "branch"; and

(C) inserting "Government Printing Office, the General Accounting Office, and the" after "and in the".

(3) SECTION 509 OF THE AMERICANS WITH DISABILITIES ACT OF 1990.—Section 509 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209) is amended—

(A) by striking subsections (a) and (b) of section 509;

(B) in subsection (c), by striking "(c) INSTRUMENTALITIES OF CONGRESS.—" and inserting "The General Accounting Office, the Government Printing Office, and the Library of Congress shall be covered as follows:";

(C) by striking the second sentence of paragraph (2);

(D) in paragraph (4), by striking "the instrumentalities of the Congress include" and inserting "the term 'instrumentality of the Congress' means", by striking "the Architect of the Capitol, the Congressional Budget Office", by inserting "and" before "the Library", and by striking "the Office of Technology Assessment, and the United States Botanic Garden";

(E) by redesignating paragraph (5) as paragraph (7) and by inserting after paragraph (4) the following new paragraph:

"(5) ENFORCEMENT OF EMPLOYMENT RIGHTS.—The remedies and procedures set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) shall be available to any employee of an instrumentality of the Congress who alleges a violation of the rights and protections under sections 102 through 104 of this Act that are made applicable by this section, except that the authorities of the Equal Employment Opportunity Commission shall be exercised by the chief official of the instrumentality of the Congress."; and

(F) by amending the title of the section to read "**INSTRUMENTALITIES OF THE CONGRESS**".

(d) EFFECTIVE DATE.—This section shall take effect 1 year after the date of the enactment of this Act.

SEC. 202. RIGHTS AND PROTECTIONS UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993.

(a) FAMILY AND MEDICAL LEAVE RIGHTS AND PROTECTIONS PROVIDED.—

(1) IN GENERAL.—The rights and protections established by sections 101 through 105 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 through 2615) shall apply to covered employees.

(2) DEFINITION.—For purposes of the application described in paragraph (1)—

(A) the term "employer" as used in the Family and Medical Leave Act of 1993 means any employing office, and

(B) the term "eligible employee" as used in the Family and Medical Leave Act of 1993 means a covered employee who has been employed in any employing office for 12 months and for at least 1,250 hours of employment during the previous 12 months.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy, including liquidated damages, as would be appropriate if awarded under paragraph (1) of section 107(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2617(a)(1)).

(c) APPLICATION TO GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—

(1) AMENDMENTS TO THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—

(A) COVERAGE.—Section 101(4)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(4)(A)) is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting "; and", and by adding after clause (iii) the following:

"(iv) includes the General Accounting Office and the Library of Congress.".

(B) ENFORCEMENT.—Section 107 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2617) is amended by adding at the end the following:

"(f) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—In the case of the General Accounting Office and the Library of Congress, the authority of the Secretary of Labor under this title shall be exercised respectively by the Comptroller General of the United States and the Librarian of Congress.".

(2) CONFORMING AMENDMENT TO TITLE 5, UNITED STATES CODE.—Section 6381(1)(A) of title 5, United States Code, is amended by striking "and" after "District of Columbia" and inserting before the semicolon the following: ", and any employee of the General Accounting Office or the Library of Congress".

(d) REGULATIONS.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement the rights and protections under this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—Subsection (c) shall be

effective 1 year after transmission to the Congress of the study under section 230.

SEC. 203. RIGHTS AND PROTECTIONS UNDER THE FAIR LABOR STANDARDS ACT OF 1938.

(a) FAIR LABOR STANDARDS.—

(1) IN GENERAL.—The rights and protections established by subsections (a)(1) and (d) of section 6, section 7, and section 12(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 (a)(1) and (d), 207, 212(c)) shall apply to covered employees.

(2) INTERNS.—For the purposes of this section, the term "covered employee" does not include an intern as defined in regulations under subsection (c).

(3) COMPENSATORY TIME.—Except as provided in regulations under subsection (c)(3), covered employees may not receive compensatory time in lieu of overtime compensation.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy, including liquidated damages, as would be appropriate if awarded under section 16(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(b)).

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—Except as provided in paragraph (3), the regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(3) IRREGULAR WORK SCHEDULES.—The Board shall issue regulations for covered employees whose work schedules directly depend on the schedule of the House of Representatives or the Senate that shall be comparable to the provisions in the Fair Labor Standards Act of 1938 that apply to employees who have irregular work schedules.

(d) APPLICATION TO THE GOVERNMENT PRINTING OFFICE.—Section 3(e)(2)(A) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)(2)(A)) is amended—

(1) in clause (iii), by striking "legislative or",

(2) by striking "or" at the end of clause (iv), and

(3) by striking the semicolon at the end of clause (v) and inserting ", or" and by adding after clause (v) the following:

"(vi) the Government Printing Office;".

(e) EFFECTIVE DATE.—Subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

SEC. 204. RIGHTS AND PROTECTIONS UNDER THE EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988.

(a) POLYGRAPH PRACTICES PROHIBITED.—

(1) IN GENERAL.—No employing office, irrespective of whether a covered employee works in that employing office, may require a covered employee to take a lie detector test where such a test would be prohibited if required by an employer under paragraph (1), (2), or (3) of section 3 of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2002 (1), (2), or (3)). In addition, the waiver provisions of section 6(d) of such Act (29 U.S.C. 2005(d)) shall apply to covered employees.

(2) DEFINITIONS.—For purposes of this section, the term "covered employee" shall include employees of the General Accounting Office and the Library of Congress and the term "employing office" shall include the General Accounting Office and the Library of Congress.

(3) CAPITOL POLICE.—Nothing in this section shall preclude the Capitol Police from using lie detector tests in accordance with regulations under subsection (c).

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under section 6(c)(1) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2005(c)(1)).

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsections (a) and (b) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

SEC. 205. RIGHTS AND PROTECTIONS UNDER THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT.

(a) WORKER ADJUSTMENT AND RETRAINING NOTIFICATION RIGHTS.—

(1) IN GENERAL.—No employing office shall be closed or a mass layoff ordered within the meaning of section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) until the end of a 60-day period after the employing office serves written notice of such prospective closing or layoff to representatives of covered employees or, if there are no representatives, to covered employees.

(2) DEFINITIONS.—For purposes of this section, the term "covered employee" shall include employees of the General Accounting Office and the Library of Congress and the term "employing office" shall include the General Accounting Office and the Library of Congress.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under paragraphs (1), (2), and (4) of section 5(a) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2104(a)(1), (2), and (4)).

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

SEC. 206. RIGHTS AND PROTECTIONS RELATING TO VETERANS' EMPLOYMENT AND REEMPLOYMENT.

(a) EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.—

(1) IN GENERAL.—It shall be unlawful for an employing office to—

(A) discriminate, within the meaning of subsections (a) and (b) of section 4311 of title 38, United States Code, against an eligible employee;

(B) deny to an eligible employee reemployment rights within the meaning of sections 4312 and 4313 of title 38, United States Code; or

(C) deny to an eligible employee benefits within the meaning of sections 4316, 4317, and 4318 of title 38, United States Code.

(2) DEFINITIONS.—For purposes of this section—

(A) the term "eligible employee" means a covered employee performing service in the uniformed services, within the meaning of section 4303(13) of title 38, United States Code, whose service has not been terminated upon occurrence of any of the events enumerated in section 4304 of title 38, United States Code,

(B) the term "covered employee" includes employees of the General Accounting Office and the Library of Congress, and

(C) the term "employing office" includes the General Accounting Office and the Library of Congress.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under paragraphs (1), (2)(A), and (3) of section 4323(c) of title 38, United States Code.

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

SEC. 207. PROHIBITION OF INTIMIDATION OR REPRISAL.

(a) IN GENERAL.—It shall be unlawful for an employing office to intimidate, take reprisal against, or otherwise discriminate against, any covered employee because the covered employee has opposed any practice made unlawful by this Act, or because the covered employee has initiated proceedings, made a charge, or testified, assisted, or participated

in any manner in a hearing or other proceeding under this Act.

(b) REMEDY.—The remedy available for a violation of subsection (a) shall be such legal or equitable remedy as may be appropriate to redress a violation of subsection (a).

PART B—PUBLIC SERVICES AND ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

SEC. 210. RIGHTS AND PROTECTIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990 RELATING TO PUBLIC SERVICES AND ACCOMMODATIONS; PROCEDURES FOR REMEDY OF VIOLATIONS.

(a) ENTITIES SUBJECT TO THIS SECTION.—The requirements of this section shall apply to—

(1) each office of the Senate, including each office of a Senator and each committee;

(2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;

(3) each joint committee of the Congress;

(4) the Capitol Guide Service;

(5) the Capitol Police;

(6) the Congressional Budget Office;

(7) the Office of the Architect of the Capitol (including the Senate Restaurants and the Botanic Garden);

(8) the Office of the Attending Physician;

(9) the Office of Compliance; and

(10) the Office of Technology Assessment.

(b) DISCRIMINATION IN PUBLIC SERVICES AND ACCOMMODATIONS.—

(1) RIGHTS AND PROTECTIONS.—The rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303, and 309 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131–12150, 12182, 12183, and 12189) shall apply to the entities listed in subsection (a).

(2) DEFINITIONS.—For purposes of the application of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) under this section, the term "public entity" means any entity listed in subsection (a) that provides public services, programs, or activities.

(c) REMEDY.—The remedy for a violation of subsection (b) shall be such remedy as would be appropriate if awarded under section 203 or 308(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12133, 12188(a)), except that, with respect to any claim of employment discrimination asserted by any covered employee, the exclusive remedy shall be under section 201 of this title.

(d) AVAILABLE PROCEDURES.—

(1) CHARGE FILED WITH GENERAL COUNSEL.—A qualified individual with a disability, as defined in section 201(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131(2)), who alleges a violation of subsection (b) by an entity listed in subsection (a), may file a charge against any entity responsible for correcting the violation with the General Counsel within 180 days of the occurrence of the alleged violation. The General Counsel shall investigate the charge.

(2) MEDIATION.—If, upon investigation under paragraph (1), the General Counsel believes that a violation of subsection (b) may have occurred and that mediation may be helpful in resolving the dispute, the General Counsel may request, but not participate in, mediation under subsections (b) through (d) of section 403 between the charging individual and any entity responsible for correcting the alleged violation.

(3) COMPLAINT, HEARING, BOARD REVIEW.—If mediation under paragraph (2) has not succeeded in resolving the dispute, and if the General Counsel believes that a violation of subsection (b) may have occurred, the General Counsel may file with the Office a complaint against any entity responsible for correcting the violation. The complaint shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of section 405 and any person who has filed a charge under paragraph (1) may intervene as of right, with the full rights of a party. The decision of the hearing officer shall be subject to review by the Board pursuant to section 406.

(4) JUDICIAL REVIEW.—A charging individual who has intervened under paragraph (3) or any respondent to the complaint, if aggrieved by a final decision of the Board under paragraph (3), may file a petition for review in the United States Court of Appeals for the Federal Circuit, pursuant to section 407.

(5) COMPLIANCE DATE.—If new appropriated funds are necessary to comply with an order requiring correction of a violation of subsection (b), compliance shall take place as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the order requiring correction becomes final and not subject to further review.

(e) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(3) ENTITY RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for categories of violations of subsection (b), the entity responsible for correction of a particular violation.

(f) PERIODIC INSPECTIONS; REPORT TO CONGRESS; INITIAL STUDY.—

(1) PERIODIC INSPECTIONS.—On a regular basis, and at least once each Congress, the General Counsel shall inspect the facilities of the entities listed in subsection (a) to ensure compliance with subsection (b).

(2) REPORT.—On the basis of each periodic inspection, the General Counsel shall, at least once every Congress, prepare and submit a report—

(A) to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Office of the Architect of the Capitol, or other entity responsible, for correcting the violation of this section uncovered by such inspection, and

(B) containing the results of the periodic inspection, describing any steps necessary to correct any violation of this section, assessing any limitations in accessibility to and usability by individuals with disabilities associated with each violation, and the estimated cost and time needed for abatement.

(3) INITIAL PERIOD FOR STUDY AND CORRECTIVE ACTION.—The period from the date of the enactment of this Act until December 31, 1996, shall be available to the Office of the Architect of the Capitol and other entities subject to this section to identify any violations of subsection (b), to determine the costs of compliance, and to take any necessary corrective action to abate any violations. The Office shall assist the Office of the Architect of the Capitol and other entities listed in subsection (a) by arranging for inspections and other technical assistance at their request. Prior to July 1, 1996, the General Counsel shall conduct a thorough inspection under paragraph (1) and shall submit the report under paragraph (2) for the 104th Congress.

(4) DETAILED PERSONNEL.—The Attorney General, the Secretary of Transportation, and the Architectural and Transportation Barriers Compliance Board may, on request of the Executive Director, detail to the Office such personnel as may be necessary to advise and assist the Office in carrying out its duties under this section.

(g) APPLICATION OF AMERICANS WITH DISABILITIES ACT OF 1990 TO THE PROVISION OF PUBLIC SERVICES AND ACCOMMODATIONS BY THE GENERAL ACCOUNTING OFFICE, THE GOVERNMENT PRINTING OFFICE, AND THE LIBRARY OF CONGRESS.—Section 509 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209)), as amended by section 201(c) of this Act, is amended by adding the following new paragraph:

"(6) ENFORCEMENT OF RIGHTS TO PUBLIC SERVICES AND ACCOMMODATIONS.—The remedies and procedures set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) shall be available to any qualified person with a disability who is a visitor, guest, or patron of an instrumentality of Congress and who alleges a violation of the rights and protections under sections 201 through 230 or section 302 or 303 of this Act that are made applicable by this section, except that the authorities of the Equal Employment Opportunity Commission shall be exercised by the chief official of the instrumentality of the Congress.".

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (b), (c), and (d) shall be effective on January 1, 1997.

(2) GENERAL ACCOUNTING OFFICE, GOVERNMENT PRINTING OFFICE, AND LIBRARY OF CONGRESS.—Subsection (g) shall be effective 1 year after transmission to the Congress of the study under section 230.

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

SEC. 215. RIGHTS AND PROTECTIONS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970; PROCEDURES FOR REMEDY OF VIOLATIONS.

(a) OCCUPATIONAL SAFETY AND HEALTH PROTECTIONS.—

(1) IN GENERAL.—Each employing office and each covered employee shall comply with the provisions of section 5 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654).

(2) DEFINITIONS.—For purposes of the application under this section of the Occupational Safety and Health Act of 1970—

(A) the term "employer" as used in such Act means an employing office;

(B) the term "employee" as used in such Act means a covered employee;

(C) the term "employing office" includes the General Accounting Office, the Library of Congress, and any entity listed in subsection (a) of section 210 that is responsible for correcting a violation of this section, irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such a violation occurs; and

(D) the term "employee" includes employees of the General Accounting Office and the Library of Congress.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be an order to correct the violation, including such order as would be appropriate if issued under section 13(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 662(a)).

(c) PROCEDURES.—

(1) REQUESTS FOR INSPECTIONS.—Upon written request of any employing office or covered employee, the General Counsel shall exercise the authorities granted to the Secretary of Labor by subsections (a), (d), (e), and (f) of section 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657 (a), (d), (e), and (f)) to inspect and investigate places of employment under the jurisdiction of employing offices.

(2) CITATIONS, NOTICES, AND NOTIFICATIONS.—For purposes of this section, the General Counsel shall exercise the authorities granted to the Secretary of Labor in sections 9 and 10 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658 and 659), to issue—

(A) a citation or notice to any employing office responsible for correcting a violation of subsection (a); or

(B) a notification to any employing office that the General Counsel believes has failed to correct a violation for which a citation has been issued within the period permitted for its correction.

(3) HEARINGS AND REVIEW.—If after issuing a citation or notification, the General Counsel determines that a violation has not been corrected, the General Counsel may file a complaint with the Office against the employing office named in the citation or notification. The complaint shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

(4) VARIANCE PROCEDURES.—An employing office may request from the Board an order granting a variance from a standard made applicable by this section. For the purposes of this section, the Board shall exercise the authorities granted to the Secretary of Labor in sections 6(b)(6) and 6(d) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655(b)(6) and 655(d)) to act on any employing office's request for a variance. The Board shall refer the matter to a hearing officer pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

(5) JUDICIAL REVIEW.—The General Counsel or employing office aggrieved by a final decision of the Board under paragraph (3) or (4), may file a petition for review with the United States Court of Appeals for the Federal Circuit pursuant to section 407.

(6) COMPLIANCE DATE.—If new appropriated funds are necessary to correct a violation of subsection (a) for which a citation is issued, or to comply with an order requiring correction of such a violation, correction or compliance shall take place as soon as possible, but not later than the end of the fiscal year following the fiscal year in which the citation is issued or the order requiring correction becomes final and not subject to further review.

(d) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(3) EMPLOYING OFFICE RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (a), the employing office responsible for correction of a particular violation.

(e) PERIODIC INSPECTIONS; REPORT TO CONGRESS.—

(1) PERIODIC INSPECTIONS.—On a regular basis, and at least once each Congress, the General Counsel, exercising the same authorities of the Secretary of Labor as under subsection (c)(1), shall conduct periodic inspections of all facilities of the House of Representatives, the Senate, the Capitol Guide Service, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, the Office of Technology Assessment, the Library of Congress, and the General Accounting Office to report on compliance with subsection (a).

(2) REPORT.—On the basis of each periodic inspection, the General Counsel shall prepare and submit a report—

(A) to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Office of the Architect of the Capitol or other employing office responsible for correcting the violation of this section uncovered by such inspection, and

(B) containing the results of the periodic inspection, identifying the employing office responsible for correcting the violation of this section uncovered by such inspection, describing any steps necessary to correct any violation of this section, and assessing any risks to employee health and safety associated with any violation.

(3) ACTION AFTER REPORT.—If a report identifies any violation of this section, the General Counsel shall issue a citation or notice in accordance with subsection (c)(2)(A).

(4) DETAILED PERSONNEL.—The Secretary of Labor may, on request of the Executive Director, detail to the Office such personnel as may be necessary to advise and assist the Office in carrying out its duties under this section.

(f) INITIAL PERIOD FOR STUDY AND CORRECTIVE ACTION.—The period from the date of the enactment of this Act until December 31, 1996, shall be available to the Office of the Architect of the Capitol and other employing offices to identify any violations of subsection (a), to determine the costs of compliance, and to take any necessary corrective action to abate any violations. The Office shall assist the Office of the Architect of the Capitol and other employing offices by arranging for inspections and other technical assistance at their request. Prior to July 1, 1996, the General Counsel shall conduct a thorough inspection under subsection (e)(1) and shall submit the report under subsection (e)(2) for the 104th Congress.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a), (b), (c), and (e)(3) shall be effective on January 1, 1997.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

PART D—LABOR-MANAGEMENT RELATIONS

SEC. 220. APPLICATION OF CHAPTER 71 OF TITLE 5, UNITED STATES CODE, RELATING TO FEDERAL SERVICE LABOR-MANAGEMENT RELATIONS; PROCEDURES FOR REMEDY OF VIOLATIONS.

(a) LABOR-MANAGEMENT RIGHTS.—

(1) IN GENERAL.—The rights, protections, and responsibilities established under sections 7102, 7106, 7111 through 7117, 7119 through 7122, and 7131 of title 5, United States Code, shall apply to employing offices and to covered employees and representatives of those employees.

(2) DEFINITION.—For purposes of the application under this section of the sections referred to in paragraph (1), the term "agency" shall be deemed to include an employing office.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy, including a remedy under section 7118(a)(7) of title 5, United States Code, as would be appropriate if awarded by the Federal Labor Relations Authority to remedy a violation of any provision made applicable by subsection (a).

(c) AUTHORITIES AND PROCEDURES FOR IMPLEMENTATION AND ENFORCEMENT.—

(1) GENERAL AUTHORITIES OF THE BOARD; PETITIONS.—For purposes of this section and except as otherwise provided in this section, the Board shall exercise the authorities of the Federal Labor Relations Authority under sections 7105, 7111, 7112, 7113, 7115, 7117, 7118, and 7122 of title 5, United States Code, and of the President under section 7103(b) of title 5, United States Code, for purposes of this section, any petition or other submission that, under chapter 71 of title 5, United States Code, would be submitted to the Federal Labor Relations Authority shall, if brought under this section, be submitted to the Board. The Board shall refer any matter under this paragraph to a hearing officer for decision pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406. The Board may direct that the General Counsel carry out the Board's investigative authorities under this paragraph.

(2) GENERAL AUTHORITIES OF THE GENERAL COUNSEL; CHARGES OF UNFAIR LABOR PRACTICE.—For purposes of this section and except as otherwise provided in this section, the General Counsel shall exercise the authorities of the General Counsel of the Federal Labor Relations Authority under sections 7104 and 7118 of title 5, United States Code, for purposes of this section, any charge or other submission that, under chapter 71 of title 5, United States Code, would be submitted to the General Counsel of the Federal Labor Relations Authority shall, if brought under this section, be submitted to the General Counsel. If any person charges an employing office or a labor organization with having engaged in or engaging in an unfair labor practice and makes such charge within 180 days of the occurrence of the alleged unfair labor practice, the General Counsel shall investigate the charge and may file a complaint with the Office. The complaint shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

(3) JUDICIAL REVIEW.—Except for matters referred to in paragraphs (1) and (2) of section 7123(a) of title 5, United States Code, the General Counsel or the respondent to the complaint, if aggrieved by a final decision of the Board under paragraphs (1) or (2) of this subsection, may file a petition for judicial review in the United States Court of Appeals

for the Federal Circuit pursuant to section 407.

(4) EXERCISE OF IMPASSES PANEL AUTHORITY; REQUESTS.—For purposes of this section and except as otherwise provided in this section, the Board shall exercise the authorities of the Federal Service Impasses Panel under section 7119 of title 5, United States Code, for purposes of this section, any request that, under chapter 71 of title 5, United States Code, would be presented to the Federal Service Impasses Panel shall, if made under this section, be presented to the Board. At the request of the Board, the Executive Director shall appoint a mediator or mediators to perform the functions of the Federal Service Impasses Panel under section 7119 of title 5, United States Code.

(d) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—Except as provided in subsection (e), the regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Federal Labor Relations Authority to implement the statutory provisions referred to in subsection (a) except—

(A) to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; or

(B) as the Board deems necessary to avoid a conflict of interest or appearance of a conflict of interest.

(e) SPECIFIC REGULATIONS REGARDING APPLICATION TO CERTAIN OFFICES OF CONGRESS.—

(1) REGULATIONS REQUIRED.—The Board shall issue regulations pursuant to section 304 on the manner and extent to which the requirements and exemptions of chapter 71 of title 5, United States Code, should apply to covered employees who are employed in the offices listed in paragraph (2). The regulations shall, to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71 of title 5, United States Code and of this Act, and shall be the same as substantive regulations issued by the Federal Labor Relations Authority under such chapter, except—

(A) to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; and

(B) that the Board shall exclude from coverage under this section any covered employees who are employed in offices listed in paragraph (2) if the Board determines that such exclusion is required because of—

(i) a conflict of interest or appearance of a conflict of interest; or

(ii) Congress' constitutional responsibilities.

(2) OFFICES REFERRED TO.—The offices referred to in paragraph (1) include—

(A) the personal office of any Member of the House of Representatives or of any Senator;

(B) a standing, select, special, permanent, temporary, or other committee of the Senate or House of Representatives, or a joint committee of Congress;

(C) the Office of the Vice President (as President of the Senate), the Office of the President pro tempore of the Senate, the Office of the Majority Leader of the Senate, the Office of the Minority Leader of the Senate, the Office of the Majority Whip of the Senate, the Office of the Minority Whip of the Senate, the Conference of the Majority of the Senate, the Conference of the Minority of the Senate, the Office of the Secretary of the Conference of the Majority of the Senate, the Office of the Secretary of the Conference of the Minority of the Senate, the Office of the Secretary for the Majority of the Senate, the Office of the Secretary for the Minority of the Senate, the Majority Policy Committee of the Senate, the Minority Policy Committee of the Senate, and the following offices within the Office of the Secretary of the Senate: Offices of the Parliamentarian, Bill Clerk, Legislative Clerk, Journal Clerk, Executive Clerk, Enrolling Clerk, Official Reporters of Debate, Daily Digest, Printing Services, Captioning Services, and Senate Chief Counsel for Employment;

(D) the Office of the Speaker of the House of Representatives, the Office of the Majority Leader of the House of Representatives, the Office of the Minority Leader of the House of Representatives, the Offices of the Chief Deputy Majority Whips, the Offices of the Chief Deputy Minority Whips and the following offices within the Office of the Clerk of the House of Representatives: Offices of Legislative Operations, Official Reporters of Debate, Official Reporters to Committees, Printing Services, and Legislative Information;

(E) the Office of the Legislative Counsel of the Senate, the Office of the Senate Legal Counsel, the Office of the Legislative Counsel of the House of Representatives, the Office of the General Counsel of the House of Representatives, the Office of the Parliamentarian of the House of Representatives, and the Office of the Law Revision Counsel;

(F) the offices of any caucus or party organization;

(G) the Congressional Budget Office, the Office of Technology Assessment, and the Office of Compliance; and

(H) such other offices that perform comparable functions which are identified under regulations of the Board.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective on October 1, 1996.

(2) CERTAIN OFFICES.—With respect to the offices listed in subsection (e)(2), to the covered employees of such offices, and to representatives of such employees, subsections (a) and (b) shall be effective on the effective date of regulations under subsection (e).

PART E—GENERAL

SEC. 225. GENERALLY APPLICABLE REMEDIES AND LIMITATIONS.

(a) ATTORNEY'S FEES.—If a covered employee, with respect to any claim under this Act, or a qualified person with a disability, with respect to any claim under section 210, is a prevailing party in any proceeding under section 405, 406, 407, or 408, the hearing officer, Board, or court, as the case may be, may award attorney's fees, expert fees, and any other costs as would be appropriate if awarded under section 706(k) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-5(k)).

(b) INTEREST.—In any proceeding under section 405, 406, 407, or 408, the same interest to compensate for delay in payment shall be made available as would be appropriate if awarded under section 717(d) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16(d)).

(c) CIVIL PENALTIES AND PUNITIVE DAMAGES.—No civil penalty or punitive damages may be awarded with respect to any claim under this Act.

(d) EXCLUSIVE PROCEDURE.—

(1) IN GENERAL.—Except as provided in paragraph (2), no person may commence an administrative or judicial proceeding to seek a remedy for the rights and protections afforded by this Act except as provided in this Act.

(2) VETERANS.—A covered employee under section 206 may also utilize any provisions of chapter 43 of title 38, United States Code, that are applicable to that employee.

(e) SCOPE OF REMEDY.—Only a covered employee who has undertaken and completed the procedures described in sections 402 and 403 may be granted a remedy under part A of this title.

(f) CONSTRUCTION.—

(1) DEFINITIONS AND EXEMPTIONS.—Except where inconsistent with definitions and exemptions provided in this Act, the definitions and exemptions in the laws made applicable by this Act shall apply under this Act.

(2) SIZE LIMITATIONS.—Notwithstanding paragraph (1), provisions in the laws made applicable under this Act (other than the Worker Adjustment and Retraining Notification Act) determining coverage based on size, whether expressed in terms of numbers of employees, amount of business transacted, or other measure, shall not apply in determining coverage under this Act.

(3) EXECUTIVE BRANCH ENFORCEMENT.—This Act shall not be construed to authorize enforcement by the executive branch of this Act.

PART F—STUDY

SEC. 230. STUDY AND RECOMMENDATIONS REGARDING GENERAL ACCOUNTING OFFICE, GOVERNMENT PRINTING OFFICE, AND LIBRARY OF CONGRESS.

(a) IN GENERAL.—The Administrative Conference of the United States shall undertake a study of—

(1) the application of the laws listed in subsection (b) to—

(A) the General Accounting Office;

(B) the Government Printing Office; and

(C) the Library of Congress; and

(2) the regulations and procedures used by the entities referred to in paragraph (1) to apply and enforce such laws to themselves and their employees.

(b) APPLICABLE STATUTES.—The study under this section shall consider the application of the following laws:

(1) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), and related provisions of section 2302 of title 5, United States Code.

(2) The Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and related provisions of section 2302 of title 5, United States Code.

(3) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and related provisions of section 2302 of title 5, United States Code.

(4) The Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.), and related provisions of sections 6381 through 6387 of title 5, United States Code.

(5) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), and related provisions of sections 5541 through 5550a of title 5, United States Code.

(6) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), and related provisions of section 7902 of title 5, United States Code.

(7) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(8) Chapter 71 (relating to Federal service labor-management relations) of title 5, United States Code.

(9) The General Accounting Office Personnel Act of 1980 (31 U.S.C. 731 et seq.).

(10) The Employee Polygraph Protection Act of 1988 (29 U.S.C. 2001 et seq.).

(11) The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

(12) Chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

(c) CONTENTS OF STUDY AND RECOMMENDATIONS.—The study under this section shall evaluate whether the rights, protections, and procedures, including administrative and judicial relief, applicable to the entities listed in paragraph (1) of subsection (a) and their employees are comprehensive and effective and shall include recommendations for any improvements in regulations or legislation, including proposed regulatory or legislative language.

(d) DEADLINE AND DELIVERY OF STUDY.—Not later than December 31, 1996—

(1) the Administrative Conference of the United States shall prepare and complete the study and recommendations required under this section and shall submit the study and recommendations to the Board; and

(2) the Board shall transmit such study and recommendations (with the Board's comments) to the head of each entity considered in the study, and to the Congress by delivery to the Speaker of the House of Representatives and President pro tempore of the Senate for referral to the appropriate committees of the House of Representatives and of the Senate.

TITLE III—OFFICE OF COMPLIANCE

SEC. 301. ESTABLISHMENT OF OFFICE OF COMPLIANCE.

(a) ESTABLISHMENT.—There is established, as an independent office within the legislative branch of the Federal Government, the Office of Compliance.

(b) BOARD OF DIRECTORS.—The Office shall have a Board of Directors. The Board shall consist of 5 individuals appointed jointly by the Speaker of the House of Representatives, the Majority Leader of the Senate, and the Minority Leaders of the House of Representatives and the Senate. Appointments of the first 5 members of the Board shall be completed not later than 90 days after the date of the enactment of this Act.

(c) CHAIR.—The Chair shall be appointed from members of the Board jointly by the Speaker of the House of Representatives, the Majority Leader of the Senate, and the Minority Leaders of the House of Representatives and the Senate.

(d) BOARD OF DIRECTORS QUALIFICATIONS.—

(1) SPECIFIC QUALIFICATIONS.—Selection and appointment of members of the Board shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office. Members of the Board shall have training or experience in the application of the rights, protections, and remedies under one or more of the laws made applicable under section 102.

(2) DISQUALIFICATIONS FOR APPOINTMENTS.—

(A) LOBBYING.—No individual who engages in, or is otherwise employed in, lobbying of the Congress and who is required under the Federal Regulation of Lobbying Act to register with the Clerk of the House of Representatives or the Secretary of the Senate shall be eligible for appointment to, or service on, the Board.

(B) INCOMPATIBLE OFFICE.—No member of the Board appointed under subsection (b) may hold or may have held the position of Member of the House of Representatives or Senator, may hold the position of officer or employee of the House of Representatives, Senate, or instrumentality or other entity of the legislative branch, or may have held such a position (other than the position of an officer or employee of the General Accounting Office Personnel Appeals Board, an officer or employee of the Office of Fair Employment Practices of the House of Representatives, or officer or employee of the Office of Senate Fair Employment Practices) within 4 years of the date of appointment.

(3) VACANCIES.—A vacancy on the Board shall be filled in the manner in which the original appointment was made.

(e) TERM OF OFFICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), membership on the Board shall be for 5 years. A member of the Board who is appointed to a term of office of more than 3 years shall only be eligible for appointment for a single term of office.

(2) FIRST APPOINTMENTS.—Of the members first appointed to the Board—

(A) 1 shall have a term of office of 3 years,

(B) 2 shall have a term of office of 4 years, and

(C) 2 shall have a term of office of 5 years, 1 of whom shall be the Chair,

as designated at the time of appointment by the persons specified in subsection (b).

(f) REMOVAL.—

(1) AUTHORITY.—Any member of the Board may be removed from office by a majority decision of the appointing authorities described in subsection (b), but only for—

(A) disability that substantially prevents the member from carrying out the duties of the member,

(B) incompetence,

(C) neglect of duty,

(D) malfeasance, including a felony or conduct involving moral turpitude, or

(E) holding an office or employment or engaging in an activity that disqualifies the individual from service as a member of the Board under subsection (d)(2).

(2) STATEMENT OF REASONS FOR REMOVAL.—In removing a member of the Board, the Speaker of the House of Representatives and the President pro tempore of the Senate shall state in writing to the member of the Board being removed the specific reasons for the removal.

(g) COMPENSATION.—

(1) PER DIEM.—Each member of the Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Board. The rate of pay of a member may be prorated based on the portion of the day during which the member is engaged in the performance of Board duties.

(2) TRAVEL EXPENSES.—Each member of the Board shall receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(h) DUTIES.—The Office shall—

(1) carry out a program of education for Members of Congress and other employing authorities of the legislative branch of the Federal Government respecting the laws made applicable to them and a program to inform individuals of their rights under laws applicable to the legislative branch of the Federal Government;

(2) in carrying out the program under paragraph (1), distribute the telephone number and address of the Office, procedures for action under title IV, and any other information appropriate for distribution, distribute such information to employing offices in a manner suitable for posting, provide such information to new employees of employing offices, distribute such information to the residences of covered employees, and conduct seminars and other activities designed to educate employing offices and covered employees; and

(3) compile and publish statistics on the use of the Office by covered employees, including the number and type of contacts made with the Office, on the reason for such contacts, on the number of covered employees who initiated proceedings with the Office under this Act and the result of such proceedings, and on the number of covered employees who filed a complaint, the basis for the complaint, and the action taken on the complaint.

(i) CONGRESSIONAL OVERSIGHT.—The Board and the Office shall be subject to oversight (except with respect to the disposition of individual cases) by the Committee on Rules and Administration and the Committee on Governmental Affairs of the Senate and the Committee on House Oversight of the House of Representatives.

(j) OPENING OF OFFICE.—The Office shall be open for business, including receipt of requests for counseling under section 402, not later than 1 year after the date of the enactment of this Act.

(k) FINANCIAL DISCLOSURE REPORTS.—Members of the Board and officers and employees of the Office shall file the financial disclosure reports required under title I of the Ethics in Government Act of 1978 with the Clerk of the House of Representatives.

SEC. 302. OFFICERS, STAFF, AND OTHER PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) APPOINTMENT AND REMOVAL.—

(A) IN GENERAL.—The Chair, subject to the approval of the Board, shall appoint and may remove an Executive Director. Selection and appointment of the Executive Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office. The first Executive Director shall be appointed no later than 90 days after the initial appointment of the Board of Directors.

(B) QUALIFICATIONS.—The Executive Director shall be an individual with training or expertise in the application of laws referred to in section 102(a).

(C) DISQUALIFICATIONS.—The disqualifications in section 301(d)(2) shall apply to the appointment of the Executive Director.

(2) COMPENSATION.—The Chair may fix the compensation of the Executive Director. The rate of pay for the Executive Director may not exceed the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) TERM.—The term of office of the Executive Director shall be a single term of 5 years, except that the first Executive Director shall have a single term of 7 years.

(4) DUTIES.—The Executive Director shall serve as the chief operating officer of the Office. Except as otherwise specified in this Act, the Executive Director shall carry out all of the responsibilities of the Office under this Act.

(b) DEPUTY EXECUTIVE DIRECTORS.—

(1) IN GENERAL.—The Chair, subject to the approval of the Board, shall appoint and may remove a Deputy Executive Director for the Senate and a Deputy Executive Director for

the House of Representatives. Selection and appointment of a Deputy Executive Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the office. The disqualifications in section 301(d)(2) shall apply to the appointment of a Deputy Executive Director.

(2) TERM.—The term of office of a Deputy Executive Director shall be a single term of 5 years, except that the first Deputy Executive Directors shall have a single term of 6 years.

(3) COMPENSATION.—The Chair may fix the compensation of the Deputy Executive Directors. The rate of pay for a Deputy Executive Director may not exceed 96 percent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(4) DUTIES.—The Deputy Executive Director for the Senate shall recommend to the Board regulations under section 304(a)(2)(B)(i), maintain the regulations and all records pertaining to the regulations, and shall assume such other responsibilities as may be delegated by the Executive Director. The Deputy Executive Director for the House of Representatives shall recommend to the Board the regulations under section 304(a)(2)(B)(ii), maintain the regulations and all records pertaining to the regulations, and shall assume such other responsibilities as may be delegated by the Executive Director.

(c) GENERAL COUNSEL.—

(1) IN GENERAL.—The Chair, subject to the approval of the Board, shall appoint a General Counsel. Selection and appointment of the General Counsel shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office. The disqualifications in section 301(d)(2) shall apply to the appointment of a General Counsel.

(2) COMPENSATION.—The Chair may fix the compensation of the General Counsel. The rate of pay for the General Counsel may not exceed the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) DUTIES.—The General Counsel shall—

(A) exercise the authorities and perform the duties of the General Counsel as specified in this Act; and

(B) otherwise assist the Board and the Executive Director in carrying out their duties and powers, including representing the Office in any judicial proceeding under this Act.

(4) ATTORNEYS IN THE OFFICE OF THE GENERAL COUNSEL.—The General Counsel shall appoint, and fix the compensation of, and may remove, such additional attorneys as may be necessary to enable the General Counsel to perform the General Counsel's duties.

(5) TERM.—The term of office of the General Counsel shall be a single term of 5 years.

(6) REMOVAL.—

(A) AUTHORITY.—The General Counsel may be removed from office by the Chair but only for—

(i) disability that substantially prevents the General Counsel from carrying out the duties of the General Counsel,

(ii) incompetence,

(iii) neglect of duty,

(iv) malfeasance, including a felony or conduct involving moral turpitude, or

(v) holding an office or employment or engaging in an activity that disqualifies the individual from service as the General Counsel under paragraph (1).

(B) STATEMENT OF REASONS FOR REMOVAL.—In removing the General Counsel, the Speaker of the House of Representatives and the President pro tempore of the Senate shall state in writing to the General Counsel the specific reasons for the removal.

(d) OTHER STAFF.—The Executive Director shall appoint, and fix the compensation of, and may remove, such other additional staff, including hearing officers, but not including attorneys employed in the office of the General Counsel, as may be necessary to enable the Office to perform its duties.

(e) DETAILED PERSONNEL.—The Executive Director may, with the prior consent of the department or agency of the Federal Government concerned, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency, including the services of members or personnel of the General Accounting Office Personnel Appeals Board.

(f) CONSULTANTS.—In carrying out the functions of the Office, the Executive Director may procure the temporary (not to exceed 1 year) or intermittent services of consultants.

SEC. 303. PROCEDURAL RULES.

(a) IN GENERAL.—The Executive Director shall, subject to the approval of the Board, adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner.

(b) PROCEDURE.—The Executive Director shall adopt rules referred to in subsection (a) in accordance with the principles and procedures set forth in section 553 of title 5, United States Code. The Executive Director shall publish a general notice of proposed rulemaking under section 553(b) of title 5, United States Code, but, instead of publication of a general notice of proposed rulemaking in the Federal Register, the Executive Director shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Before adopting rules, the Executive Director shall provide a comment period of at least 30 days after publication of a general notice of proposed rulemaking. Upon adopting rules, the Executive Director shall transmit notice of such action together with a copy of such rules to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Rules shall be considered issued by the Executive Director as of the date on which they are published in the Congressional Record.

SEC. 304. SUBSTANTIVE REGULATIONS.

(a) REGULATIONS.—

(1) IN GENERAL.—The procedures applicable to the regulations of the Board issued for the implementation of this Act, which shall include regulations the Board is required to issue under title II (including regulations on the appropriate application of exemptions under the laws made applicable in title II) are as prescribed in this section.

(2) RULEMAKING PROCEDURE.—Such regulations of the Board—

(A) shall be adopted, approved, and issued in accordance with subsection (b); and

(B) shall consist of 3 separate bodies of regulations, which shall apply, respectively, to—

(i) the Senate and employees of the Senate;

(ii) the House of Representatives and employees of the House of Representatives; and

(iii) all other covered employees and employing offices.

(b) ADOPTION BY THE BOARD.—The Board shall adopt the regulations referred to in subsection (a)(1) in accordance with the principles and procedures set forth in section 553 of title 5, United States Code, and as provided in the following provisions of this subsection:

(1) PROPOSAL.—The Board shall publish a general notice of proposed rulemaking under section 553(b) of title 5, United States Code, but, instead of publication of a general notice of proposed rulemaking in the Federal Register, the Board shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Such notice shall set forth the recommendations of the Deputy Director for the Senate in regard to regulations under subsection (a)(2)(B)(i), the recommendations of the Deputy Director for the House of Representatives in regard to regulations under subsection (a)(2)(B)(ii), and the recommendations of the Executive Director for regulations under subsection (a)(2)(B)(iii).

(2) COMMENT.—Before adopting regulations, the Board shall provide a comment period of at least 30 days after publication of a general notice of proposed rulemaking.

(3) ADOPTION.—After considering comments, the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.

(4) RECOMMENDATION AS TO METHOD OF APPROVAL.—The Board shall include a recommendation in the general notice of proposed rulemaking and in the regulations as to whether the regulations should be approved by resolution of the Senate, by resolution of the House of Representatives, by concurrent resolution, or by joint resolution.

(c) APPROVAL OF REGULATIONS.—

(1) IN GENERAL.—Regulations referred to in paragraph (2)(B)(i) of subsection (a) may be approved by the Senate by resolution or by the Congress by concurrent resolution or by joint resolution. Regulations referred to in paragraph (2)(B)(ii) of subsection (a) may be approved by the House of Representatives by resolution or by the Congress by concurrent resolution or by joint resolution. Regulations referred to in paragraph (2)(B)(iii) may be approved by Congress by concurrent resolution or by joint resolution.

(2) REFERRAL.—Upon receipt of a notice of adoption of regulations under subsection (b)(3), the presiding officers of the House of Representatives and the Senate shall refer such notice, together with a copy of such regulations, to the appropriate committee or committees of the House of Representatives and of the Senate. The purpose of the referral shall be to consider whether such regulations should be approved, and, if so, whether such approval should be by resolution of the House of Representatives or of the Senate, by concurrent resolution or by joint resolution.

(3) JOINT REFERRAL AND DISCHARGE IN THE SENATE.—The presiding officer of the Senate may refer the notice of issuance of regulations, or any resolution of approval of regulations, to one committee or jointly to more than one committee. If a committee of the Senate acts to report a jointly referred measure, any other committee of the Senate must act within 30 calendar days of continuous session, or be automatically discharged.

(4) ONE-HOUSE RESOLUTION OR CONCURRENT RESOLUTION.—In the case of a resolution of the House of Representatives or the Senate or a concurrent resolution referred to in paragraph (1), the matter after the resolving clause shall be the following: "The following regulations issued by the Office of Compliance on ___ are hereby approved:" (the blank space being appropriately filled in, and the text of the regulations being set forth).

(5) JOINT RESOLUTION.—In the case of a joint resolution referred to in paragraph (1), the matter after the resolving clause shall be the following: "The following regulations issued by the Office of Compliance on ___ are hereby approved and shall have the force and effect of law:" (the blank space being appropriately filled in, and the text of the regulations being set forth).

(d) ISSUANCE AND EFFECTIVE DATE.—

(1) PUBLICATION.—After approval of regulations under subsection (c), the Board shall submit the regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.

(2) DATE OF ISSUANCE.—The date of issuance of regulations shall be the date on which they are published in the Congressional Record under paragraph (1).

(3) EFFECTIVE DATE.—Regulations shall become effective not less than 60 days after the regulations are issued, except that the Board may provide for an earlier effective date for good cause found (within the meaning of section 553(d)(3) of title 5, United States Code) and published with the regulation.

(e) AMENDMENT OF REGULATIONS.—Regulations may be amended in the same manner as is described in this section for the adoption, approval, and issuance of regulations, except that the Board may, in its discretion, dispense with publication of a general notice of proposed rulemaking of minor, technical, or urgent amendments that satisfy the criteria for dispensing with publication of such notice pursuant to section 553(b)(B) of title 5, United States Code.

(f) RIGHT TO PETITION FOR RULEMAKING.—Any interested party may petition to the Board for the issuance, amendment, or repeal of a regulation.

(g) CONSULTATION.—The Executive Director, the Deputy Directors, and the Board—

(1) shall consult, with regard to the development of regulations, with—

(A) the Chair of the Administrative Conference of the United States;

(B) the Secretary of Labor;

(C) the Federal Labor Relations Authority; and

(D) the Director of the Office of Personnel Management; and

(2) may consult with any other persons with whom consultation, in the opinion of the Board, the Executive Director, or Deputy Directors, may be helpful.

SEC. 305. EXPENSES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Beginning in fiscal year 1995, and for each fiscal year thereafter, there are authorized to be appropriated for the expenses of the Office such sums as may be necessary to carry out the functions of the Office. Until sums are first appropriated pursuant to the preceding sentence, but for a period not exceeding 12 months following the date of the enactment of this Act—

(1) one-half of the expenses of the Office shall be paid from funds appropriated for allowances and expenses of the House of Representatives, and

(2) one-half of the expenses of the Office shall be paid from funds appropriated for allowances and expenses of the Senate,

upon vouchers approved by the Executive Director, except that a voucher shall not be required for the disbursement of salaries of employees who are paid at an annual rate. The Clerk of the House of Representatives and the Secretary of the Senate are authorized to make arrangements for the division of expenses under this subsection, including arrangements for one House of Congress to reimburse the other House of Congress.

(b) FINANCIAL AND ADMINISTRATIVE SERVICES.—The Executive Director may place orders and enter into agreements for goods and services with the head of any agency, or major organizational unit within an agency, in the legislative or executive branch of the United States in the same manner and to the same extent as agencies are authorized under sections 1535 and 1536 of title 31, United States Code, to place orders and enter into agreements.

(c) WITNESS FEES AND ALLOWANCES.—Except for covered employees, witnesses before a hearing officer or the Board in any proceeding under this Act other than rulemaking shall be paid the same fee and mileage allowances as are paid subpoenaed witnesses in the courts of the United States. Covered employees who are summoned, or are assigned by their employer, to testify in their official capacity or to produce official records in any proceeding under this Act shall be entitled to travel expenses under subchapter I and section 5751 of chapter 57 of title 5, United States Code.

TITLE IV—ADMINISTRATIVE AND JUDICIAL DISPUTE-RESOLUTION PROCEDURES

SEC. 401. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

Except as otherwise provided, the procedure for consideration of alleged violations of part A of title II consists of—

(1) counseling as provided in section 402;

(2) mediation as provided in section 403; and

(3) election, as provided in section 404, of either—

(A) a formal complaint and hearing as provided in section 405, subject to Board review as provided in section 406, and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407, or

(B) a civil action in a district court of the United States as provided in section 408.

In the case of an employee of the Office of the Architect of the Capitol or of the Capitol Police, the Executive Director, after receiving a request for counseling under section 402, may recommend that the employee use the grievance procedures of the Architect of the Capitol or the Capitol Police for resolution of the employee's grievance for a specific period of time, which shall not count against the time available for counseling or mediation.

SEC. 402. COUNSELING.

(a) IN GENERAL.—To commence a proceeding, a covered employee alleging a violation of a law made applicable under part A of title II shall request counseling by the Office. The Office shall provide the employee with all relevant information with respect to the rights of the employee. A request for counseling shall be made not later than 180 days after the date of the alleged violation.

(b) PERIOD OF COUNSELING.—The period for counseling shall be 30 days unless the employee and the Office agree to reduce the period. The period shall begin on the date the request for counseling is received.

(c) NOTIFICATION OF END OF COUNSELING PERIOD.—The Office shall notify the employee in writing when the counseling period has ended.

SEC. 403. MEDIATION.

(a) INITIATION.—Not later than 15 days after receipt by the employee of notice of the end of the counseling period under section 402, but prior to and as a condition of making an election under section 404, the covered employee who alleged a violation of a law shall file a request for mediation with the Office.

(b) PROCESS.—Mediation under this section—

(1) may include the Office, the covered employee, the employing office, and one or more individuals appointed by the Executive Director after considering recommendations by organizations composed primarily of individuals experienced in adjudicating or arbitrating personnel matters, and

(2) shall involve meetings with the parties separately or jointly for the purpose of resolving the dispute between the covered employee and the employing office.

(c) MEDIATION PERIOD.—The mediation period shall be 30 days beginning on the date the request for mediation is received. The mediation period may be extended for additional periods at the joint request of the covered employee and the employing office. The Office shall notify in writing the covered employee and the employing office when the mediation period has ended.

(d) INDEPENDENCE OF MEDIATION PROCESS.—No individual, who is appointed by the Executive Director to mediate, may conduct or aid in a hearing conducted under section 405 with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

SEC. 404. ELECTION OF PROCEEDING.

Not later than 90 days after a covered employee receives notice of the end of the period of mediation, but no sooner than 30 days after receipt of such notification, such covered employee may either—

(1) file a complaint with the Office in accordance with section 405, or

(2) file a civil action in accordance with section 408 in the United States district court for the district in which the employee is employed or for the District of Columbia.

SEC. 405. COMPLAINT AND HEARING.

(a) IN GENERAL.—A covered employee may, upon the completion of mediation under section 403, file a complaint with the Office. The respondent to the complaint shall be the employing office—

(1) involved in the violation, or

(2) in which the violation is alleged to have occurred,

and about which mediation was conducted.

(b) DISMISSAL.—A hearing officer may dismiss any claim that the hearing officer finds to be frivolous or that fails to state a claim upon which relief may be granted.

(c) HEARING OFFICER.—

(1) APPOINTMENT.—Upon the filing of a complaint, the Executive Director shall appoint an independent hearing officer to consider the complaint and render a decision. No Member of the House of Representatives, Senator, officer of either the House of Representatives or the Senate, head of an employing office, member of the Board, or covered employee may be appointed to be a hearing officer. The Executive Director shall select hearing officers on a rotational or random basis from the lists developed under

paragraph (2). Nothing in this section shall prevent the appointment of hearing officers as full-time employees of the Office or the selection of hearing officers on the basis of specialized expertise needed for particular matters.

(2) LISTS.—The Executive Director shall develop master lists, composed of—

(A) members of the bar of a State or the District of Columbia and retired judges of the United States courts who are experienced in adjudicating or arbitrating the kinds of personnel and other matters for which hearings may be held under this Act, and

(B) individuals expert in technical matters relating to accessibility and usability by persons with disabilities or technical matters relating to occupational safety and health.

In developing lists, the Executive Director shall consider candidates recommended by the Federal Mediation and Conciliation Service or the Administrative Conference of the United States.

(d) HEARING.—Unless a complaint is dismissed before a hearing, a hearing shall be—

(1) conducted in closed session on the record by the hearing officer;

(2) commenced no later than 60 days after filing of the complaint under subsection (a), except that the Office may, for good cause, extend up to an additional 30 days the time for commencing a hearing; and

(3) conducted, except as specifically provided in this Act and to the greatest extent practicable, in accordance with the principles and procedures set forth in sections 554 through 557 of title 5, United States Code.

(e) DISCOVERY.—Reasonable prehearing discovery may be permitted at the discretion of the hearing officer.

(f) SUBPOENAS.—

(1) IN GENERAL.—At the request of a party, a hearing officer may issue subpoenas for the attendance of witnesses and for the production of correspondence, books, papers, documents, and other records. The attendance of witnesses and the production of records may be required from any place within the United States. Subpoenas shall be served in the manner provided under rule 45(b) of the Federal Rules of Civil Procedure.

(2) OBJECTIONS.—If a person refuses, on the basis of relevance, privilege, or other objection, to testify in response to a question or to produce records in connection with a proceeding before a hearing officer, the hearing officer shall rule on the objection. At the request of the witness or any party, the hearing officer shall (or on the hearing officer's own initiative, the hearing officer may) refer the ruling to the Board for review.

(3) ENFORCEMENT.—

(A) IN GENERAL.—If a person fails to comply with a subpoena, the Board may authorize the General Counsel to apply, in the name of the Office, to an appropriate United States district court for an order requiring that person to appear before the hearing officer to give testimony or produce records. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey a lawful order of the district court issued pursuant to this section may be held by such court to be a civil contempt thereof.

(B) SERVICE OF PROCESS.—Process in an action or contempt proceeding pursuant to subparagraph (A) may be served in any judicial district in which the person refusing or failing to comply, or threatening to refuse or not to comply, resides, transacts business, or may be found, and subpoenas for witnesses who are required to attend such proceedings may run into any other district.

(g) DECISION.—The hearing officer shall issue a written decision as expeditiously as possible, but in no case more than 90 days after the conclusion of the hearing. The written decision shall be transmitted by the Office to the parties. The decision shall state the issues raised in the complaint, describe the evidence in the record, contain findings of fact and conclusions of law, contain a determination of whether a violation has occurred, and order such remedies as are appropriate pursuant to title II. The decision shall be entered in the records of the Office. If a decision is not appealed under section 406 to the Board, the decision shall be considered the final decision of the Office.

(h) PRECEDENTS.—A hearing officer who conducts a hearing under this section shall be guided by judicial decisions under the laws made applicable by section 102 and by Board decisions under this Act.

SEC. 406. APPEAL TO THE BOARD.

(a) IN GENERAL.—Any party aggrieved by the decision of a hearing officer under section 405(g) may file a petition for review by the Board not later than 30 days after entry of the decision in the records of the Office.

(b) PARTIES' OPPORTUNITY TO SUBMIT ARGUMENT.—The parties to the hearing upon which the decision of the hearing officer was made shall have a reasonable opportunity to be heard, through written submission and, in the discretion of the Board, through oral argument.

(c) STANDARD OF REVIEW.—The Board shall set aside a decision of a hearing officer if the Board determines that the decision was—

(1) arbitrary, capricious, an abuse of discretion, or otherwise not consistent with law;

(2) not made consistent with required procedures; or

(3) unsupported by substantial evidence.

(d) RECORD.—In making determinations under subsection (c), the Board shall review the whole record, or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

(e) DECISION.—The Board shall issue a written decision setting forth the reasons for its decision. The decision may affirm, reverse, or remand to the hearing officer for further proceedings. A decision that does not require further proceedings before a hearing officer shall be entered in the records of the Office as a final decision.

SEC. 407. JUDICIAL REVIEW OF BOARD DECISIONS AND ENFORCEMENT.

(a) JURISDICTION.—

(1) JUDICIAL REVIEW.—The United States Court of Appeals for the Federal Circuit shall have jurisdiction over any proceeding commenced by a petition of—

(A) a party aggrieved by a final decision of the Board under section 406(e) in cases arising under part A of title II,

(B) a charging individual or a respondent before the Board who files a petition under section 210(d)(4),

(C) the General Counsel or a respondent before the Board who files a petition under section 215(c)(5), or

(D) the General Counsel or a respondent before the Board who files a petition under section 220(c)(3).

The court of appeals shall have exclusive jurisdiction to set aside, suspend (in whole or in part), to determine the validity of, or otherwise review the decision of the Board.

(2) ENFORCEMENT.—The United States Court of Appeals for the Federal Circuit shall have jurisdiction over any petition of the General Counsel, filed in the name of the Office and at the direction of the Board, to enforce a final decision under section 405(g) or 406(e) with respect to a violation of part A, B, C, or D of title II.

(b) PROCEDURES.—

(1) RESPONDENTS.—(A) In any proceeding commenced by a petition filed under subsection (a)(1) (A) or (B), or filed by a party other than the General Counsel under subsection (a)(1) (C) or (D), the Office shall be named respondent and any party before the Board may be named respondent by filing a notice of election with the court within 30 days after service of the petition.

(B) In any proceeding commenced by a petition filed by the General Counsel under subsection (a)(1) (C) or (D), the prevailing party in the final decision entered under section 406(e) shall be named respondent, and any other party before the Board may be named respondent by filing a notice of election with the court within 30 days after service of the petition.

(C) In any proceeding commenced by a petition filed under subsection (a)(2), the party under section 405 or 406 that the General Counsel determines has failed to comply with a final decision under section 405(g) or 406(e) shall be named respondent.

(2) INTERVENTION.—Any party that participated in the proceedings before the Board under section 406 and that was not made respondent under paragraph (1) may intervene as of right.

(c) LAW APPLICABLE.—Chapter 158 of title 28, United States Code, shall apply to judicial review under paragraph (1) of subsection (a), except that—

(1) with respect to section 2344 of title 28, United States Code, service of a petition in any proceeding in which the Office is a respondent shall be on the General Counsel rather than on the Attorney General;

(2) the provisions of section 2348 of title 28, United States Code, on the authority of the Attorney General, shall not apply;

(3) the petition for review shall be filed not later than 90 days after the entry in the Office of a final decision under section 406(e); and

(4) the Office shall be an "agency" as that term is used in chapter 158 of title 28, United States Code.

(d) STANDARD OF REVIEW.—To the extent necessary for decision in a proceeding commenced under subsection (a)(1) and when presented, the court shall decide all relevant questions of law and interpret constitutional and statutory provisions. The court shall set aside a final decision of the Board if it is determined that the decision was—

(1) arbitrary, capricious, an abuse of discretion, or otherwise not consistent with law;

(2) not made consistent with required procedures; or

(3) unsupported by substantial evidence.

(e) RECORD.—In making determinations under subsection (d), the court shall review the whole record, or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

SEC. 408. CIVIL ACTION.

(a) JURISDICTION.—The district courts of the United States shall have jurisdiction over any civil action commenced under section 404 and this section by a covered employee who has completed counseling under section 402 and mediation under section 403. A civil action may be commenced by a covered employee only to seek redress for a violation for which the employee has completed counseling and mediation.

(b) PARTIES.—The defendant shall be the employing office alleged to have committed the violation, or in which the violation is alleged to have occurred.

(c) JURY TRIAL.—Any party may demand a jury trial where a jury trial would be available in an action against a private defendant under the relevant law made applicable by this Act. In any case in which a violation of section 201 is alleged, the court shall not inform the jury of the maximum amount of compensatory damages available under section 201(b)(1) or 201(b)(3).

SEC. 409. JUDICIAL REVIEW OF REGULATIONS.

In any proceeding brought under section 407 or 408 in which the application of a regulation issued under this Act is at issue, the court may review the validity of the regulation in accordance with the provisions of subparagraphs (A) through (D) of section 706(2) of title 5, United States Code, except that with respect to regulations approved by a joint resolution under section 304(c), only the provisions of section 706(2)(B) of title 5, United States Code, shall apply. If the court determines that the regulation is invalid, the court shall apply, to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provisions with respect to which the invalid regulation was issued. Except as provided in this section, the validity of regulations issued under this Act is not subject to judicial review.

SEC. 410. OTHER JUDICIAL REVIEW PROHIBITED.

Except as expressly authorized by sections 407, 408, and 409, the compliance or noncompliance with the provisions of this Act and any action taken pursuant to this Act shall not be subject to judicial review.

SEC. 411. EFFECT OF FAILURE TO ISSUE REGULATIONS.

In any proceeding under section 405, 406, 407, or 408, except a proceeding to enforce section 220 with respect to offices listed under section 220(e)(2), if the Board has not issued a regulation on a matter for which this Act requires a regulation to be issued, the hearing officer, Board, or court, as the case may be, shall apply, to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provision at issue in the proceeding.

SEC. 412. EXPEDITED REVIEW OF CERTAIN APPEALS.

(a) IN GENERAL.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order of a court upon the constitutionality of any provision of this Act.

(b) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question, accept jurisdiction over the appeal referred to in subsection (a), advance the appeal on the docket, and expedite the appeal to the greatest extent possible.

SEC. 413. PRIVILEGES AND IMMUNITIES.

The authorization to bring judicial proceedings under sections 405(f)(3), 407, and 408 shall not constitute a waiver of sovereign immunity for any other purpose, or of the privileges of any Senator or Member of the House of Representatives under article I, section 6, clause 1, of the Constitution, or a waiver of any power of either the Senate or the House of Representatives under the Constitution, including under article I, section 5, clause 3, or under the rules of either House relating to records and information within its jurisdiction.

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SEC. 414. SETTLEMENT OF COMPLAINTS.

Any settlement entered into by the parties to a process described in section 210, 215, 220, or 401 shall be in writing and not become effective unless it is approved by the Executive Director. Nothing in this Act shall affect the power of the Senate and the House of Representatives, respectively, to establish rules governing the process by which a settlement may be entered into by such House or by any employing office of such House.

SEC. 415. PAYMENTS.

(a) AWARDS AND SETTLEMENTS.—Except as provided in subsection (c), only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements under this Act. There are authorized to be appropriated for such account such sums as may be necessary to pay such awards and settlements. Funds in the account are not available for awards and settlements involving the General Accounting Office, the Government Printing Office, or the Library of Congress.

(b) COMPLIANCE.—Except as provided in subsection (c), there are authorized to be appropriated such sums as may be necessary for administrative, personnel, and similar expenses of employing offices which are needed to comply with this Act.

(c) OSHA, ACCOMMODATION, AND ACCESS REQUIREMENTS.—Funds to correct violations of section 201(a)(3), 210, or 215 of this Act may be paid only from funds appropriated to the employing office or entity responsible for correcting such violations. There are authorized to be appropriated such sums as may be necessary for such funds.

SEC. 416. CONFIDENTIALITY.

(a) COUNSELING.—All counseling shall be strictly confidential, except that the Office and a covered employee may agree to notify the employing office of the allegations.

(b) MEDIATION.—All mediation shall be strictly confidential.

(c) HEARINGS AND DELIBERATIONS.—Except as provided in subsections (d), (e), and (f), all proceedings and deliberations of hearing officers and the Board, including any related records, shall be confidential. This subsection shall not apply to proceedings under section 215, but shall apply to the deliberations of hearing officers and the Board under that section.

(d) RELEASE OF RECORDS FOR JUDICIAL ACTION.—The records of hearing officers and the Board may be made public if required for the purpose of judicial review under section 407.

(e) ACCESS BY COMMITTEES OF CONGRESS.—At the discretion of the Executive Director, the Executive Director may provide to the Committee on Standards of Official Conduct of the House of Representatives and the Select Committee on Ethics of the Senate access to the records of the hearings and decisions of the hearing officers and the Board, including all written and oral testimony in the possession of the Office. The Executive Director shall not provide such access until the Executive Director has consulted with the individual filing the complaint at issue, and until a final decision has been entered under section 405(g) or 406(e).

(f) FINAL DECISIONS.—A final decision entered under section 405(g) or 406(e) shall be made public if it is in favor of the complaining covered employee, or in favor of the charging party under section 210, or if the decision reverses a decision of a hearing officer which had been in favor of the covered employee or charging party. The Board may make public any other decision at its discretion.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. EXERCISE OF RULEMAKING POWERS.

The provisions of sections 102(b)(3) and 304(c) are enacted—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of such House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

SEC. 502. POLITICAL AFFILIATION AND PLACE OF RESIDENCE.

(a) IN GENERAL.—It shall not be a violation of any provision of section 201 to consider the—

(1) party affiliation;

(2) domicile; or

(3) political compatibility with the employing office;

of an employee referred to in subsection (b) with respect to employment decisions.

(b) DEFINITION.—For purposes of subsection (a), the term "employee" means—

(1) an employee on the staff of the leadership of the House of Representatives or the leadership of the Senate;

(2) an employee on the staff of a committee or subcommittee of—

(A) the House of Representatives;

(B) the Senate; or

(C) a joint committee of the Congress;

(3) an employee on the staff of a Member of the House of Representatives or on the staff of a Senator;

(4) an officer of the House of Representatives or the Senate or a congressional employee who is elected by the House of Representatives or Senate or is appointed by a Member of the House of Representatives or by a Senator (in addition an employee described in paragraph (1), (2), or (3)); or

(5) an applicant for a position that is to be occupied by an individual described in any of paragraphs (1) through (4).

SEC. 503. NONDISCRIMINATION RULES OF THE HOUSE AND SENATE.

The Select Committee on Ethics of the Senate and the Committee on Standards of Official Conduct of the House of Representatives retain full power, in accordance with the authority provided to them by the Senate and the House, with respect to the discipline of Members, officers, and employees for violating rules of the Senate and the House on nondiscrimination in employment.

SEC. 504. TECHNICAL AND CONFORMING AMENDMENTS.

(a) CIVIL RIGHTS REMEDIES.—

(1) Sections 301 and 302 of the Government Employee Rights Act of 1991 (2 U.S.C. 1201 and 1202) are amended to read as follows:

"SEC. 301. GOVERNMENT EMPLOYEE RIGHTS ACT OF 1991.

"(a) SHORT TITLE.—This title may be cited as the 'Government Employee Rights Act of 1991'.

"(b) PURPOSE.—The purpose of this title is to provide procedures to protect the rights of certain government employees, with respect to their public employment, to be free of discrimination on the basis of race, color, religion, sex, national origin, age, or disability.

"(c) DEFINITION.—For purposes of this title, the term 'violation' means a practice that violates section 302(a) of this title.

"SEC. 302. DISCRIMINATORY PRACTICES PROHIBITED.

"(a) PRACTICES.—All personnel actions affecting the Presidential appointees described in section 303 or the State employees described in section 304 shall be made free from any discrimination based on—

"(1) race, color, religion, sex, or national origin, within the meaning of section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16);

"(2) age, within the meaning of section 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a); or

"(3) disability, within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and sections 102 through 104 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112–14).

"(b) REMEDIES.—The remedies referred to in sections 303(a)(1) and 304(a)—

"(1) may include, in the case of a determination that a violation of subsection (a)(1) or (a)(3) has occurred, such remedies as would be appropriate if awarded under sections 706(g), 706(k), and 717(d) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(g), 2000e–5(k), 2000e–16(d)), and such compensatory damages as would be appropriate if awarded under section 1977 or sections 1977A(a) and 1977A(b)(2) of the Revised Statutes (42 U.S.C. 1981 and 1981a(a) and (b)(2));

"(2) may include, in the case of a determination that a violation of subsection (a)(2) has occurred, such remedies as would be appropriate if awarded under section 15(c) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(c)); and

"(3) may not include punitive damages.".

(2) Sections 303 through 319, and sections 322, 324, and 325 of the Government Employee Rights Act of 1991 (2 U.S.C. 1203–1218, 1221, 1223, and 1224) are repealed, except as provided in section 506 of this Act.

(3) Sections 320 and 321 of the Government Employee Rights Act of 1991 (2 U.S.C. 1219 and 1220) are redesignated as sections 303 and 304, respectively.

(4) Sections 303 and 304 of the Government Employee Rights Act of 1991, as so redesignated, are each amended by striking "and 307(h) of this title".

(5) Section 1205 of the Supplemental Appropriations Act of 1993 (2 U.S.C. 1207a) is repealed, except as provided in section 506 of this Act.

(b) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Title V of the Family and Medical Leave Act of 1993 (2 U.S.C. 60m et seq.) is repealed, except as provided in section 506 of this Act.

(c) ARCHITECT OF THE CAPITOL.—

(1) REPEAL.—Section 312(e) of the Architect of the Capitol Human Resources Act (Public Law 103–283; 108 Stat. 1444) is repealed, except as provided in section 506 of this Act.

(2) APPLICATION OF GENERAL ACCOUNTING OFFICE PERSONNEL ACT OF 1980.—The provisions of sections 751, 753, and 755 of title 31, United States Code, amended by section 312(e) of the Architect of the Capitol Human Resources Act, shall be applied and administered as if such section 312(e) (and the amendments made by such section) had not been enacted.

SEC. 505. JUDICIAL BRANCH COVERAGE STUDY.

The Judicial Conference of the United States shall prepare a report for submission by the Chief Justice of the United States to the Congress on the application to the judicial branch of the Federal Government of—

(1) the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.);

(2) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

(3) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(4) the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.);

(5) the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.);

(6) the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.);

(7) chapter 71 (relating to Federal service labor-management relations) of title 5, United States Code;

(8) the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2001 et seq.);

(9) the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.);

(10) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(11) chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

The report shall be submitted to Congress not later than December 31, 1996, and shall include any recommendations the Judicial Conference may have for legislation to provide to employees of the judicial branch the rights, protections, and procedures under the listed laws, including administrative and judicial relief, that are comparable to those available to employees of the legislative branch under titles I through IV of this Act.

SEC. 506. SAVINGS PROVISIONS.

(a) TRANSITION PROVISIONS FOR EMPLOYEES OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE.—

(1) CLAIMS ARISING BEFORE EFFECTIVE DATE.—If, as of the date on which section 201 takes effect, an employee of the Senate or the House of Representatives has or could have requested counseling under section 305 of the Government Employees Rights Act of 1991 (2 U.S.C. 1205) or Rule LI of the House of Representatives, including counseling for alleged violations of family and medical leave rights under title V of the Family and Medical Leave Act of 1993, the employee may complete, or initiate and complete, all procedures under the Government Employees Rights Act of 1991 and Rule LI, and the provisions of that Act and Rule shall remain in effect with respect to, and provide the exclusive procedures for, those claims until the completion of all such procedures.

(2) CLAIMS ARISING BETWEEN EFFECTIVE DATE AND OPENING OF OFFICE.—If a claim by an employee of the Senate or House of Representatives arises under section 201 or 202 after the effective date of such sections, but before the opening of the Office for receipt of requests for counseling or mediation under sections 402 and 403, the provisions of the Government Employees Rights Act of 1991 (2 U.S.C. 1201 et seq.) and Rule LI of the House of Representatives relating to counseling and mediation shall remain in effect, and the employee may complete under that Act or Rule the requirements for counseling and mediation under sections 402 and 403. If, after counseling and mediation is completed, the Office has not yet opened for the filing of a timely complaint under section 405, the employee may elect—

(A) to file a complaint under section 307 of the Government Employees Rights Act of 1991 (2 U.S.C. 1207) or Rule LI of the House of Representatives, and thereafter proceed exclusively under that Act or Rule, the provisions of which shall remain in effect until the completion of all proceedings in relation to the complaint, or

(B) to commence a civil action under section 408.

(3) SECTION 1205 OF THE SUPPLEMENTAL APPROPRIATIONS ACT OF 1993.—With respect to payments of awards and settlements relating to Senate employees under paragraph (1) of this subsection, section 1205 of the Supplemental Appropriations Act of 1993 (2 U.S.C. 1207a) remains in effect.

(b) TRANSITION PROVISIONS FOR EMPLOYEES OF THE ARCHITECT OF THE CAPITOL.—

(1) CLAIMS ARISING BEFORE EFFECTIVE DATE.—If, as of the date on which section 201 takes effect, an employee of the Architect of the Capitol has or could have filed a charge or complaint regarding an alleged violation of section 312(e)(2) of the Architect of the Capitol Human Resources Act (Public Law 103–283), the employee may complete, or initiate and complete, all procedures under section 312(e) of that Act, the provisions of which shall remain in effect with respect to, and provide the exclusive procedures for, that claim until the completion of all such procedures.

(2) CLAIMS ARISING BETWEEN EFFECTIVE DATE AND OPENING OF OFFICE.—If a claim by an employee of the Architect of the Capitol arises under section 201 or 202 after the effective date of those provisions, but before the opening of the Office for receipt of requests for counseling or mediation under sections 402 and 403, the employee may satisfy the requirements for counseling and mediation by exhausting the requirements prescribed by the Architect of the Capitol in accordance with section 312(e)(3) of the Architect of the Capitol Human Resources Act (Public Law 103–283). If, after exhaustion of those requirements the Office has not yet opened for the filing of a timely complaint under section 405, the employee may elect—

(A) to file a charge with the General Accounting Office Personnel Appeals Board pursuant to section 312(e)(3) of the Architect of the Capitol Human Resources Act (Public Law 103–283), and thereafter proceed exclusively under section 312(e) of that Act, the provisions of which shall remain in effect until the completion of all proceedings in relation to the charge, or

(B) to commence a civil action under section 408.

(c) TRANSITION PROVISION RELATING TO MATTERS OTHER THAN EMPLOYMENT UNDER SECTION 509 OF THE AMERICANS WITH DISABILITIES ACT OF 1990.—With respect to matters other than employment under section 509 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209), the rights, protections, remedies, and procedures of section 509 of such Act shall remain in effect until section 210 of this Act takes effect with respect to each of the entities covered by section 509 of such Act.

SEC. 507. USE OF FREQUENT-FLYER MILES.

(a) LIMITATION ON THE USE OF TRAVEL AWARDS.—Notwithstanding any other provision of law, or any rule, regulation, or other authority, any travel award that accrues by reason of official travel of a Member, officer, or employee of the Senate shall be considered the property of the office for which the travel was performed and may not be converted to personal use.

(b) REGULATIONS.—The Committee on Rules and Administration of the Senate shall have authority to prescribe regulations to carry out this section.

(c) DEFINITIONS.—As used in this section—

(1) the term "travel award" means any frequent flyer, free, or discounted travel, or other travel benefit, whether awarded by coupon, membership, or otherwise; and

(2) the term "official travel" means travel engaged in the course of official business of the Senate.

SEC. 508. SENSE OF SENATE REGARDING ADOPTION OF SIMPLIFIED AND STREAMLINED ACQUISITION PROCEDURES FOR SENATE ACQUISITIONS.

It is the sense of the Senate that the Committee on Rules and Administration of the Senate should review the rules applicable to purchases by Senate offices to determine whether they are consistent with the acquisition simplification and streamlining laws enacted in the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355).

SEC. 509. SEVERABILITY.

If any provision of this Act or the application of such provision to any person or circumstance is held to be invalid, the remainder of this Act and the application of the provisions of the remainder to any person or circumstance shall not be affected thereby.

Mr. GLENN. Mr. President, I move to reconsider the vote.

Mr. GRASSLEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY. Mr. President, I will do some final work on this bill in the sense of some tributes, as well as adding a couple of cosponsors.

First of all, I ask unanimous consent that Senator FRIST and Senator DOMENICI be added as cosponsors.

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

Mr. GRASSLEY. Mr. President, the Administrative Conference is being directed to study the application of the various laws to the General Accounting Office, the Government Printing Office, and the Library of Congress as well as the regulations and procedures used by these agencies to endorse these laws. The study is to evaluate whether the rights, protections, and procedures applicable to these agencies and their employees under these laws are comprehensive and effective. The conference is to make recommendations for any improvements in regulations or legislation, including regulatory or legislative language. I urge the conference to be particularly mindful of conflict of interest or other concerns that may arise from the coverage of Library of Congress employees under the existing Federal sector labor-management statutory framework. The bill reflects similar concerns with respect to various categories of congressional employees which may well be equally applicable to Library of Congress employees.

Mr. President, I want to thank Senator GLENN. He has been here on the floor of this body for 5 days representing the minority party.

I also want to thank the new Senator from Tennessee, Senator THOMPSON, because on our side of the aisle he worked very closely with me as cochairman of the working group on this bill, which Senator DOLE appointed for the Republicans so that this bill could be worked on in December and be ready for action on the first day of the session.

Also, I thank Senator LIEBERMAN of Connecticut, who has worked very hard on this bill over the last 2 years and was my main cosponsor on this bill; also, I thank him and his staff for contributing during the interim of the two Congresses to get this bill put together. I also need to mention this about Senator GLENN: He was active in this issue long before most of us even came to the Congress.

I also thank Senator STEVENS, because in the last several Congresses when I tried to get this legislation passed, he has wanted us to think through very clearly what direction we should go in. He has legitimately raised some questions and concerns about this over several Congresses. And during this Congress, he was satisfied with the product we put together, and he was also part of the group that worked out compromises between Republicans and Democrats, as well as between the House and Senate. I thank Senator STEVENS for his cooperation.

I thank Senator ROTH, who was chairman of the committee this time that would have had jurisdiction over this bill, because he did not demand referral.

I thank Senators NICKLES, COATS, HUTCHISON, ABRAHAM, and SMITH, because they were also members of the Republican task force.

Then regarding the staff people, I want to say thank you to Senator LIEBERMAN's staff, John Nakahata and Fred Richardson; Senator STEVENS' staff, Mark Mackie; Senator ROTH's staff, Susanne Marshall; Dennis Shea of Senator DOLE's staff; Larry Novak of Senator GLENN's staff; Michael Davidson, Senate legal counsel, and also of the legal counsel staff, Claire Sylvia. Then Gary Kline of my staff was involved in this. I want to pay special tribute to Fred Ansell of my staff, not only for the time and work that went into several weeks of December that he worked on this bill with other staff people, but also for his assuming a tremendous amount of responsibility in making sure that we had a product that was acceptable to the Senate. I think the best measure of a product that is acceptable to the Senate is that there was no amendment applicable to the underlying bill, except the technical amendments that were in the managers bill. So I thank Mr. Ansell for his fine, outstanding work in representing me and the group of staffers.

I yield the floor.

Mr. GLENN. Mr. President, I want to associate myself with the remarks of the distinguished Senator from Iowa in giving credit to those who worked long into the night and do so much work in putting something like this together. It is not easy. They have to do a lot of work on the amendments that were proposed over here, and they did a lot of work over the last couple of years in putting this whole package together.

It finally came together in a way, with the provisions in here, that took care of some of the previous concerns about separation of powers between the branches of Government that literally has held up consideration of this legislation since 1978, when I introduced legislation like this; way back in 1978, it has been held up all this time.

Last year, as majority leader, Senator Mitchell indicated to me that he wanted us to move this, if we possibly could, out of committee and the best bill we had was the Grassley-Lieberman bill. We worked with them on that and we put it in the form that was passed here this evening. I am proud to have worked with them on that and to be part of the team that got it together.

But I want to particularly give them credit for it, as well as the other people who worked so hard on the staff through this.

On our staff of the Governmental Affairs Committee, Larry Novey, who is with me right here, has done yeoman's work on this. Len Weiss, who is our minority staff director, worked on this, but Larry, in particular, really has dedicated himself to this and did a terrific job on this. So I want to give him credit for working out a lot of the details on this and making it into what I think is a very important piece of legislation that says now for the first time we treat our people here on Capitol Hill with the same fairness, the same rights, that we have thought in the past were important enough to apply to all the rest of the country.

And now we have some 36,000 employees here—I just received a rundown on that a moment ago—36,000 employees total on Capitol Hill or in the instrumentalities that work for the Senate here and the House of Representatives. Those people now have the same protections and same rights under the law, through a different appeals process that we worked out here.

But I just wanted to give credit to those who worked out all these details. I think it is a great step forward.

Thank you very much and I yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I wish to associate myself with the remarks that have already been made here. And also on behalf of the majority leader and, I am sure, the membership on both sides of the aisle, I wish to congratulate them on the outstanding job that has been done on this legislation.

The distinguished Senator from Iowa has certainly done an outstanding job. He has been patient. Amendments have not just been brushed off. They have been considered. But all of them were put aside, at least for the time being, so we could have a good, clean bill that does what everybody really wants it to do.

I think the evidence of the good job that has been done was the vote we just

saw, 98 to 1. I do think that it is important that this is the first bill of the year; that we have congressional accountability; that we have these laws apply to ourselves. And I think that it is an important message to the American people that they will agree with.

So I just wanted to take a moment to commend Senator GRASSLEY; and Senator GLENN, who has done yeoman's work on this legislation over a long period of time and did a lot of good work last year. He certainly worked very closely with Senator GRASSLEY. Both of them did a great job and I think they should be commended for it.

So let us just go forward and do this again on the next bill and see if we cannot complete it in a little less time.

With that, Mr. President, I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank the Senator from Mississippi for his kind remarks.

Reflecting upon the 98-to-1 vote, I can just simply say the feeling of this body has dramatically changed toward this legislation, because I remember the first time I introduced an amendment on this and got it through on a voice vote. There were just a few Members here at that particular time. One Member was so mad at me after I got it passed that the individual said to me, "GRASSLEY, I hope you are the first one sued."

Well, we have to keep diligent to get things done. And I think that one of the things that I have learned to do is to stick to your guns.

Basically, Prime Minister Disraeli, in the second half of the last century, had this to say as a way to determine success. "Constancy of purpose is the secret of success," is what Disraeli said. I think that that is a very good rule for anybody who wants to get anything done in the congressional system that we have in this country. If you stick to it and if you are on the right track, you will eventually accomplish your goal. I think that even Senator GLENN has a longer view toward that end than I do, because, as I stated before, he was involved in this before I ever got involved in it.

I yield the floor.

Mr. BIDEN. Mr. President, I also remember something Benjamin Disraeli said when a young member of Parliament walked up to him one evening—as you know, better than I, the Parliament meets in the evening. He walked up to Benjamin Disraeli, his party leader, and he said, "Mr. Prime Minister,"—there was a particular bill on the floor—he said, "Mr. Prime Minister, such and such a bill is on the floor tonight. I wonder whether you think I should speak tonight on this bill." And Disraeli looked at the young member and said, "Sir, I think it better that the House of Commons wonder why you did not speak than why you did."

And occasionally I think we are going to find Disraeli's admonition, not as it relates to this particular bill, I suspect we may find his admonition may be well placed in terms of how we conduct ourselves the remainder of this session.

But I want to make it clear for the record, I am not referring to the Senator from Iowa or anyone in particular. But I just hope that on some of the legislative initiatives I have heard about, other than the one I have seen tonight, that we follow Disraeli's advice: Sometimes it is better not to speak than to speak.

But I am going to break that admonition myself right now and I am going to ask unanimous consent that I be able to proceed for 10 minutes as if morning business.

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

PARTIAL LIFTING OF SANCTIONS AGAINST SERBIA AND MONTENEGRO

Mr. BIDEN. Mr. President, I rise this evening to urge the United States to vote at the United Nations against renewing the partial lifting of sanctions against Serbia and Montenegro in return for their alleged blockade against the Bosnian Serbs.

The 100-day probation period for blockade enforcement expires tomorrow, January 12, 1995. A positive action in the U.N. Security Council is necessary to renew the waiver. The language of the U.N. resolution granting the waiver stipulates the need for effectively implementing the closure of the border between Serbia and Montenegro and the Republic of Bosnia and Herzegovina. I repeat, effectively implementing—not trying in a half-hearted way or even trying with good intentions. Mr. President, the standard of effectively implementing simply has not been met.

On November 18, 1994, I sent a detailed letter to Secretary of State Christopher in which I outlined my concerns on this issue. Yesterday—nearly 8 weeks later—I finally received an answer from Assistant Secretary of State Sherman. I hope that this inexcusable tardiness in responding to my request and desire is not indicative of a desire on the part of the State Department to keep this vital issue out of the public eye.

Mr. President, the contents of Assistant Secretary Sherman's letter have only increased my fear that the administration is allowing a new overall concept for Bosnia—with which I profoundly disagree—to dictate its interpretation of the facts on the ground.

What about the stipulated U.N. standard of effectively implementing the border closure? Assistant Secretary Sherman writes:

> On the whole, looking across the 100-day period, we believe it legitimate to say that the border has been effectively closed in the sense that it has become steadily less porous as loopholes were identified and sealed.

That, Mr. President, is a remarkably creative definition of "effective implementing."

I remember back in the early 1980's, we went from talking about tax increases to revenue enhancements. This makes that euphemism sound ridiculous. It says "effectively implementing," and he writes, "On the whole, looking across the 100-day period, we believe," and the key point is "that it has become steadily less porous." I assume that means therefore it has been effectively implemented, in their view. The fact is that the border is more than 300 miles long. It traverses some of the most rugged, mountainous country in Europe, and it would be difficult to police even with a large force of monitors.

In actuality, however, Mr. President, fewer than 200 monitors have been deployed. Assistant Secretary Sherman admits the monitoring mission "is still not staffed as fully as we would like."

Most of the crossing points are not monitored 24 hours a day. Controls on so-called ant trade—carried on by private vehicles that smuggle in fuel for a Bosnian Serb war machine—are, quite frankly, laughable.

Perhaps the most ridiculous piece of information is that along parts of the Montenegro-Bosnian border, the United Nations has been relying on the Yugoslav Army, that is the Serbian Army troops, to monitor the so-called blockade. Now, call me cynical, Mr. President, but I am uncomfortable with involving Mr. Milosevic's troops in the honor system.

The ultimate proof of the ineffective closure of the border is that the Bosnian Serb aggressors have had no difficulty in securing fuel with which to continue their attacks, such as last month's offensive in the Bihac area.

Even the price of fuel on the civilian market in Serbian-controlled parts of Bosnia has not risen appreciably, an indication that there are no serious shortages of fuel. It is still coming in.

Mr. President, the whole blockade charade has proven once again that Mr. Milosevic is the shrewdest politician in the former Yugoslavia. Through his blockade gambit he hopes to weaken the Bosnian Serb leader Karadzic, but not significantly to hamper the Bosnian Serb Army. Our British and French allies and the Russians, eager for peace in Bosnia at any time, want to throw Milosevic a bone of renewed sanctions relief, perhaps even to lessen the sanctions further.

Worst of all, it now appears the United States is sliding toward the appeasement position of the British and the

French. Assistant Secretary of State Holbrooke, speaking 2 days ago in Sarajevo, indicated that we have retreated from holding the Bosnian Serbs at the ladder of the contact group's peace plank. Now, apparently, we see the plan only as a basis for negotiation. That is, we have prepared to allow the Bosnian Serbs to hold on to some of the fruits of their military aggression and the vile ethnic cleansing they have been undertaking.

Mr. President, we should have none of this. The United States should vote against the extension of the U.S. sanctions waiver. Or, put another way, we should keep the sanctions on, the economic sanctions. Such a vote would not only be a moral statement but also a proper reaction to this nonexistent blockade that has provided cover for Milosevic and our European allies.

Mr. President, although I do not have any real expectation that the administration is going to listen to me any more than they have listened to me in the past on this, or to Senator DOLE or to Senator LIEBERMAN or others, I do want the RECORD to show that there is no serious implementation of the blockade on the part of the Serbian Government; no cooperation from the Government of Serbia, Mr. Milosevic's government; no effective means to monitor whether it is underway; and no proof based upon the availabilities of the commodities that are supposedly being blocked, such as fuel for the war machine, that suggests that it is working, it is being tried, it is being implemented, it is effective.

Therefore, it seems to me, Mr. President, the only logical and consistent vote we should cast in the United Nations Security Council tomorrow is one that eliminates the extension of the waiver and puts back in place the full economic blockade on Serbia.

Mr. President, I thank my colleagues for their willingness to give me this time. I yield the floor.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, and upon the recommendation of the majority leader, pursuant to Senate Resolution 4 (95th Congress), Senate Resolution 448 (96th Congress), Senate Resolution 127 (98th Congress), and Senate Resolution 100 (101st Congress), appoints the following Senators as the majority membership of the Select Committee on Indian Affairs: The Senator from Arizona [Mr. MCCAIN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Washington [Mr. GORTON], the Senator from New Mexico [Mr. DOMENICI], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Oklahoma [Mr. NICKLES], the Senator from Wyoming [Mr. THOMAS], the Senator from Utah [Mr. HATCH], and the Senator from Georgia [Mr. COVERDELL].

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AUTHORITY TO REPORT

Mr. LOTT. Mr. President, I ask unanimous consent that the Governmental Affairs Committee have until 8 p.m. tonight to file a report to accompany S. 1, the unfunded mandates bill.

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

MAJORITY PARTY APPOINTMENTS TO ETHICS COMMITTEE

Mr. LOTT. Mr. President, I send a resolution to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 46) making majority party appointments to the Ethics Committee for the 104th Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 46) was agreed to, as follows:

Resolved, That the following shall constitute the majority party's membership on the following Senate committee for the 104th Congress, or until their successors are appointed:

Ethics: Mr. McConnell (Chairman), Mr. Smith, and Mr. Craig.

MINORITY PARTY APPOINTMENTS TO ETHICS COMMITTEE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 42, relating to minority party appointments to a Senate committee; that the resolution be agreed to; and that the motion to reconsider be laid upon the table.

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

So the resolution (S. Res. 42) was agreed to, as follows:

Resolved, That the following shall constitute the minority party's membership on the Ethics Committee for the 104th Congress, or until their successors are chosen.

Select Committee on Ethics: Mr. Bryan, Vice Chair, Ms. Mikulski, and Mr. Dorgan.

DESIGNATING CHAIRPERSONS OF SENATE COMMITTEES

Mr. LOTT. Mr. President, I send a resolution to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 47) designating the chairpersons of Senate committees for the 104th Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 47) was agreed to, as follows:

Resolved, That the following Senators are designated as the Chair of the following committees for the 104th Congress, or until their successors are chosen:

Committee on Agriculture, Nutrition, and Forestry: Mr. Lugar, Chairman.

Committee on Appropriations: Mr. Hatfield, Chairman.

Committee on Armed Services: Mr. Thurmond, Chairman.

Committee on Banking, Housing, and Urban Affairs: Mr. D'Amato, Chairman.

Committee on Commerce, Science, and Transportation: Mr. Pressler, Chairman.

Committee on Energy and Natural Resources: Mr. Murkowski, Chairman.

Committee on Environment and Public Works: Mr. Chafee, Chairman.

Committee on Finance: Mr. Packwood, Chairman.

Committee on Foreign Relations: Mr. Helms, Chairman.

Committee on Governmental Affairs: Mr. Roth, Chairman.

Committee on the Judiciary: Mr. Hatch, Chairman.

Committee on Labor and Human Resources: Mrs. Kassebaum, Chairman.

Committee on Rules and Administration: Mr. Stevens, Chairman.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:18 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that on January 5, 1995, pursuant to section 8002 of the Internal Revenue Code of 1986, the following members of the Committee on Ways and

Means were designated to serve on the Joint Committee on Taxation for the 104th Congress: Mr. ARCHER, Mr. CRANE, Mr. THOMAS, Mr. GIBBONS, and Mr. RANGEL.

MEASURES PLACED ON THE CALENDAR

The following measures were read the first and second times by unanimous consent and placed on the calendar:

H.R. 1. An act to make certain laws applicable to the legislative branch of the Federal Government.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-11. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, notice of a Presidential Determination relative to the Government of Colombia; to the Committee on Armed Services.

EC-12. A communication from the Deputy Assistant Secretary of the Air Force (Communications, Computers and Support Systems), transmitting, pursuant to law, notice relative to a multi-function cost comparison; to the Committee on Armed Services.

EC-13. A communication from the Deputy Under Secretary of Defense, transmitting, pursuant to law, the report on the demonstration program for training discharged veterans for employment in the construction and hazardous waste remediation industries; to the Committee on Armed Services.

EC-14. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, certification relative to the C-17 settlement agreement; to the Committee on Armed Services.

EC-15. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, certification relative to amphibious lift capacity; to the Committee on Armed Services.

EC-16. A communication from the Assistant to the Secretary of Defense, transmitting, pursuant to law, a corrected summary sheet relative to the semi-annual report on program activities for facilitation of weapons destruction and non-proliferation in the Former Soviet Union; to the Committee on Armed Services.

EC-17. A communication from the Deputy Assistant Secretary of Defense, transmitting, pursuant to law, the report on strategic and critical materials during the period October 1, 1993 through September 30, 1994; to the Committee on Armed Services.

EC-18. A communication from the General Counsel of the Department of Defense, transmitting, pursuant to law, an executive order of amendments to the Manual for Courts-Martial, United States, 1984; to the Committee on Armed Services.

EC-19. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the report on a transaction involving U.S. exports to Russia; to the Committee on Banking, Housing, and Urban Affairs.

EC-20. A communication from the First Vice President and Vice Chairman of the Export-Import Bank, transmitting, pursuant to law, the report on a transaction involving U.S. exports to Indonesia; to the Committee on Banking, Housing, and Urban Affairs.

EC-21. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the report entitled "A Unified National Program for Floodplain Management"; to the Committee on Banking, Housing, and Urban Affairs.

EC-22. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report on savings associations as of September 30, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-23. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report on credit availability for small business and small farms in calendar year 1994; to the Committee on Banking, Housing, and Urbans Affairs.

EC-24. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report relative to the report entitled "Five-Year Plan for Energy Efficiency"; to the Committee on Banking, Housing, and Urban Affairs.

EC-25. A communication from the Director, Corporate Financial Audits, General Accounting Office, transmitting, pursuant to law, the report of the audit of the financial statements of the Federal Financial Bank for calendar years 1992 and 1993; to the Committee on Banking, Housing, and Urban Affairs.

EC-26. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Governments of Serbia and Montenegro; to the Committee on Banking, Housing, and Urban Affairs.

EC-27. A communication from the President of the United States, transmitting, pursuant to law, notice relative to the Libyan emergency; to the Committee on Banking, Housing, and Urban Affairs.

EC-28. A communication from the Acting Director of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report entitled "Responsibilities Under the Community Reinvestment Act"; to the Committee on Banking, Housing, and Urban Affairs.

EC-29. A communication from the Acting Director of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report relative to the report on minority thrift ownership; to the Committee on Banking, Housing, and Urban Affairs.

EC-30. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report on foreign treatment of U.S. financial institutions for calendar year 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-31. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

EC-32. A communication from the Administrator of the Federal Aviation Administration, transmitting, pursuant to law, the report on progress on developing and certifying the Traffic Alert and Collision Avoidance Systems; to the Committee on Commerce, Science and Transportation.

EC-33. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the report of an appeal letter; to the Committee on Commerce, Science, and Transportation.

EC-34. A communication from the Secretary of Transportation, transmitting, pursuant to law, the annual report on transportation user fees for fiscal year 1993; to the Committee on Commerce, Science, and Transportation.

EC-35. A communication from the Financial Manager of the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of the memorandum implementing the Hotel and Motel Fire Safety Act of 1990 requirements; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEE

The following report of committee was submitted:

By Mr. ROTH, from the Committee on Governmental Affairs:

Report to accompany the bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes (Rept. 104-1).

Mr. DOMENICI. Mr. President, on behalf of the Senate Budget Committee, I ask unanimous consent that a statement on S. 1, the Unfunded Mandate Reform Act of 1995, as reported, be printed in the RECORD.

In order to expedite the business of the Senate, the committee did not file a report. This statement provides the same information as required by a report and serves as the basis of the legislative history of the Senate Budget Committee's actions on the bill.

STATEMENT OF THE SENATE COMMITTEE ON THE BUDGET ON S. 1—UNFUNDED MANDATE REFORM ACT OF 1995

I. PURPOSE

The primary purpose of S. 1—the "Unfunded Mandate Reform Act of 1995"—is to start the process of redefining the relationship between the Federal government and State, local and tribal governments. In addition, the bill would require an assessment of the impact of legislative and regulatory proposals on the private sector.

The bill accomplishes this purpose by ensuring that the impact of legislative and regulatory proposals on those governments and the private sector are given full consideration in Congress and the Executive Branch before they are acted upon.

More specifically, S. 1 achieves these objectives through the following major provisions: A majority point of order in the Senate against consideration of legislation that establishes a Federal mandate on State, local and tribal governments unless the legislation provides funding to offset the costs of the mandate; a majority point of order in the Senate against consideration of any reported legislation unless the report includes

a Congressional Budget Office (CBO) estimate of the cost of Federal mandates to State, local and tribal governments as well as to the private sector; a requirement that Federal agencies establish a process to allow State, local and tribal governments greater input into the regulatory process; and, a requirement that agencies analyze the impact on State, local, and tribal governments and the private sector of major regulations that include federal mandates.

II. BACKGROUND

The controversies that arise between the respective powers of the Federal government and the States date back to the country's origins. Concern about the cost and extent of Federal mandates on State, local governments, and indian tribes as well as the private sector first reached its peak in the late 1970s.

With respect to State and local mandates, the Senate Budget Committee acted in 1980 and again in 1981, culminating in the enactment of the State and Local Government Cost Estimate Act of 1981. This law required the Congressional Budget Office (CBO) to prepare State and local cost estimates, but did not provide for any legislative enforcement procedures.

Since the enactment of the State and Local Government Cost Estimate Act, CBO has had 12 years of experience in preparing State and local cost estimates. During this period, CBO has examined 6,920 pieces of legislation for the impact of Federal mandates. Twelve percent, or roughly 800 bills, contained some impact on State and local governments. A year-by-year summary of the number of estimates prepared by CBO is displayed in the following table.

Although these past legislative efforts were designed to monitor and, presumably, to curtail the growth of Federal mandates, Federal mandates have grown while Federal resources to cover the costs of these mandates have shrunk.

While it is difficult to produce precise estimates of the costs of mandates, there is little doubt that these costs have grown and represent a sizeable proportion of the economy. One of the purposes of S. 1 is to, in fact, create a mechanism for better and more current accounting of these costs. One study prepared for the GSA Regulatory Information Service Center in 1992 found the cost of Federal mandates to State and local governments and the private sector was estimated to amount to $581 billion, or roughly 10 percent of GDP. According to the Vice President's report, The National Performance Review, the private sector alone spends $430 billion each year to comply with Federal regulations.

During a joint hearing with the Senate Governmental Affairs Committee on January 5, 1995, the Budget Committee these concerns from State and local officials regarding the cost of the mandates and the damaging impact of these mandates to our system of government. According to the National League of Cities, over the past two decades, the Congress has enacted 185 new laws imposing mandates on state and local governments.

In that hearing, the Mayor of Philadelphia, Edward Rendell, on behalf of the U.S. Conference of Mayors, testified that 314 cities will spend an estimated $54 billion over the next five years to comply with only 10 of these Federal mandates. His testimony included the following remarks on how Federal mandates severely diminish local government's ability to establish priorities.

"The problem with unfunded Federal mandates is that the Federal government has turned State and local officials into Federal tax collectors. We collect the taxes to implement Federal priorities and as a result we are not able to establish and fund local priorities."

"In my city when I became mayor, we had 19 tax increases in the 11 years prior to my becoming mayor, and we still had a quarter of a billion dollar budget deficit, and we had driven 30 percent of our tax base out of the city."

"So as a practical matter, I could not raise taxes to meet the new demands and mandates."

STATE AND LOCAL COST ESTIMATES PREPARED BY CBO: 12 YEARS OF EXPERIENCE

	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	Total	Average
Total estimates prepared	573	641	533	590	531	686	470	720	551	614	507	504	6,920	577
Estimates with no impacts	496	584	488	543	448	598	404	593	494	522	448	443	6,061	505
(Percent of Total)	87	91	92	92	84	87	86	82	90	85	88	88	88	88
Esimates with some impacts	77	57	45	47	83	88	66	127	57	92	48	51	838	70
(Percent of Total)	13	9	8	8	16	13	14	18	10	15	9	10	12	12
Estimates with impacts above $200 million	24	6	14	8	22	15	7	20	4	14	9	6	149	12
(Percent of Total)	4	1	3	1	4	2	1	3	1	2	2	1	2	2

Source: Congressional Budget Office: Bill Estimates Tracking System.

The Governor of Ohio, George V. Voinovich, made a similar point and concluded, "* * * the Federal government is bankrupt. And the Congress is on its way to bankupting state and local governments."

Governor Voinovich also spoke to the lack of accountability on the part of Federal officials when mandates are enacted and regulations are promulgated to impose mandates on States and local governments. He cited an example of a Federal requirement that states uses scrap tires to pave their roads with rubberized asphalt that will increase the cost of the State of Ohio's highway program by $50 million, money that could be spent to replace 700 miles of roads or rehabilitate 137 aging bridges. His testimony raised questions about the durability of rubberized asphalt and expressed grave concerns about its potentially harmful environmental effects.

III. LEGISLATIVE HISTORY

Senator Kempthorne introduced S. 1, the Unfunded Mandate Reform Act of 1995, on January 4, 1995.

S.1 is based on similar legislation the Senate Governmental Affairs committee reported last Congress. Senator Kempthorne introduced s. 993 on May 30, 1993 and this legislation was reported by the Governmental Affairs Committee on August 10, 1994. The Senate considered S. 993 on October 6, 1994, but no final action was taken on the bill during the 103d Congress.

S. 993 as reported by the Governmental Affairs Committee proposed a number of changes in matters that are within the jurisdiction of the Senate Budget Committee. Pursuant to section 306 of the Budget Act, any legislation that affects any matter within the jurisdiction of the Budget Committee is subject to a point of order unless it is reported by the Budget Committee. This point of order can only be waived by an affirmative vote of 60 Senators.

On November 29, 1994, Senators Domenici and Exon wrote Senators Roth and Glenn regarding the consideration of unfunded mandates legislation and the Budget Committee's jurisdiction over this legislation.

During December, the Budget Committee worked with the Governmental Affairs Committee and Senator Kempthorne to develop the legislation that was introduced as S. 1. The Senate Budget Committee worked to make the following three modifications to S. 993, which are now reflected in S. 1: (1) strengthened the point of order in the bill so that it would apply to all legislation (bill, joint resolution, amendment, motion or conference reports) and not just reported bills; (2) reduced the costs to the Congressional Budget Office (CBO) for its new duties required by the bill by 50 percent (from $8–10 million down to $4.5 million); and, (3) strengthened the bill by incorporating this new mandate control process into the Congressional Budget Act and the Congressional Budget process.

On January 5, the Budget Committee held a joint hearing with the Governmental Affairs Committee. On January 9, the Governmental Affairs Committee voted 9–4 to report the bill, S. 1, with three amendments. On the same day, after the Governmental Affairs action, the Budget Committee also voted by a vote of 21–0 to report S. 1 with four amendments.

IV. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section identifies the short title as the "Unfunded Mandate Reform Act of 1995."

Section 2. Purposes

This section establishes the purposes of the Act.

Section 3. Definitions

This section amends the Congressional Budget and Impoundment Control Act of 1974 by Adding Several new definitions. These definitions are applicable to the entire Unfunded Mandates Reform Act. However, one of the Committee amendments restricts their application within the Budget Act to the new Budget Act enforcement mechanisms established in Title I of this Act.

The term "Federal mandate" is defined as either a "Federal intergovernmental mandate" or a "Federal private sector mandate".

The term "Federal intergovernmental mandate" is defined to mean any legislation, statute, or regulation that imposes a legally binding duty on State, local, or tribal governments, unless the duty is a condition of Federal assistance or is a condition or requirement for participation in a voluntary discretionary aid program.

The term "Federal intergovernmental mandate" is further defined to include any legislation, statute, or regulation that would reduce or eliminate the authorization of appropriation for Federal financial assistance to State, local, or tribal governments for purposes of complying with an existing duty, unless the legislation, statute, or regulation reduces or eliminates the duty accordingly.

In the circumstances where the Federal government has imposed legal duties on State, local, and tribal governments and has provided financial assistance to those entitles to comply with those duties, the Committee believes that the Federal government ought to be held accountable when the Federal government subsequently reduces or eliminates the Federal assistance to those governments while continuing to require compliance with the existing duties. This definition, together with the enforcement mechanism established in section 101, will provide this accountability.

The term "Federal intergovernmental mandate" is lastly defined to include any legislation, statute, or regulation concerning Federal entitlement programs that provide $500 million or more annually to State, local, or tribal governments, if it would either increase the conditions of assistance or would cap or decrease the Federal responsibility to provide funding, and the governments have no authority to amend their responsibility to provide the services affected. This subparagraph relates to nine large Federal entitlement programs, the spending projections for which are shown in the following CBO table:

ENTITLEMENT PROGRAMS THAT CONTAIN INTERGOVERNMENTAL MANDATES

[Outlays in billions of dollars]

	1996	1997	1998	1999	2000
Payments to States for AFDC work programs	0.9	1.0	1.0	1.0	1.0
Social services block grant (Title XX)	3.1	3.1	3.0	2.9	2.8
Payments to States for foster care and adoption assistance	3.9	4.3	4.7	5.0	5.5
Rehabilitation services and disability research	2.4	2.5	2.6	2.6	2.7
Medicaid	100.1	111.0	123.1	136.0	149.5
Food Stamp Program	26.0	27.4	28.8	30.3	31.1
State child nutrition programs	8.1	8.6	9.2	9.9	10.5
Family support payments to States [1]	17.5	17.9	18.3	18.8	19.4
Total	162.0	175.6	190.6	206.5	222.5

[1] Includes AFDC and child support enforcement.

Source: CBO January 1995 Baseline.

Any legislation or regulation would be considered a Federal intergovernmental mandate if it: a) increases the stringency of State, local or tribal government participation in any one of these nine programs, or b) caps or decreases the Federal government's responsibility to provide funds to State, local or tribal governments to implement the program, including a shifting of costs from the Federal government to those governments. The legislation or regulation would not be considered a Federal intergovernmental mandate if it allows those governments the flexibility to amend their specific programmatic or financial responsibilities within the program while still remaining eligible to participate in that program. In addition to the nine previously-mentioned programs, also included are any new Federal-State-local entitlement programs (above the $500 million threshold) that may be created after the enactment of this Act.

The Committee has included this provision in the legislation because of its concern over past and possible future shifting of the costs of entitlement programs by the Federal government on to State governments.

"Federal private sector mandate" is defined to include any legislation, statute, or regulation that imposes a legally binding duty on the private sector.

"Direct costs" is defined to mean aggregate estimated amounts that State, local and tribal governments and the private sector will have to spend in order to comply with a Federal mandate. Direct costs of Federal mandates are net costs; they are the sum of estimated costs and estimated savings associated with legislation. Further, direct costs do not include costs that State, local and tribal governments and the private sector currently incur or will incur to implement the requirements of existing Federal law or regulation. In addition, the direct costs of a Federal mandate must not include costs being borne by those governments and the private sector as the result of carrying out a State or local government mandate.

The Governmental Affairs Committee has proposed an amendment change in the definition of "Private sector". The revised definition covers all persons or entities in the United States except for State, local or tribal governments. It includes individuals, partnerships, associations, corporations, and educational and nonprofit institutions.

The Committee is troubled by the exemption of independent regulatory agencies from the definition of a Federal "agency". An amendment by Senator Domenici to delete this exemption was withdrawn because of Senator Simon's request that the Committee and the Senate have an opportunity to study this exemption further. Many of these independent regulatory agencies are a major source of costly unfunded mandates, particularly on the private sector. The Committee notes section 4 of the bill provides a number of exclusions and believes this exemption needs to be, at a minimum, significantly narrowed.

The definition of "small government" is made consistent with existing Federal law which classifies a government as small if its population is less than 50,000. "Tribal government" is defined according to existing law.

Section 4. Exclusions

This section provides a number of exclusions from this Act.

Among these exclusions, the bill contains an exclusion for legislation that "establishes or enforces any statutory rights that prohibit discrimination." The Committee believes this language to mean provisions in bills and joint resolutions that prohibit or are designed to prevent discrimination from occurring through civil or criminal sanctions or prohibitions.

In order to maintain the discipline of S.1 to control new unfunded mandates, the Committee believes that the exclusions must be interpreted so that the mandate in legislation completely fits within the confines of an exclusion.

Section 5. Agency Assistance

Under this section, the Committee intends for Federal agencies to provide information, technical assistance, and other assistance to the Congressional Budget Office (CBO) as CBO might need and reasonably request that might be helpful in preparing the legislative cost estimates as required by Title I. Through the implementation of various Presidential Executive Orders over the last decade, agencies have developed a wealth of expertise and data on the cost of legislation and regulation on State, local and tribal government and the private sector. CBO should be able tap into that expertise in a useful and timely manner. Other Congressional support agencies may also have developed information on cost estimates and the estimating process which might be helpful to CBO in performing its duties. CBO should not attempt to duplicate analytical work already being done by the other support agencies, but rather use as needed that information.

Title I—Legislative Accountability and Reform

Section 101. Legislative mandate accountability and reform

This section amends title IV of the Congressional Budget and Impoundment Control Act of 1974 by creating a new section 408 on Legislative Mandate Accountability and Reform. Subsection (a) establishes procedures and requirements for Committee reports accompanying legislation that imposes a Federal mandate. It requires a committee, when it orders reported legislation containing Federal mandates, to provide the reported bill to CBO promptly. The Committee is concerned that this bill imposes significant new responsibilities on CBO to provide a variety of estimates for legislation. Therefore, the Committee would urge the relevant authorizing committees to work closely with CBO during the committee process to ensure that legislation containing federal mandates, as well as possible related amendments to be offered in markup, be provided to CBO in a timely fashion so as not to impede the legislative process.

The committee report shall include: an identification and description of Federal mandates in the bill, including an estimate of their expected direct costs to State, local and tribal governments and the private sector, and a qualitative assessment of the costs and benefits of the Federal mandates, including their anticipated costs and benefits to human health and safety and protection of the natural environment.

If a mandate affects both the public and the private sectors, and it is intended that the Federal Government pay the public sector costs, the report should also state what effect, if any, this would have on any competitive balance between government and privately-owned businesses. One of the Committee's amendments expanded this requirement to include an assessment of the impact of any mandate on the competitive balance between states, local governments, and tribal governments and privately-owned businesses if that mandate is contingent on funding being provided in appropriations Acts.

Some federal mandates will affect both the public and private sectors in similar and, in some cases, nearly identical ways. For example, the costs of compliance with minimum wage laws or environmental standards for landfill operations or municipal waste incineration are incurred by both sectors. There has been some concern expressed that the Federal subsidization of the public sector in these cases could create a competitive advantage for activities owned by State, local or tribal governments in those areas where they compete with the private sector. If future mandate legislation causes this to be the case, S. 1 provides that Congress will be aware of this impact and the effect on the continuing ability of private enterprises to remain viable. The authorizing committees are required to provide an assessment in their reports in order for Congress to carefully consider and decide whether the granting of a competitive advantage to the public sector is fair and appropriate.

For Federal intergovernmental mandates, Committee reports must also contain a statement of the amount, if any, of the increased authorization of appropriations for Federal financial assistance to fund the costs of the intergovernmental mandates.

This section also requires the authorizing Committee to state in the report whether it intends the Federal intergovernmental mandate to be funded or not. There may be occasions when a Committee decides that it is

entirely appropriate that State, local or tribal governments should bear the cost of a mandate without receiving Federal aid. If so, the Committee report should state this and give an explanation for it. Likewise, the Committee report must state the extent to which the report legislation preempts State, local or tribal law, and, if so, explain the reasons why. To the maximum extent possible, this intention to preempt should also be clear in the statutory language.

Also set out in this section are procedures to ensure that the Committee publishes the CBO cost estimate, either in the Committee report or in the Congressional Record prior to floor consideration of the legislation.

Duties of the Director:

Section 408(b) of the Congressional Budget and Impoundment Control Act, as added by section 101, requires the Director of CBO to analyze and prepare a statement on all bills reported by committees of the Senate or House of Representatives other than the appropriations committees. This subsection stipulates, first, that the Director of CBO must estimate whether all direct costs of Federal intergovernmental mandates in the bill will equal or exceed a threshold of $50,000,000 annually. If the Director estimates that the direct costs will be below this threshold, the Director must state this fact in his statement on the bill, and must briefly explain the estimate. Although this provision requires only a determination by CBO that the threshold will not be equalled or exceeded, if, in cases below the threshold, the Director actually estimates the amount of direct costs, this section is not intended to preclude the Director from including the estimate in his explanatory statement. If the Director estimates that the direct costs will equal or exceed the threshold, the Director must so state and provide an explanation, and must also prepare the required estimates.

In estimating whether the threshold will be exceeded, the Director must consider direct costs in the year when the Federal intergovernmental mandate will first be effective, plus each of the succeeding four fiscal years. In some cases, the new duties or conditions that constitute the mandate will not become effective against State, local and tribal governments when the statute becomes effective, but will become effective when the implementing regulations become effective. The Committee notes that current Federal comprehensive budget projects are made for five years and is aware that estimates that reach beyond this five year window are more difficult to make with precision. The Committee is concerned about and recognizes the difficulty of making out-year estimates, particularly beyond the five-year window. The Committee notes that the new enforcement procedures are based on thresholds being exceeded. However, if a range of estimates is made and that range estimate is less than to greater than the threshold, the Committee believes the enforcement procedures would apply.

The $50,000,000 threshold in this legislation for Federal intergovernmental mandates is significantly lower than the threshold of $200,000,000 in the State and Local Cost Estimate Act of 1981 (2 U.S.C. 403(c)). The threshold in the 1981 Act also included a test of whether the proposed legislation is likely to have an exceptional fiscal consequence for a geographic region or a level of government. The bill provides that at the request of any Chairman or Ranking Minority Member of a committee, CBO must conduct a study on the disproportionate effects of mandates on specific geographic regions or industries.

If the Director determines that the direct costs of the Federal intergovernmental mandates will equal or exceed the threshold, he must make the required additional estimates and place them in the statement.

The Director of CBO must also estimate whether all direct costs of Federal private sector mandates in the bill will equal or exceed a threshold of $200,000,000 annually. In making this estimate, the Director must consider direct costs in the year when the Federal private sector mandate will first be effective, plus each of the succeeding four fiscal years. In some cases, the new duties or conditions that constitute the mandate will not become effective for the private sector when the statute becomes effective, but will become effective when the implementing regulations become effective.

Similar to State and local estimates, the Committee is concerned about and recognizes the difficulty of making out-year estimates, particularly beyond the five-year window. CBO has 12 years of experience of including estimates of the impact on State and local governments in its cost estimates for legislation. While CBO has conducted studies assessing the impact of mandates on the private sector, CBO has little experience with providing point estimates on private sector impacts as the part of its cost estimates to committees on legislation.

The Committee is aware that the most costly aspect of this legislation is the requirement on CBO to produce estimates on the impact to the private sector and is concerned about the cost of these new requirements. Even so, private sector mandates have an enormous impact on the economy and is critical that Congress understand these impacts as it considers legislation affecting the private sector.

If the Director estimates that the direct costs will equal or exceed the threshold, the Director must so state and provide an explanation. If the Director determines that it is not feasible for him to make a reasonable estimate that would be required with respect to Federal private sector mandates, the Director shall not make the estimate, but shall report in the statement that an estimate cannot be reasonably made.

If the Director estimates that the direct costs of a Federal private sector mandate will be below the specified threshold, the Director must state this fact in his statement on the bill, and must briefly explain the estimate. Although this provision requires only a determination by CBO that the threshold will not be equalled or exceeded, if, in cases below the threshold, the Director actually estimates the amount of direct costs, this section is not intended to preclude the Director from including the estimate in his explanatory statement.

Point of order in the Senate:

This section provides two new Budget Act points of order in the Senate. The first makes it out of order in the Senate to consider any bill or joint resolution reported by a committee that contains a Federal mandate unless a CBO statement of the mandate's direct costs has been printed in the Committee report or the Congressional Record prior to consideration. The second point of order would lie against any bill, joint resolution, amendment, motion, or conference report that increased the costs of a Federal intergovernmental mandate by more than the $50,000,000, unless the legislation fully funded the mandate in one of three ways:

1. an increase in direct spending with a resulting increase in the Federal budget deficit (unless the new direct spending was offset by direct spending reductions in other programs);

2. an increase in direct spending with an offsetting increase in tax receipts, or

3. an authorization of appropriations and a limitation on the enforcement of the mandate to the extent of such amounts provided in Appropriations acts.

The Committee notes that "direct spending" is a defined term in the Balanced Budget and Emergency Deficit Control Act. The Committee also intends that in order to avoid the point of order under this section, any direct spending authority or authorization of appropriations must offset the direct costs to states, local governments, and indian tribes from the Federal mandate.

If the third alternative is used (authorization of appropriations), a number of criteria must be met in order to avoid the point of order. First, any appropriation bill that is expected to provide funding must be identified, Second, the mandate legislation must also designate a responsible Federal agency that shall either: implement an appropriately less costly mandate if less than full funding is ultimately appropriated (pursuant to criteria and procedures also provided in the mandate legislation), or declare such mandate to be ineffective. To avoid the point of order, the authorizing committee must provide in the authorization legislation for one of two options:

1. The agency will void the mandate if the appropriations committees at any point in the future provides insufficient funding to states, local governments, and tribal governments to offset the direct cost of the mandate.

2. The agency can provide a "less money, less mandate" alternative, but this alternative requires the authorizing legislation to specify clearly how the agency shall implement that alternative.

When an intergovernmental mandate is either declared ineffective or scaled back because of lack of funding, these changes in the mandate will be effectuated consistent with the requirements of the Administrative Procedures Act. This will ensure that all affected parties including the private sector, state, local and tribal governments and the intended beneficiaries of the mandate will have adequate opportunity to address their concerns.

The bill provides that matters within the jurisdiction of the Appropriations Committee are not subject to a point of order under this section. However, this is not a blanket exemption for an appropriations bill. If an appropriations bill or joint resolution (or an amendment, motion, or conference report thereto) included legislation imposing a mandate on states, local governments, or tribal governments, such legislation would not be in the Appropriations Committee's jurisdiction. Therefore, these provisions would be subject to the point of order under this section.

One of the Committee amendments struck two provisions in the bill regarding determinations and the point of order. The first provision gives the Senate Governmental Affairs the sole authority to determine what constitutes a mandate. The second struck a provision in the bill that is identical to other provisions in the Budget Act providing that the determinations of the levels of mandates would be based on estimates made by the Senate Budget Committee.

The language the Committee struck regarding the Budget Committee's role in making determinations on budgetary levels

is identical or similar to language in sections 201(g), 310(d)(4), 311(c), and 313(e) of the Congressional Budget Act, sections 258B(h)(4) of the Balanced Budget and Emergency Deficit Control Act, and sections 23(e) and 24(d) of the Concurrent Resolution on the Budget for Fiscal Year 1995.

The Senate, the Senate Parliamentarian's office and the Budget Committees have 20 years of experience with these Budget Act points of order and the Budget Committee's role in making determinations of levels for the purposes of enforcing these points of order. In practice, the Senate Budget Committee's staff monitors legislation, works with the Parliamentarian's office to determine violations, and works with CBO to provide the Parliamentarian's office with estimates to determine whether legislation would violate the Budget Act.

S. 1 would establish an identical process for state and local estimates. CBO would produce costs estimates on legislation. To the extent legislation, such as an amendment, did not have a cost estimate, Budget Committee staff would seek such an estimate from CBO, in order to determine whether the bill violated S. 1's point of order.

While there is 20 years of history and experience with the Budget Committee's role in determining levels for the purposes of enforcement of Budget Act point of order, there appears to be a precedent, as envisioned in S. 1 as introduced, to provide the Senate Governmental Affairs Committee the authority to make "final determinations" on what constitutes a mandate. This provision also raises a possibility where the two committees would have conflicting opinions on the application of this new point of order and needlessly complicates the enforcement of S. 1.

Viewing the questions and problems this language creates and the fact that the Budget Committee relies on CBO estimates for the purposes of making these determinations, the Committee amendment struck the language regarding Budget Committees and Governmental Affairs Committees determinations. The committee does not believe that this authority needs to be explicitly stated in section 408. In the absence of a CBO estimate, the Committee intends that the determinations of levels of mandates be based on estimates provided by the Senate Budget Committee.

At the request of the House of Representatives, the Committee amendment retains these provisions for the House.

Section 102. Enforcement in the House of Representatives

This section specifies the procedures to be followed in the House of Representatives in enforcing the provisions of this Act.

Section 103. Assistance to committees and studies

This section adds among CBO existing duties under the Budget Act a requirement that the Director of CBO, to the extent practicable, to consult with and assist committees of the Senate and the House of Representatives, at their request, in analyzing proposed legislation that may have a significant budgetary impact on State, local or tribal governments or a significant financial impact on the private sector. It provides for the assistance that committees will need from CBO to fulfill their obligations under the provisions of S. 1.

This section also states that CBO should set up a process to allow meaningful input from these knowledgeable, affected, and concerned about the Federal mandates in question. Once possible way to establish this process is through the formation of advisory panels composed of relevant outside experts. The Committee leaves it to the discretion of the Director as to when and where it is appropriate to form an advisory panel.

This section encourages authorizing committees to take a prospective look at the impact of Federal intergovernmental and private sector mandates before considering new legislation by requiring committees to submit information on mandate legislation as part of their views and estimates to the Budget Committees.

The Committee is concerned about the potential workload that such studies could impose on CBO and how this might affect CBO's other responsibilities under the Act and intends that CBO consult with the Committee on the nature, the extent, and the cost of conducting these studies.

Section 104. Authorization of appropriations

This paragraph authorizes appropriations for CBO of $4,500,000 per year for FY 1996 through 2002. The Committee recognizes that additional resources and personnel are needed for CBO to fully perform its duties under this Act along with continuing to carry out its current responsibilities. The Committee understands that the current policy and practice at CBO is to rely on in-house personnel to conduct studies and cost estimates, rather than contracting these duties to outside entities. The Committee supports this policy and urges the Appropriations Committee, in funding this authorization, to increase CBO's authority to hire additional personnel in order to fulfill its new duties under this Act.

The Committee is particularly concerned that if the Appropriations Committee does not provide sufficient funding for these new duties CBO's existing responsibilities under Title II of the Budget Act should not be impeded.

Section 105. Exercise of rulemaking powers

The Constitution already reserves the rulemaking powers of each House. This section provides that the terms of title I are enacted as an exercise of the rulemaking power of the Senate and the House of Representatives, and that either House may change such rules at any time.

Section 106. Repeal of the State and Local Cost Estimate Act of 1981

This paragraph rescinds the provisions of the State and Local Cost Estimate Act of 1981.

Section 107. Effective date

Title I will take effect on January 1, 1996. One of the Committee amendments provided that this title would apply only to legislation considered on or after that date. This is to give Congress time to enact additional appropriations for CBO and to give CBO and the Budget Committees the necessary time to prepare for implementing the new requirements of this Act.

The Committee notes that there has been some confusion surrounding the question of retroactivity in S. 1. This section makes clear that Title I only applies to new legislation considered after January 1, 1996. Laws enacted prior to that date are not subject to Title I of this Act. The Committee intends that when Congress considers legislation reauthorizing existing laws that this Title apply to how this reauthorization legislation would change existing mandates or add new mandates.

Title II—Regulatory Accountability and Reform

Section 201. Regulatory Process

This section requires agencies to assess the effects of their regulations on State, local and tribal governments, and the private sector. This section specifically requires agencies to notify, consult, and educate State, local governments, and tribal governments before establishing regulations that significantly affect these entities.

Section 202. Statements to accompany significant regulatory actions

This section sets out requirements for Agencies prior to issuing final regulations. Before promulgating any final regulation with a cost of more than $100 million annually to State, local, tribal governments, and the private sector.

Section 203. Assistance to the Congressional Budget Office

This section requires the Director of the Office of Management and Budget to collect the written statements prepared by agencies under Section 202 and submit them on a timely basis to CBO. OMB and CBO already work closely regarding the Federal budget. This section will assist the CBO in performing its duties under Title I.

Section 204. Pilot program on small government flexibility

This section requires OMB to establish pilot programs in at least two agencies on regulatory flexibility.

Title III—Baseline Study

Section 301. Baseline study of costs and benefits

This section establishes a Commission on Unfunded Federal Mandates.

Section 302. Report on unfunded Federal mandates by the Commission

This section requires the Commission to issue a preliminary report within 9 months of enactment and a final report within 3 months thereafter.

Section 303. Membership

This section provides that the Commission shall be composed of 9 members and establishes the requirements for their appointment.

Section 304. Director and staff of commission; experts and consultants

This section provides for the appointment of the staff and Director of the Commission.

Section 305. Powers of commission

This section provides the Commission with the authority to hold hearings, obtain official data, use the U.S. mails, acquire administrative support services from the General Services Administration, and contract, subject to the appropriations, for property and services.

Section 306. Termination

This section provides that the Commission shall terminate 90 days after submitting its final report.

Section 307. Authorization of appropriations

This section authorizes the appropriations to Commission of $1 million.

Section 308. Definition

This section defines the term "unfunded Federal mandate", as used in title III.

Section 309. Effective Date

This section provides that Title III takes effect 60 days after the date of enactment.

Title IV—Judicial Review

Section 401. Judicial review

This section provides that nothing under the Act shall be subject to judicial review.

V. REGULATORY IMPACT STATEMENT

Paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate requires Committee reports to evaluate the legislation's regulatory, paperwork, and privacy impact on individuals, businesses, and consumers.

S. 1 addresses Federal government process, not output. It will directly affect and change both the legislative and regulatory process. It will not have a direct regulatory impact on individuals, consumers, and businesses as these groups are not covered by the bill's requirements.

However, the implementation of S. 1 will likely have an indirect regulatory impact on these groups since a primary focus of the bill is to ensure that Congress assess the cost impact of new legislation on the private sector before acting. In so much as information on private sector costs of any particular bill or resolution may influence its outcome during the Congressional debate, it is possible that this bill may ease the regulatory impact on the private sector—both on individual pieces of legislation as well as overall. However, it is impossible at this time to determine with any specificity what that level of regulatory relief may be.

S. 1 does address the Federal regulatory process in three ways:

(1) It requires agencies to estimate the costs to State, local and tribal governments of complying with major regulations that include Federal intergovernmental mandates; (2) It compels agencies to set up a process to permit State, local and tribal officials to provide input into the development of significant regulatory proposals; and (3) It requires agencies to establish plans for outreach to small governments.

However, with the exception of the third provision, the bill will not impose new requirements for agencies to implement in the regulatory process that are not already required under Executive Orders 12866 and 12875. The bill merely codifies the major provisions of the E.O.s that pertain to smaller governments.

The legislation will have no impact on the privacy of individuals. Nor will it add additional paperwork burdens to businesses, consumers and individuals. To the extent that CBO and Federal agencies will need to collect more data and information from State, local and tribal governments and the private sector, as they conduct their requisite legislative and regulatory cost estimates, it is possible that those entities will face additional paperwork. However, although smaller governments are certainly encouraged to comply with agency and CBO requests for information, they are not bound to.

VI. CBO COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 9, 1995.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1, the Unfunded Mandate Reform Act of 1995.

Enactment of S. 1 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE, JANUARY 9, 1995

1. Bill number: S. 1.

2. Bill title: Unfunded Mandate Reform Act of 1995.

3. Bill status: As ordered reported by the Senate Committee on the Budget on January 9, 1995.

4. Bill purpose: S. 1 would require authorizing committees in the House and Senate to include in their reports on legislation a description and an estimate of the cost of any Federal mandates in that legislation, along with an assessment of their anticipated benefits. Mandates are defined to include provisions that impose duties on States, localities, or Indian tribes ("intergovernmental mandates") or on the private sector ("private sector mandates"). Mandates also would include provisions that reduce or eliminate any authorization of appropriations to assist State, local, and tribal governments or the private sector in complying with Federal requirements, unless the requirements are correspondingly reduced. In addition, intergovernmental mandates would include changes in the conditions governing certain types of entitlement programs (for example, Medicaid). Conditions of Federal assistance and duties arising from participation in most voluntary Federal programs would not be considered mandates.

Committee reports would have to provide information on the amount of Federal financial assistance that would be available to carry out any intergovernmental mandates in the legislation. In addition, committees would have to note whether the legislation preempts any State or local laws. The requirements of the bill would not apply to provisions that enforce the constitutional rights of individuals, that are necessary for national security, or that meet certain other conditions.

The Congressional Budget Office (CBO) would be required to provide committees with estimates of the direct cost of mandates in reported legislation other than appropriation bills. Specific estimates would be required for intergovernmental mandates costing $50 million or more and, if feasible, for private sector mandates costing $200 million or more in a particular year. (CBO currently prepares estimates of costs to States and localities of reported bills, but does not project costs imposed on Indian tribes or the private sector.) In addition, CBO would probably be asked to assist the Budget Committees by preparing estimates for amendments and at later stages of a bill's consideration. Also, at times other than when a bill is reported, when requested by Congressional committees, CBO would analyze proposed legislation likely to have a significant budgetary or financial impact on State, local, or tribal governments or on the private sector, and would prepare studies on proposed mandates. S. 1 would authorize the appropriation of $4.5 million to CBO for each of the fiscal years 1996–2002 to carry out the new requirements. These requirements would take effect on January 1, 1996, and would be permanent.

S. 1 would amend Senate rules to establish a point of order against any bill or joint resolution reported by an authorizing committee that lacks the necessary CBO statement or that results in direct costs (as defined in the bill) of $50 million or more in a year to State, local, and tribal governments. The legislation would be in order if it provided funding to cover the direct costs incurred by such governments, or if it included an authorization of appropriations and identified the minimum amount that must be appropriated in order for the mandate to be effective, the specific bill that would provide the appropriation, and a federal agency responsible for implementing the mandate.

Finally, S. 1 would require executive branch agencies to take actions to ensure that State, local, and tribal concerns are fully considered in the process of promulgating regulations. These actions would include the preparation of estimates of the anticipated costs of regulations to States, localities, and Indian tribes, along with an assessment of the anticipated benefits. In addition, the bill would authorize the appropriation of $1 million, to be spent over fiscal years 1995 and 1996, for a temporary Commission on Unfunded Federal Mandates, which would recommend ways to reconcile, terminate, suspend, consolidate, or simplify federal mandates.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Congressional Budget Office						
Authorization of appropriations	.....	4.5	4.5	4.5	4.5	4.5
Estimated outlays	.....	4.0	4.4	4.4	4.4	4.4
Commission on unfunded Federal Mandates						
Authorization of appropriations	1.0	.....	.....	.....	.....	.....
Estimated outlays	0.4	0.6	.....	.....	.....	.....
Bill total:						
Authorization of appropriations	1.0	5.5	4.5	4.5	4.5	4.5
Estimated outlays	0.4	4.6	4.4	4.4	4.4	4.4

The costs of this bill fall within budget function 800.

Basis of Estimate.—CBO assumes that the specific amounts authorized will be appropriated and that spending will occur at historical rates.

We estimate that executive branch agencies would incur no significant additional costs in carrying out their responsibilities associated with the promulgation of regulations because most of these tasks are already required by Executive Orders 12875 and 12866.

6. Comparison with spending under current law: S. 1 would authorize additional appropriations of $4.5 million a year for the Congressional Budget Office beginning in 1996. CBO's 1995 appropriation is $23.2 million. If funding for current activities were to remain unchanged in 1996, and if the full additional amount authorized were appropriated, CBO's 1996 appropriation would total $27.7 million, an increase of 19 percent.

Because S. 1 would create the Commission on Unfunded Federal Mandates, there is no funding under current law for the commission.

7. Pay-as-you-go considerations: None.

8. Estimated cost to State and local governments: None.

9. Estimate comparison: None.

10. Previous CBO estimate: None.

10. Estimate prepared by: James Hearn.

11. Estimate approved by: Paul Van de Water, Assistant Director for Budget Analysis.

VII. ROLL CALL VOTES IN COMMITTEE

Pursuant to paragraph 7 of rule XXVI of the Standing Rules of the Senate, each committee is to announce the results of roll call votes taken in any meeting of the committee on any measure or amendment. The Senate Budget Committee met on Monday, January 9, 1995, at 2 pm to markup S. 1. The following roll call votes occurred on S. 1 and amendments proposed thereto:

(1) The Boxer amendment to sunset S. 1 on January 1, 1998. The amendment was not agreed to: 9 yeas, 12 nays.

Yeas: Mr. Exon; Mr. Hollings (P); Mr. Lautenberg (P); Mr. Simon; Mr. Conrad; Mr. Dodd; Mr. Sarbanes (P); Mrs. Boxer; Mrs. Murray.

Nays: Mr. Domenici; Mr. Grassley (P); Mr. Nickles (P); Mr. Gramm (P); Mr. Bond (P);

Mr. Lott (P); Mr. Brown; Mr. Gorton; Mr. Gregg; Ms. Snowe; Mr. Abraham; Mr. Frist.

(2) The Boxer amendment to sunset S. 1 on January 1, 2000. The amendment was not agreed to: 9 yeas, 12 nays.

Yeas: Mr. Exon; Mr. Hollings (P); Mr. Lautenberg (P); Mr. Simon; Mr. Conrad; Mr. Dodd; Mr. Sarbanes (P); Mrs. Boxer; Mrs. Murray.

Nays: Mr. Domenici; Mr. Grassley (P); Mr. Nickles (P); Mr. Gramm (P); Mr. Bond (P); Mr. Lott (P); Mr. Brown; Mr. Gorton; Mr. Gregg; Ms. Snowe; Mr. Abraham; Mr. Frist.

(3) The Boxer amendment to sunset S. 1 on January 1, 2002. The amendment was not agreed to: 9 yeas, 12 nays.

Yeas: Mr. Exon; Mr. Hollings (P); Mr. Lautenberg (P); Mr. Simon; Mr. Conrad; Mr. Dodd; Mr. Sarbanes (P); Mrs. Boxer; Mrs. Murray.

Nays: Mr. Domenici; Mr. Grassley (P); Mr. Nickles (P); Mr. Gramm (P); Mr. Bond (P); Mr. Lott (P); Mr. Brown; Mr. Gorton; Mr. Gregg; Ms. Snowe; Mr. Abraham; Mr. Frist.

(4) Motion to report S. 1, as amended. The motion was adopted: 21 yeas, 0 nays.

Yeas: Mr. Domenici; Mr. Grassley (P); Mr. Nickles (P); Mr. Gramm (P); Mr. Bond (P); Mr. Lott (P); Mr. Brown; Mr. Gorton; Mr. Gregg; Ms. Snowe; Mr. Abraham; Mr. Frist; Mr. Exon; Mr. Hollings (P); Mr. Lautenberg (P); Mr. Simon; Mr. Conrad; Mr. Dodd; Mr. Sarbanes (P); Mrs. Boxer; Mrs. Murray.

Nays: 0.

(5) Motion that the committee report S. 1 without filing a written report. The motion was agreed to: 12 years, 9 nays.

Yeas: Mr. Domenici; Mr. Grassley (P); Mr. Nickles (P); Mr. Gramm (P); Mr. Bond (P); Mr. Lott (P); Mr. Brown; Mr. Gorton; Mr. Gregg; Ms. Snowe; Mr. Abraham; Mr. Frist.

Nays: Mr. Exon; Mr. Hollings (P); Mr. Lautenberg (P); Mr. Simon; Mr. Conrad (P); Mr. Dodd; Mr. Sarbanes (P); Mrs. Boxer; Mrs. Murray.

(P) indicates a vote by proxy.

VIII. VIEWS OF MEMBERS OF COMMITTEE MEMBERS

ADDITIONAL VIEWS OF SENATOR CONRAD

With the consideration, of S. 1, Congress is taking a big step in addressing the continuing issue of unfunded federal mandates upon state, local, and tribal governments, as well as mandates upon those in the private sector.

Some federal mandates serve important purposes and have helped to accomplish safer, better lives for all Americans. These mandates have ensured our health and safety with regard to things like radiation contamination, hazardous waste, and other health and safety concerns.

However, unfunded mandates have grown in recent years and have, at times, become unrealistic and overly oppressive. As the federal government tried to cut spending and reduce the federal budget deficit, it passed responsibilities onto state and local governments without providing money to pay for them. I oppose placing unreasonably fiscal demands on states and localities.

I am pleased that S. 1 includes provision to study the disproportionate impact mandates may have on rural communities. Last year, during the Government Affairs Committee's consideration of S. 993, the unfunded mandates bill of the 103rd Congress, Susan Ritter of North Dakota, testified that one half of the annual budget of Sherwood, ND, is spent to test their water supply. In April 1994, the Minot Daily News reported that each resident of Mohall, ND, population 931, would need to contribute to a water testing bill of $2,400 for the year. The Minot Daily News further stated that the water testing budget for Minot, ND, was $3,300 five years ago, but had since risen to $26,100. These numbers illustrate the difficulties local governments face in meeting their budgets in the face of federal mandates.

The federal government must do a better job of listening to local governments when developing laws and regulations. It is important for Congress to consider the actual impact that federal legislation can have on state and local governments, as well as the private sector. It is always essential to weigh costs and benefits of legislation when enacting new laws.

I am proud to be a cosponsor of S. 1, however I do recognize there are some areas of the legislation which can be fine-tuned. For example, S. 1 amends provisions of the Congressional Budget Act of 1974. Attempts to amend, or improve, provisions of S. 1, which are incorporated into the Budget Act, will be subject to a super-majority point of order under the Budget Act. Also, we cannot be one hundred percent sure how this legislation will work; it may be too weak or it may be too restrictive. It is for these two reasons that I support including a sunset date for S. 1.

It is also my hope that my colleagues in the Senate will join me in a colloquy during consideration of this bill, so that questions regarding application to reauthorization bills, the competitive balance between local governments and the private sector, a sunset provision, and exclusions with S. 1 are thoroughly discussed. Given the fast pace with which S. 1 is moving, it is only appropriate that all aspects of S. 1 are addressed to remove concern.

I am greatly pleased to see this important issue before the Budget Committee and it is my hope that a fair and comprehensive bill regarding this issue is favorably considered by the Senate.

ADDITIONAL MINORITY VIEWS OF SENATOR BOXER ON S. 1, THE UNFUNDED MANDATES REFORM ACT

My first elected office in California was in 1976 when I won a seat on the Marin County Board of Supervisors. In that capacity I encountered laws passed by the state government and the federal government that impacted on our governance. Some of these were very good laws, paid for in whole or in part, and some of these were bad laws which made no sense.

The example that stands out in my mind was a law which came down from the federal government and was tied to our receipt of emergency planning monies. This law required our Board of Supervisors to plan for the orderly exit from the country of all our citizens in the case of nuclear war with the Soviet Union. It was very clear to public health and law enforcement people as well as all other residents of the county that there was no way a county so close to a targeted Soviet site in San Francisco could survive in any condition worth living under. Yet, that never stopped the federal bureaucracy then.

They had certain rules laid out for us. We were to all get in our cars and go to a county to the north which was dubbed the "host" county. It was like a party . . . with the Marin County guests and the Sonoma County hosts. We were instructed by the feds to make sure we had cash as we all would have to get gasoline for our cars because the attendants at the gas stations would be quite busy.

I am happy to report that the Marin Board of Supervisors, a bi-partisan board at the time, chose to give all the planning monies back to Uncle Sam rather than give our constituents the false hope that they could survive an all-out nuclear war.

With regard to S. 1, I think the goal of this bill makes a lot of sense. If a federal mandate places an undue financial burden on state and local governments, then Congress should recognize and address the problem. There should be exceptions to this rule, however, and S. 1 deals with areas which are of vital importance to the nation that should be protected from the provisions of this bill.

S. 1 currently shields bills and federal rules that help secure our constitutional rights, prevent discrimination, ensure national security, and implement international agreements such as NAFTA from its requirements. In my view, unfortunately, two other areas of nation-wide importance have been overlooked.

I am deeply concerned that bill fails to adequately ensure our ability to protect the most vulnerable members of our society; our children, our pregnant women, and our elderly. Why should we deny our children, pregnant women, and elderly the same protections? I am prepared to offer an amendment to add legislation involving children and others to the list of S. exemptions. It will simply provide that any bill which "provides for the protection of the health of children, pregnant women, or the elderly" would not be subject to S. 1's point of order and other requirements.

I am also concerned that S. 1 fails to distinguished between mandates that affect state and local governments as "employers" and state and local governments as "governments." I plan to offer an amendment on the floor that will add labor standards to the list of mandates exempted from S. 1's requirements.

I am also disappointed that the bill fails to directly address one of the biggest unfunded federal mandates faced by California: the costs imposed by illegal immigration. I therefore plan to offer an amendment on the floor to ensure that the costs to states and local governments from illegal immigration be addressed in the bill.

One point of concern was particularly overlooked and I offered an amendment in the Committee markup to address this area. The amendment which I offered with the support of the ranking member would have added a provision to sunset S. 1 in 1998. Since the enforcement mechanisms of the Budget Act will expire in 1998, I believe that it is only reasonable to revisit the unfunded mandates issue at the same time that we revisit the whole budget process to ensure that it is working as it should.

However, the Committee rejected this amendment, along with two additional amendments to sunset the bill in 2000 and 2002, respectively, by a party line vote. This deeply upsets me. How will we know whether the whole new process will work? S. 1 may simply not work. It is crucial that we set a reasonable time to revisit the bill and make any improvements—either strengthening or weakening—that our experience with it will have shown to be necessary.

I do hope that this bill will truly meet its very fair goal of reimbursing the states and local governments for laws that we pass. However, I will reserve judgment on final passage of the bill until the amendment process has been completed.

Unrelated to the bill, but very timely, I plan to offer a Sense of Senate Resolution that the campaign of violence against women's health clinics must end. My amendment calls on the Attorney General to take all

necessary steps to protect reproductive health clinics and their staff. I know all of my colleagues share my views that this violence is deplorable.

U.S. SENATE,
COMMITTEE ON THE BUDGET,
Washington, DC, November 29, 1994.

Hon. WILLIAM V. ROTH, Jr.,
Hon. JOHN GLENN,
Committee on Governmental Affairs, U.S. Senate, Washington, DC

DEAR BILL AND JOHN: We expect the Senate to consider legislation early in the session regarding Federal mandates on State and local governments and the private sector. We may initiate such legislation in the Budget Committee and we want to work with you to assure that any state, local, or private sector mandate legislation moves quickly and is a constructive improvement to the congressional budget process.

Such legislation raised budget and economic issues that the Budget Committee must confront in writing a federal budget each year. Moreover, most versions of this legislation contain a significant expansion in the Congressional Budget Office's responsibilities. In the past, our committees have worked jointly on such legislation. In 1981, our two committees both reported legislation that led to the enactment of the State and Local Government Cost Estimate Act.

Some versions of this legislation may be referred to the Budget Committee under the standing order governing referral of budget-related legislation. If the Budget Committee does not report such legislation and it includes provisions affecting the Congressional Budget Office or the congressional budget process, such legislation could be in jeopardy under section 306 of the Budget Act.

We want to work with you to assure such legislation is considered expeditiously. Should you have any questions, please to do no hesitate to contact us or our staff (Bill Hoagland at 4-0539 and Bill Dauster at 4-3961).

Sincerely,

JAMES EXON.
PETE V. DOMENICI.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself, Mr. LOTT, Mr. GRAMM, Mr. GRASSLEY, and Mr. NICKLES):

S. 191. A bill to amend the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights are not infringed until adequate protection is afforded by reauthorization of the Act, to protect against economic losses from critical habitat designation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 192. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 to encourage plant closings and the resultant relocation of employment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CAMPBELL:

S. 193. A bill to establish a forage fee formula on lands under the jurisdiction of the Department of Agriculture and the Department of the Interior; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. CRAIG, Mr. HATCH, Mr. HELMS, Mr. ROBB, Mr. MCCONNELL, Mr. COATS, and Mr. COVERDELL):

S. 194. A bill to repeal the Medicare and Medicaid Coverage Data Bank, and for other purposes; to the Committee on Finance.

By Mr. MURKOWSKI:

S. 195. A bill to amend section 257(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the treatment of losses from asset sales; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. MCCAIN:

S. 196. A bill to establish certain environmental protection procedures within the area comprising the border region between the United States and Mexico, and for other purposes; to the Committee on Foreign Relations.

By Mr. BUMPERS:

S. 197. A bill to establish the Carl Garner Federal Lands Cleanup Day, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CHAFEE (for himself, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KOHL, Mr. DORGAN, and Mr. CONRAD):

S. 198. A bill to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes; to the Committee on Finance.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 199. A bill to repeal certain provisions of law relating to trading with Indians; to the Committee on Indian Affairs.

By Mr. BRADLEY (for himself, Mr. KOHL, and Mr. SIMON):

S. 200. A bill to amend title 18, United States Code, to regulate the manufacture, importation, and sale of any projectile that may be used in handgun and is capable of penetrating police body armor; to the Committee on the Judiciary.

By Mr. WARNER (for himself and Mr. ROBB):

S. 201. A bill to close the Lorton Correctional Complex, to prohibit the incarceration of individuals convicted of felonies under the laws of the District of Columbia in facilities of the District of Columbia Department of Corrections, and for other purposes; to the Committee on the Judiciary.

By Mr. MACK (for himself, Mrs. HUTCHISON, Mr. COVERDELL, and Mr. LOTT):

S. 202. A bill to provide a fair, nonpolitical process that will achieve $41,000,000,000 in budget outlay reductions each fiscal year until a balanced budget is reached; to the Committee on Governmental Affairs.

By Mr. KENNEDY (for himself and Mr. WELLSTONE):

S. 203. A bill to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage, to establish a Commission to conduct a study on the indexation of the Federal minimum wage, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MOYNIHAN:

S. 204. A bill to provide for a reform of the public buildings program, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 205. A bill to amend title 37, United States Code, to revise and expand the prohibition on accrual of pay and allowances by members of the Armed Forces who are confined pending dishonorable discharge; to the Committee on Armed Services.

By Mr. MCCAIN (for himself and Mr. COATS):

S. 206. A bill to give the President line-item veto authority over appropriation Acts and targeted tax benefits in revenue Acts; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. MACK (for himself, Mrs. HUTCHISON, and Mr. LOTT):

S. 207. A bill to provide a fair, nonpolitical process that will achieve $41,000,000,000 in budget outlay reductions each fiscal year until a balanced budget is reached; to the Committee on the Budget and the Committee on Governmental Affairs, jointly.

By Mr. DASCHLE (for himself and Mr. EXON):

S. 208. A bill to require that any proposed amendment to the Constitution of the United States to require a balanced budget establish procedures to ensure enforcement before the amendment is submitted to the States; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. SIMON:

S.J. Res. 15. A joint resolution proposing an amendment to the Constitution of the United States to allow the President to reduce or disapprove items of appropriations; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATFIELD:

S. Res. 38. An original resolution authorizing expenditures by the Committee on Appropriations; from the Committee on Appropriations; to the Committee on Rules and Administration.

By Mr. MURKOWSKI:

S. Res. 39. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. MCCAIN:

S. Res. 40. An original resolution authorizing expenditures by the Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. HELMS:

S. Res. 41. An original resolution authorizing expenditures by the Committee on Foreign Relations; from the Committee on Foreign Relations; to the Committee on Rules and Administration.

By Mr. DASCHLE:

S. Res. 42. A resolution to make minority party appointments to a Senate committee under paragraph 3(c) of rule XXV for the 104th Congress; considered and agreed to.

By Mr. SPECTER:

S. Res. 43. An original resolution authorizing expenditures by the Select Committee on

Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Mr. COHEN (for himself and Mr. PRYOR):

S. Res. 44. A resolution authorizing expenditures by the Special Committee on Aging; to the Committee on Rules and Administration.

By Mr. ROTH:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Governmental Affairs; from the Committee on Governmental Affairs; to the Committee on Rules and Administration.

By Mr. LOTT (for Mr. DOLE):

S. Res. 46. A resolution making majority party appointments to the Ethics Committee for the 104th Congress; considered and agreed to.

S. Res. 47. A resolution designating the Chairpersons of Senate committees for the 104th Congress; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself, Mr. LOTT, Mr. GRAMM, Mr. GRASSLEY, and Mr. NICKLES:

S. 191. A bill to amend the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights are not infringed until adequate protection is afforded by reauthorization of the act, to protect against economic losses from critical habitat designation, and for other purposes; to the Committee on Environment and Public Works.

THE FARM, RANCH, AND HOMESTEAD PROTECTION ACT OF 1995

Mrs. HUTCHISON. Mr. President, for generations American farmers have worked to provide food, clothing, and shelter to their families. Farmers and ranchers in Texas and throughout the United States have tilled the soil and cleared the rangeland—and, if they had a good year, they might try to put any money left over back into the land to buy more property.

This land is their wealth—their property, which our Government was formed to protect, just as it protects our homes from burglary and our money in banks from theft.

Our founding fathers acknowledged that private property rights were important. They fought foreign rulers to protect it. The Bill of Rights, drafted after that struggle, says that private property shall not be taken for public use, without just compensation. But, through overly zealous environmental enforcement, this constitutional protection is being watered down.

Last year, the U.S. Fish and Wildlife Service, which enforces the Endangered Species Act, proposed that up to 800,000 acres from 33 Texas counties be designated as critical habitat for the golden-cheeked warbler. This action held up land transfers, construction, home and business lending. With about 300 species in Texas being considered for listing as endangered or threatened, including 8 flies and 12 beetles, landowners in my State may face a very grave problem again soon.

Recent reports about the U.S. Fish and Wildlife's latest Balcones Canyonlands Conservation Plan in Austin, TX, are discouraging. Yesterday, the Interior Department proposed that owners of single-family lots in Travis County that were subdivided before the golden-cheek warbler was listed as an endangered species can apply for a permit to construct a single family home for a fee of $1,500. Developers are expected to pay even more—up to $5,500 an acre—to build on land that has not been subdivided yet.

The permit fees, plus $10 million from Travis County, would be used to add to the 21,000 acres in existing wildlife refuges. Well, the Travis County residents have voted against spending more money on refuges, in 1993 and the Travis County officials were blindsided. They were not even consulted about this proposal to spend $10 million of Travis County's money, when the people have just voted not to put any more money into wildlife refuges.

Rather than assuring fair compensation for private property when there is a Government taking, the Service's plan would require landowners to pay ransom to the Federal Government—for the privilege of building on a lot which they have already bought to build a house—perhaps the house they have been dreaming of for years. Interior Secretary Bruce Babbitt has stated in the past that he believes private property is an outmoded concept. The Fish and Wildlife Service would say, by regulation, that his views are right. This would essentially repeal the fifth amendment to our U.S. Constitution.

Today, Senators LOTT, GRAMM, GRASSLEY, NICKLES, and I are introducing legislation to stop Government overreaching until we have had time to revise the Endangered Species Act. Congressman LAMAR SMITH is introducing a companion bill in the House.

My bill puts a moratorium on the listing of new endangered and threatened species until reauthorization. Right now the Fish and Wildlife Service is proposing to list a species in the panhandle of Texas—the Arkansas River shiner—that is used for fish bait. Water is scarce in the panhandle; we cannot afford to give fish bait more protection than people. But once the shiner is designated, it will have more right to the water than the panhandle farmers and ranchers and the people of Amarillo, TX. The people have to have a voice.

The bill also puts a moratorium on the designation of critical habitat so that property owners will not lose control of their land. Designating critical habitat puts unjust limits on the use, market value, and transferability of property. The stigma of critical habitat should not be imposed by a government that claims to protect property as a constitutional right.

Finally, the bill puts a moratorium on the requirement that all government agencies consult with the Fish and Wildlife Service before taking actions, providing permits, or providing funding that may affect an endangered species. This will prevent the Fish and Wildlife Service from further expanding use of the Endangered Species Act to deny FHA or VA mortgages, crop insurance, crop support payments, farm erosion studies, or SBA loans. To be fair, they have not done this yet; so far, it has only been used on large Government projects. But until this year they had not proposed to designate an area larger than the State of Rhode Island as critical habitat. But they did it last year in Texas.

Property owners should not have to fight the Government to build a new home on their land. They should not have to hire lawyers to tell what their rights are or convince bureaucrats that their farming is in compliance with regulations. Farmers in my State should not live in fear of being treated like the farmer in California who was arrested in a Government raid for allegedly harming a kangaroo rat while he was plowing his field. This rat is designated as an endangered species for one reason—its feet are a millimeter longer than other, similar species. There are other alternatives. Instead of seizing land and arresting farmers, we should encourage private landowners to protect species and habitat with tax incentives, and whenever possible relocate threatened species to park lands so it does not encroach on the private property rights nor the ability of a farmer or a rancher to feed his or her family.

Opponents of compensation for takings of property argue the National Government cannot afford it. That argument acknowledges what is happending is in fact unconstitutional. If we want to protect the critical habitat of endangered species, we have to pay for it. James Madison, in the Federalist Papers, made it clear that the purpose of Government is to protect private property. He said, "government is instituted no less for protection of property than of the persons of individuals."

If opponents of compensation are truly opposed to this principle, they have a remedy. They can propose an amendment to the Constitution. But until they do and until it is passed, these acts are unconstitutional. We are sworn to uphold the Constitution. Mr. President, we must do it. The actions on this bill will provide the means to do it.

We need to make the real effect of the Endangered Species Act clear to the rulemakers in Washington. Many of them have not even set foot on a farm since their third grade class field

trip. It is no wonder that so many of our people spoke in November that "we cannot take the Government harassment." It is no longer about protecting our treasured natural resources from harm. It is about Government taking control of people's land. We must put a stop to it, until we have the opportunity to give the Fish and Wildlife Service a new direction.

That is something I hope this Senate will do very quickly before untold damage is done, like what is happening right now in Austin, TX.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 192. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 to encourage plant closings and the resultant relocation of employment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE PROHIBITION OF INCENTIVES FOR RELOCATION ACT OF 1995

• Mr. FEINGOLD. Mr. President, I introduce with my colleague from Wisconsin, Senator KOHL, a bill designed to proscribe the use of community development block grant, and other HUD funds for assisting businesses in moving jobs from one State to another. This measure is similar to a bill I introduced in the 103d Congress, the Prohibition of Incentives for Relocation Act of 1994, and is based upon legislation authored during the 103d Congress by U.S. House Representatives, GERRY KLECZKA and TOM BARRETT of Wisconsin, which was approved in the House-passed HUD reauthorization legislation, H.R. 3838.

Mr. President, the importance of this issue remains a critical one to this day for Wisconsin's economic future, as well as the future of other States like ours that possess labor intensive industries.

Our concern was generated by an announcement made in 1994 by a major employer in Wisconsin, Briggs and Stratton, that a Milwaukee plant would be closed, and 2,000 workers would be permanently displaced. The actual economic impact upon this community is even greater since it is estimated that 1.24 related jobs will be lost for every one of the 2,000 Briggs jobs affected. The devastating news was compounded by the subsequent discovery that many of these jobs were being transferred to plants, which were being expanded in two other States, and that Federal community development block grant [CDBG] funds were being used to facilitate the transfer of these jobs from one State to another.

This is a totally inappropriate use of Federal funds, which this legislation is designed to end. The CDBG Program is designed to foster community and economic development; not to help move jobs around the country. Obviously, during a period of permanent economic restructuring, which results in plant closing, downsizing of Federal programs and defense industry conversion, there is tremendous competition between communities for new plants and other business expansions to offset other job losses. State and local communities are doing everything they can to attract new business and retain existing businesses. But it is simply wrong to use Federal dollars to help one community raid jobs from another State. There is no way to justify to the taxpayers in my State that they are sending their money to Washington to be distributed to other States to be used to attract jobs out of our State, leaving behind communities whose economic stability has been destroyed. Thousands of people whose jobs are directly, or indirectly lost as a result of the transfer of these jobs out of our State are justifiably outraged by this misuse of funds.

Mr. President, this legislation is very similar to a provision of the Housing and Community Development Act of 1974, which prohibited urban development action grants [UDAG] from being used for projects intended to move jobs from one community to another. Section 5318(h) of Title 42 of the United States Code prohibits the use of UDAG if the funds are, "intended to facilitate the relocation of industrial or commercial plants or facilities from one area to another," unless it is determined that the relocation does not significantly and adversely affect the unemployment or economic base of the area from which the industrial or commercial plant or facility is to be relocated." Similarly, this legislation provides that no assistance through CDBG and other related HUD programs shall be used for any activity that is intended, or is likely to facilitate the closing of an industrial or commercial plant, or the substantial reduction of operations of a plant; and result in the relocation or expansion of a plant from one area to another area. Similar antipiracy provisions are included in SBA programs, Economic Development Administration programs and the Economic Dislocated Workers Adjustment Act.

Mr. President, this is an issue of fundamental fairness, and sound public policy. Federal funding for economic development projects should be directed toward projects that expand employment opportunities and economic growth, not simply move jobs from one community to another. This legislation is designed to ensure that community development funds are appropriately used for that purpose. I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 192

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

SECTION 1. PROHIBITION OF USE OF CERTAIN ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.

(a) AUTHORIZATIONS.—Section 103 of the House and Community Development Act of 1974 (42 U.S.C. 5303) is amended—

(1) by inserting "(a)" before "The Secretary"; and

(2) by adding at the end the following new subsection:

(b) PROHIBITION OF USE OF ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, no amount from a grant made under section 106 shall be used for any activity that is intended or is likely to—

"(A) facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant; and

"(B) result in the relocation or expansion of a plant from one area to another area.

"(2) NOTICE.—The Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to implement this subsection. Such notice shall be published as a proposed regulation and take effect upon publication. The Secretary shall issue final regulations, taking into account public comments received by the Secretary.".

(b) SPECIAL PURPOSE GRANTS.—Secton 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307) is amended by adding at the end the following new subsection:

"(g) PROHIBITION OF USE OF ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, no amount from a grant made under this section shall be used for any activity that is intended or is likely to—

"(A) facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant; and

"(B) result in the relocation or expansion of a plant from one area to another area.

"(2) NOTICE.—The Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to implement this subsection. Such notice shall be published as a proposed regulation and take effect upon publication. The Secretary shall issue final regulations, taking into account public comments received by the Secretary.".

(c) ECONOMIC DEVELOPMENT GRANTS.—Section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)) is amended by adding at the end the following new paragraph:

"(5) PROHIBITION OF USE OF ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, no amount from a grant made under this subsection shall be used for any activity that is intended or is likely to—

"(i) facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant; and

"(ii) result in the relocation or expansion of a plant from one area to another area.

"(B) NOTICE.—The Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary

to implement this paragraph. Such notice shall be published as a proposed regulation and take effect upon publication. The Secretary shall issue final regulations, taking into account public comments received by the Secretary.".●

By Mr. CAMPBELL:

S. 193. A bill to establish a forage fee formula on lands under the jurisdiction of the Department of Agriculture and the Department of the Interior; to the Committee on Energy and Natural Resources.

THE FEDERAL FORAGE FEE ACT OF 1995

Mr. CAMPBELL. Mr. President, I am sending legislation to the desk that changes the way ranchers pay to graze their livestock on Federal rangelands. I introduced this bill last Congress, with 14 of my colleagues including my friend who is across the floor today, the Senator from Idaho [Mr. CRAIG]. This bill was not acted on but we think it is an important bill that should be reintroduced.

The formula included in this proposal was developed by several economists who worked at land grant colleges in the West. The formula abandons the old Public Rangelands Improvement Act formula, which has been much maligned, in favor of a formula that sets a realistic value on the opportunity to graze livestock on public lands. It will result in a fee that is about 23 percent higher than the current fee.

Having been very active on this issue for many years, I know congressional debate about grazing fees has been polarized. Opponents of the current fee argue that ranchers do not pay fair market value, while some ranchers would like to maintain the status quo. On the other hand, ranchers in many cases think the fee should not go up at all. But many of us who have worked on it believe ranchers are the family farmers of the West. The establishment of a fair and equitable grazing fee formula is still necessary to ensure their survival. I also think the rancher is key to the rural Western economy. Not only does this add billions to the Nation's economy, in much of the West, it is the single largest source of economic activity and tax revenue. Every Western ranching job creates as many as four jobs on Main Street. If those ranchers go under, so will the tractor, truck and automobile dealers, the gas, grocery and feed store owners, the veterinarians, doctors, and dentists, and many others who make up the commercial and social fabric of rural Western towns.

A fee not based on sound science and careful study will destabilize the entire livestock industry and the rural Western economic infrastructure it supports. The new formula is based on a principle: on the private forage market. It reflects the higher operational costs and lower returns derived from Federal lands. This results in a formula that provides economic parity between producers who use Federal land and private livestock producers.

Secretary of the Interior Babbitt has already said that he intends to drop his efforts to raise grazing fees. He also said that he intends to finalize his regulations within the next 6 months for how our public lands should be managed for grazing.

It is clear to me that environmentalists care about management issues, that is, the Department's ability to effectively steward the resources it manages. To cattlemen, however, the single most important issue is the fee. If it is too high, ranchers go out of business. The ranchers I have talked to realize they will eventually have to pay more for the privilege of grazing on public lands, but as business people, they need stability—stability that can only be provided if a bill passes to lock a higher fee into place.

Many Western Senators believe that the issue of grazing fees should be separated from management reforms. This has been done, but it does not mean that our Government has forgotten that a commitment was made 2 years ago by the ranching industry to pay their fair share.

Reintroducing this bill is an attempt to keep our end of the bargain.

Mr. President, I ask unanimous consent that the text of the bill and additional material be printed in the RECORD.

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

S. 193

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

That this Act may be cited as the "Federal Forage Fee Act of 1993".

SECTION 1. FINDINGS.

(a) FINDINGS.—Congress finds and declares that—

(1) it is in the national interest that the public lands are producing and continue to produce water and soil conservation benefits, livestock forage, wildlife forage and recreation and other multiple use opportunities;

(2) rangelands will continue to be stabilized and improved long term by providing for cooperative agreements, private, public partnerships and flexibility in management programs and agreements;

(3) to assure sound management and stewardship of the renewable resources it is imperative to charge a fee that is reasonable and equitable and represents the fair value of the forage provided;

(4) the intermingled private-public land ownership patterns prevailing in much of the west create a strong interdependence between public and private lands for forage, water, and habitat for both wildlife and livestock;

(5) the social and economic infrastructure of many rural communities and stability of job opportunities in many areas of rural America are highly independent on the protection of the value of privately held production units on Federal lands.

SEC. 2. ENVIRONMENTAL AND LAND USE REQUIREMENTS.

Unless contrary to this statute, all grazing operations conducted on any Federal lands shall be subject to all applicable Federal, State, and local laws, including but not limited to:

(1) Animal Damage Control Act (7 U.S.C. 426–426b).

(2) Bankhead-Jones Farm Tenant Act (50 Stat. 522) as amended.

(3) Clean Air Act (42 U.S.C. 7401–7642) as amended.

(4) Endangered Species Act of 1973 (16 U.S.C. 1531–1544) as amended.

(5) Federal Advisory Committee Act (86 Stat. 770), as amended.

(6) Federal Grant and Cooperative Agreement Act of 1977 (92 Stat. 3).

(7) Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136–136y), as amended.

(8) Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(9) Federal Water Pollution Control Act (33 U.S.C. 1251 1387), as amended.

(10) Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600–1614).

(11) Granger-Thye Act (64 Stat. 82).

(12) Independent Offices Appropriations Act of 1952 (31 U.S.C. 9701), as amended, title V.

(13) Multiple Use Sustained Yield Act of 1960 (16 U.S.C. 528–531).

(14) National Environmental Policy Act of 1969 (42 U.S.C. 4370a), as amended.

(15) National Forest Management Act of 1976 (16 U.S.C. 1600, 1611–1614).

(16) Public Rangelands Improvement Act of 1978 (92 Stat. 1803).

(17) Taylor Grazing Act (48 Stat. 1269), as amended.

(18) Wilderness Act (78 Stat. 890), as amended.

SEC. 3. FEE SCHEDULE.

(a) For the purpose of this section the terms:

(1) "Sixteen Western States" means WA, CA, ID, NV, NM, WY, CO, KS, SD, ND, NE, OR, OK, AZ, UT and MT.

(2) "AUM" means an animal unit month as that term is used in the Public Rangeland Improvement Act (92 Stat. 1803);

(3) "Authorized Federal AUMs" means all "allotted AUMs" reported by BLM and "permitted to graze AUMs" reported by USFS.

(4) "WAPLLR" means the weighted average private land lease rate determined by multiplying the private land lease rate reported by the Economic Research Service for the previous calendar year for each of the sixteen Western States by the total number of authorized Federal AUMs, as defined in section 3(a)(3), in each State for the previous, fiscal year, then that result divided by the total number of authorized Federal AUMs for the sixteen western States. These individual State results are then added together and divided by 16 to yield a weighted average private land lease rate for that year.

(5) "Report" means the report titled "Grazing Fee Review and Evaluation Update of the 1986 Final Report" dated April 30, 1992 and prepared by the Departments of the Interior and Agriculture.

(6) "Nonfee cost differential" means a value calculated annually by the Secretaries by multiplying the weighted difference in nonfee costs per AUM between public land and private land by the Input Cost Index (ICI) determined annually by the Department of Agriculture. The weighted difference in nonfee costs is a factor of 0.552 determined by deducting the private AUM nonfee costs (as outlined on page 58 of the report) from the public AUM nonfee costs for cattle times 4, added to the result of deducting private

AUM nonfee costs from public AUM nonfee costs for sheep times 1, then that result divided by 5."

(7) "Net production differential" is the percentage calculated annually by dividing the cash receipts per cow for Federal permittee livestock producers by the cash receipts per cow for western non-Federal livestock producers in the sixteen Western States as surveyed by the Economic Research Service in annual cost of production surveys (COPS).

(8) "PLFVR" means the private lease forage value ratio determined by dividing the average of the 1964–1968 base years' private land lease rate into the forage value portion of the private land lease rate of $1.78 as determined in the 1966 western livestock grazing survey.

(b) The Secretaries of the Department of Agriculture and the Department of the Interior shall calculate annually the Federal forage fee by calculating the average of the WALLPR for the preceding three years; multiplying it by the PLFVR; then deducting from that result the nonfee cost differential; and multiplying that result by the net production differential. For each year that this calculation is made, all data used for calculating this fee shall come from the calendar year previous to the year for which the fee is being calculated unless specified otherwise in the above calculations.

(c) The Federal forage fee shall apply to all authorized Federal AUMs under the jurisdiction of the United States Department of Agriculture and the United States Department of the Interior.

(d) For the first year that the Secretaries calculate the Federal forage fee, the fee shall not be greater than 125 percent, or less than 75 percent of the fee calculated for the previous year pursuant to Executive Order 12548 dated February 14, 1986. For each year after the first year that the Secretaries calculate the Federal forage fee, the fee shall not be greater than 125 percent, or less than 75 percent of the Federal forage fee calculated for the previous year.

(e) The survey of nonfee costs used to calculate the nonfee cost differential shall be updated periodically by the Secretaries so as to reflect as accurately as possible the actual nonfee costs incurred by the cattle and sheep industry that utilizes public lands in the sixteen Western States. The results of the updated survey shall be incorporated into the calculation of the Non Fee Cost Differential as they become available.

FEDERAL FORAGE FEE FORMULA—NARRATIVE DESCRIPTION

The Federal Forage Fee Formula is based on the premise that the western public lands grazing permittee should pay the fair value of the forage received from federal lands.

Two objectives were met in determining the formula for a forage value-based grazing fee: (1) Identification of the value of raw forage as a percentage of the private land lease rate (Private Lease Forage Value Ratio); and (2) an adjustment which reflects the lower animal production derived from federal lands compared to private lands (Net Production Differential), and the additional costs of doing business on federal lands compared to private lands (Non Fee Cost Differential) (e.g., additional infrastructure and operational costs). Because the costs associated with cattle production vary from those of sheep production, sheep costs are figured into the Non Fee Cost Differential (80% cattle, 20% sheep). Simply put, the federal forage fee formula is based on the private forage market while reflecting the unique costs of production and relative inefficiencies of harvesting federal forage compared to private land operations. A reasonable grazing fee must reflect the higher operational costs and lower animal production derived from federal lands and, as such, would promote similar economic opportunity between federal land and private land livestock producers.

The private land lease rate is weighted by the proportional number of federal AUMs in each of the 16 western states. The rolling three year weighted average of the private land lease rate is used in order to minimize the high and low extremes of the lease scale. This lease rate is calculated on a weighted average of private lease rates for non-irrigated native rangelands.

The value of the forage component of private land leases, as determined in a comprehensive 1966 grazing fee study and carried through in the 1992 update of the Grazing Fee Review and Evaluation report is 48.8% of the total private land lease rate. The remaining 51.2% of the private lease rate includes infrastructure and services associated with a private land lease.

The Non Fee Cost Differential of the federal forage fee formula is based on the updated analysis of non-fee costs adjusted annually for inflation. This number indicates that for 1991 it cost $1.60 more per AUM to operate on federal lands than private lands.

The Net Production Differential of the formula is based on Economic Research Service comparisons of cash livestock receipts from both western federal land ranches and nonfederal land ranches which show that, overall, the federal lands generate 12.1% less revenue per animal unit than private lands (thus, the 87.9% figure). Every figure in the federal forage fee formula is derived from economic data compiled and updated by federal agencies.

Research using historical data reveals that the Federal Forage Fee yields more predictable fee than PRIA, which has fluctuated from a high of $2.41 to a low of $1.35 (a 78% variance) over its 15 year life. A 25% cap on any increase or decrease in the fee from year to year, starting with the current fee is maintained. Additionally, the federal forage fee formula adheres to the guidelines Congress established for determination of federal grazing fee policy as outlined by the Federal Lands Policy Management Act of 1976, the Independent Offices Appropriations Act of 1952 and the Taylor Grazing Act of 1934.

FIGURES

Weighted average private land lease rate [WAPLLR]: $8.77

Derived from 16 state weighted average private land lease rate as surveyed by the U.S. Department of Agriculture's Economic Research Service (ERS) and adjusted for the number of federal AUMs in each state. The calculation is a rolling average of the three most recent years' data.

Private land forage value ratio [PrLFVR]: 48.8 percent

Grazing Fee Review and Evaluation, DOI & USDA 1992, pgs. 18 and 22. Determines the forage component of the WAPLLR.

Non fee cost differential [NFCD]: $1.60

Grazing Fee Review and Evaluation, DOI & USDA 1992, pg. 58, Appendix A.1; Updated by Input Cost Index (ICI) for currency. Deduction to reflect additional costs per AUM incumbent with federal land grazing.

Net production differential [NPD] 87.9 percent

Grazing Fee Review and Evaluation, DOI & USDA 1992, pg. 53, "Equity Among Livestock Producers." Adjustment to reflect lower animal production derived from federal grazing lands.

Formula/calculations

[((WAPLLR PrLFVR)—NFCD) NPD=FFF]

Weighted average private land lease rate [WAPLLR]	$8.77
Private lease forage value ratio [PrLFVR] (percent)	48.8
Private lease forage value	4.28
Non fee cost differential [NFCD]	−1.60
Net production differential [NPD] (percent)	87.9
Federal forage fee (grazing fee) [FFF]	2.36

The effective Federal Forage Fee would be $2.33 in the first year after applying the 25 percent cap to the current grazing fee.

By Mr. McCAIN (for himself, Mr. HOLLINGS, Mr. CRAIG, Mr. HATCH, Mr. HELMS, Mr. ROBB, Mr. McCONNELL, and Mr. COATS):

S. 194. A bill to repeal the Medicare and Medicaid Coverage Data Bank, and for other purposes; to the Committee on Finance.

MEDICARE/MEDICAID DATA BANK LEGISLATION

• Mr. McCAIN. Mr. President, I am pleased to reintroduce this bill, which would eliminate a large and unjustified administrative burden imposed on employers by an ill-considered piece of legislation passed 2 years ago. Specifically, it would repeal the Medicare and Medicaid Coverage Data Bank, section 13581 of OBRA 1993, a law that is extremely expensive, burdensome, punitive, and in my view, entirely unnecessary.

This data bank law requires every employer who offers health care coverage to provide substantial and often difficult-to-obtain information on current and past employees and their dependents, including names, Social Security numbers, health care plans, and period of coverage. Employers that do not satisfy this considerable reporting obligation are subject to substantial penalties, possibly up to $250,000 per year or even more if the failure to report is found to be deliberate.

According to the law that created the requirement, its purported objective is to ensure reimbursement of costs to Medicare or Medicaid when a third party is the primary payor. This is a legitimate objective. However, if the objective of the data bank is to preserve Medicare and Medicaid funds, why is it necessary to mandate information on all employees, the vast majority of whom have no direct association with either the Medicare or Medicaid Program?

Last year, I introduced S. 1933 to repeal the Medicare and Medicaid Coverage Data Bank. Unfortunately, this bill did not pass in the 103d Congress, in part because of a questionable Congressional Budget Office analysis that estimated that the data bank would save the Federal Government about $1

billion. As a result of this scoring, we would have had to raise the same amount in revenues to offset these purported "savings." However, the General Accounting Office found that "as envisioned, the data bank would have certain inherent problems and likely achieve little or no savings to the Medicare and Medicaid programs." Still, due primarily to the fiction that the data bank would save money, S. 1933 was not enacted last year.

When it was clear that I did not have the votes to repeal the data bank law, I worked with several other Senators to ensure that no funding was appropriated for the data bank in fiscal year 1995. Due to our efforts, the Labor and Human Resources Appropriations report contained language prohibiting the use of Federal funds for developing or maintaining the data bank. However, this provision by itself did not revoke the requirement that covered entities must still provide the required information on the health coverage of current and former employees and their families. This would have resulted in the bizarre situation in which covered employers would have had to report the information, but there would have been no data bank to process or retrieve it.

Finally, in response to the public outcry about this Federal mandate and the sentiments of Congress, the Health Care Financing Administration [HCFA] indicated that it will not be enforcing the data bank's reporting requirements in fiscal year 1995. It stated that in light of the refusal of Congress to fund the data bank, "we have agreed to stay an administrative action to implement the current requirements, including the promulgation of reporting forms and instructions. Therefore, we will not expect employers to compile the necessary information or file the required reports. Likewise, no sanctions will be imposed for failure to file such reports."

This is a major step in the right direction. However, the data bank and its reporting requirements are still in the law and are still scheduled to be implemented in the next fiscal year. Consequently, there is still a great need to repeal the data bank law.

There are those who will argue that, in order to repeal the data bank, we still must propose $1 billion in budget offsets. However, as I indicated earlier, the GAO found that the data bank would not save money. Specifically, it testified before the Senate Governmental Affairs Committee that "the data bank will likely achieve little or no savings while costing millions. Rather, we believe that changes and improvements to existing activities would be a much easier, less costly, and thus preferable alternative to the data bank process. This is largely because the data bank will result in an enormous amount of added paperwork for both HCFA and the Nation's employers."

In addition, the GAO report on the data bank law found that employers are not certain of their specific reporting obligations, because HCFA has not provided adequate guidance on these obligations. Much of the information which is required is not typically collected by employers, such as Social Security numbers of dependents and certain health insurance information. Some employers have even questioned whether it is legal for them under various privacy laws to seek to obtain the required information.

The GAO report also found that employers are facing significant costs in complying with the reporting requirements, including the costs of redesigning their payroll and personnel systems. It cites one company with 44,000 employees that would have costs of approximately $52,000 and another company with 4,000 employees that would have costs of $12,000. Overall, the American Payroll Association estimated last year that this requirement will cost between $50,000 and $100,000 per company.

I would add that the reporting requirement applies only to employers that provide health insurance coverage to their employees. It is unconscionable that we are adding costs and penalties to those who have been most diligent in providing health coverage to their employees. The last thing that the Federal Government should do is impose disincentives to employee health care coverage, which is one of the unintended consequences of the data bank law.

Perhaps the most disturbing aspect of the data bank law is that its enormous costs have little or no corresponding benefit. The GAO report concluded that "The additional information gathering and record keeping required by the data bank appears to provide little benefit to Medicare and Medicaid in recovering mistaken payments." This is in part because HCFA is already obtaining this information in a much more efficient manner than that required under OBRA 1993.

For example, OBRA 1989 provides for HCFA to periodically match Medicare beneficiary data with Internal Revenue Service employment information—The Data Match Program. Also, HCFA directly asks beneficiaries about primary payor coverage. To the extent that the data bank duplicates these efforts, any potential savings will not be realized. It is clearly preferable to require HCFA to use the information it already has than to require the private sector to provide duplicative information.

The GAO report found that "the data match not only can provide the same information [as the data bank] without raising the potential problems described above, but it can do so at less cost." It also recognized that both the data match and data bank processes rely too much on an after-the-fact recovery approach, and recommended enhancing up-front identification of other insurance and avoiding erroneous payments. In this regard, it documented that HCFA has already initiated this prospective approach.

Mr. President, the Federal Government is again imposing substantial financial burdens on the private sector without fully accepting its share of the burden to implement a program. We should once again expect the worst case scenario to occur: employers will provide the required information at substantial administrative burden, there will be no data bank in which to make use of it, and even if a data bank were funded and established, the information stored could not be used efficiently to save Medicare or Medicaid funds.

I do not want this bill to be construed, in any way, as opposition to HCFA obtaining the information it needs to administer the Medicare and Medicaid Programs efficiently, and obtaining reimbursement from third party payors when appropriate. To assure that HCFA has the information it needs, the bill also requires the Secretary of HHS to conduct a study and report to Congress on how to achieve the purported objectives of the data bank in the most cost-effective manner possible.

The Secretary's study would have to take into consideration the administrative costs and burden on the private sector and the Government of processing and providing the necessary information versus the benefits and savings that such reporting requirements would produce. It must also consider current HCFA reporting requirements and the ability of entities to obtain the required information legally and efficiently.

Too often, Congress considers only the cost savings to the Federal Government of legislation while ignoring costs to other parties. The Medicare and Medicaid Data Bank is a case in point. Congress required information on millions of employees to save the Federal Government money. Yet, it will cost employers more money to comply than the government saves. Congress must stop passing laws that impose large, unjustified administrative burdens on other entities. It must consider the impact of its actions on the whole economy and not just on the Government.

In summary, the reporting requirement for the Medicare and Medicaid Data Bank is duplicative, burdensome, ineffective, and unnecessary. The GAO has characterized it as creating "an avalanche of unnecessary paperwork for both HCFA and employers." It penalizes employers who provide health care benefits to their workers—exactly the opposite goal we should be pursuing.

The data bank should be repealed and a more cost-effective approach should be found to ensure that Medicare and Medicaid are appropriately reimbursed by primary payors.

Mr. President, last year when I introduced this bill, I included a statement by the Coalition on Employer Health Coverage Reporting and the Medicare/Medicaid Data Bank and several representative letters from employers and employer groups in the RECORD. These groups continue to demand repeal of this law, and I will not request that their statements and letters be published again at taxpayer expense. However, their message continues to be clear. The Federal Government must stop imposing unjustified burdens on businesses.•

By Mr. MURKOWSKI:

S. 195. A bill to amend section 257(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the treatment of losses from asset sales; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be discharged.

THE ASSET SALE BUDGET RULES ACT OF 1995

• Mr. MURKOWSKI. Mr. President, I introduce legislation that would modify the budget rules governing the sale of Federal assets. It is my hope that Congress this year will review many of the perverse and unintended effects of our budget rules and consider including this legislation in a budget process reform package.

Under current law, the sale of an asset does not alter the deficit or produce any net deficit reduction in the budget baseline. My legislation maintains this principle. Although an asset sale would not be counted in calculating the deficit, future revenue generated by the asset which the government would have received if the asset had not been sold could be offset by the revenue generated from the sale. I want to emphasize that this rule is narrowly crafted so that revenue gained from an asset sale could not be used to offset a separate revenue losing provision.

Mr. President, the current budget rules governing asset sales make it nearly impossible for the Federal Government to sell assets. For example, during the last several years, both the Bush and Clinton administrations have sought to sell the Alaska Power Administration [APA]. The Department of Energy [DOE] has entered into sale agreements and negotiated a price of more than $80 million for these electric generating assets.

Unfortunately, legislation needed to implement this sale has been delayed for several years, in part because of the budget rules governing asset sales. Since the APA takes in approximately $11 million per year from the sale of electricity, under our pay-as-you-go rules, the sale is scored by the Congressional Budget Office [CBO] as losing the Federal Government $11 million annually. In other words, even though the Federal Government will receive upfront more than $80 million by selling the APA, our budget scoring rules require that the sale proceeds be ignored, but that the stream of lost future revenues be counted.

The end result of these rules is that for the sale to proceed, the lost $11 million per year must be offset by other unrelated spending reductions. This is Alice-in-Wonderland accounting that has no relationship to the real world. Presumably, the Department of Energy negotiated what it believed was a fair price for the APA assets. Certainly DOE factored in the amount of revenue that will no longer be coming to the Federal Government as a result of the sale as well as the fact that the Federal Government will no longer have to staff and maintain these operations. Yet when it comes to congressional budget scoring rules, all that is counted is the lost stream of future revenues.

The legislation I am introducing today would rationalize the asset sale rules by allowing the price the Federal Government receives from the asset sale to offset future revenue lost as a result of the transfer of the asset from the Government to private parties. Thus, in the APA example, if over the next 5 years, it is assumed that electricity sales from APA would generate $11 million per year—$55 million over 5 years—for purposes of the Budget Act, the $83 million sale price could offset the $55 million loss of revenue to the Government. And I want to emphasize that under my legislation, the remaining $28 million associated with the sale could neither count toward deficit reduction, nor could it be used to increase spending in any other program.

I look forward to working with the members of the Budget Committee to resolve the current asset sale anomaly. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 195

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

SECTION 1. OFFSETTING LOSSES FROM ASSET SALES.

Section 257(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking the semicolon at the end thereof and inserting the following: ". Effective beginning fiscal year 1996, the proceeds from the sale of an asset may be applied to offset the loss of any revenue or receipts resulting from such sale.".•

By Mr. McCAIN:

S. 196. A bill to establish certain environmental protection procedures within the area comprising the border region between the United States and Mexico, and for other purposes; to the Committee on Foreign Relations.

THE UNITED STATES-MEXICO BORDER ENVIRONMENTAL PROTECTION ACT

• Mr. McCAIN. Mr. President, today, I introduce the United States-Mexico Border Environmental Protection Act.

Our Nation shares a 2,000-mile border with Mexico. Numerous American and Mexican sister cities link hands across that border, binding our two nations in friendship. As friends and neighbors, the United States and Mexico have profound responsibilities to one another. Chief among those duties is to respect and safeguard the natural resources our citizen's must share along the international boundary. No activities or conditions occurring on one side of the border must be permitted to adversely impact the health of people or the environment on the other.

Passage of the United States-Mexico Border Environmental Protection Act will help us meet our environmental responsibilities successfully. It will do so by providing the resources necessary to protect American lives and property from environmental hazards which may arise unabated south of the border—an important Federal responsibility.

Specifically, the bill seeks to establish a $10 million border environmental emergency fund under the auspices of the Environmental Protection Agency. The fund would make moneys readily available to investigate occurrences of pollution, identify sources and take immediate steps to protect land, air and water resources through cleanup and other remedial actions.

While the EPA can address many problems along the border, some issues involving the protection of surface waters are under the jurisdiction of the International Boundary and Water Commission. The Commission was created by a treaty with Mexico in 1944 to control floods, manage salinity and develop municipal sewage treatment facilities along international streams.

In my home State, the IBWC has constructed international wastewater treatment facilities in Nogales and Naco, AZ. The Commission's authority, however, to respond to emergency situations involving the pollution of surface waters is a matter of some doubt. This measure provides the IBWC with explicit authority and resources to protect American lives and property from emergency conditions and establishes a $5 million fund to do the job. In addition, the Secretary of State is directed to pursue agreements with Mexico for joint response to such events.

Mr. President, I'd like to offer an example of why this legislation is needed. A few years ago, the breakage of a sewer main combined with heavy rains

and carried raw sewage into Nogales, AZ via an international stream. The contamination resulted in a high incidence of hepatitis, harmed wildlife, and degraded public and private property, prompting the declaration of a State emergency. No definitive and comprehensive action was taken to stem the flow of sewage for several weeks due to concerns about the availability of funds and trepidation about the legal authority necessary to take action.

Had the emergency fund and response authority I'm proposing been in place, perhaps we could have prevented much of the sickness and suffering visited upon the residents of Nogales. Passage of this legislation will ensure prompt and effective response in the future.

Some of my colleagues may remember this measure from last Congress, or if they have been here long enough, they may even remember it from the 102d Congress. During this 4-year period this measure has been reported by the Senate Foreign Relations Committee, adopted by the Senate on voice vote to the Foreign Authorization Act and passed by the Senate as part of the Foreign Authorization Act. Nevertheless, it has never become law.

I want my colleagues to realize that should an incident similar to the one in Nogales occur again, we have the opportunity to alleviate the suffering of many people and protect further damage to the environment. We have had that opportunity for several years but, we have chosen to close our eyes and ignore the plight of Americans living in the border region.

I would like to note that certain provisions related to the IBWC in this bill are virtually identical to those in the Rio Grande Pollution Correction Act which was signed into law in 1987. Like the bill I'm introducing, the Rio Grande legislation authorized the IBWC to conclude agreements with Mexico to response to surface water contamination. The United States-Mexico Border Environmental Protection Act expands the Rio Grande bill to include the entire border, as a matter of fairness and necessity.

In addition to funding field investigations and rapid emergency response, the legislation recognizes the importance of communication between Mexico and the United States and among Federal, State, and local authorities her at home. The bill seeks to establish an information sharing and early warning system so that Mexican and American officials at all levels will be apprised of environmental hazards and risks in a timely and coordinated fashion, so that response and remedy, likewise, will be timely and coordinated.

Some of my colleagues may be under the impression that this measure may conflict with the environmental side agreement to the North American Free-Trade Agreement [NAFTA] or the provisions of the bill may already be addressed by the side agreement. Neither of these statements are true.

Nevertheless, I wrote to Ambassador Kantor last year during the debate on the Foreign Operations appropriations bill requesting that he review the measure to ensure that it was not in conflict with the side agreement. The letter from the Ambassador's office reads "We see nothing in your proposal that would be in conflict with the Agreement." He went further to say "in fact, what you propose appears to be fully supportive of the Side Agreement."

Mr. President, there is no doubt of our obligation to be a responsible neighbor to Mexico, nor of Mexico's obligation to us. Considering the enactment of the NAFTA treaty which I strongly supported, now more than ever, it's important that we commit ourselves to a clean and healthy border environment for the safety and enjoyment of Americans and Mexicans who inhabit the region. Enactment of this legislation is an important step to that end.

I urge the Senate to consider and swiftly pass this vital legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 196

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

SECTION 1. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "United States-Mexico Border Environmental Protection Act".

(b) PURPOSE.—The purpose of this Act is to provide for the protection of the environment within the area comprising the border region between the United States and Mexico, as defined by the Agreement on Cooperation for the Protection and Improvement of the Environment in the Border Area, signed at La Paz on August 14, 1983, and entered into force on February 16, 1984 (TIAS 10827) (commonly known as the "La Paz Agreement").

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) BORDER ENVIRONMENT ZONE.—The term "Border Environment Zone" means the area described in section 1(b).

(3) BORDER SANITATION EMERGENCY.—The term "border sanitation emergency" means a situation in which untreated or inadequately treated sewage is discharged into international surface rivers or streams that form or cross the boundary between the United States and Mexico.

(4) COMMISSION FUND.—The term "Commission Fund" means the United States International Boundary and Water Commission Fund established by section 10(c).

(5) ENVIRONMENTAL FUND.—The term "Environmental Fund" means the United States-Mexico Border Environmental Protection Fund established by section 3.

(6) UNITED STATES COMMISSIONER.—The term "United States Commissioner" means the United States Commissioner, International Boundary and Water Commission, United States and Mexico.

SEC. 3. ENVIRONMENTAL FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be used to investigate and respond to conditions that the Administrator determines present a substantial threat to the land, air, or water resources of the Border Environment Zone. The fund shall be known as the "United States-Mexico Border Environmental Protection Fund" and shall consist of—

(1) such amounts as are transferred to the Environmental Fund under subsection (b); and

(2) any interest earned on investments of amounts in the Environmental Fund under subsection (d).

(b) TRANSFER TO ENVIRONMENTAL FUND.—From amounts made available to the Department of State, the Secretary of State shall transfer to the Secretary of the Treasury for deposit into the Environmental Fund $10,000,000. The Secretary of the Treasury shall deposit amounts received under this subsection into the Environmental Fund.

(c) EXPENDITURES FROM ENVIRONMENTAL FUND.—

(1) IN GENERAL.—Subject to this subsection, upon request by the Administrator, the Secretary of the Treasury shall transfer from the Environmental Fund to the Administrator such amounts as the Administrator determines are necessary to carry out field investigations and remediation of an environmental emergency declared by the Administrator under section 4.

(2) COST-SHARING PROGRAMS.—Amounts in the Environmental Fund shall be available for use by the Administrator for cost-sharing programs that carry out the purpose described in paragraph (1) with—

(A) the Government of Mexico;

(B) any of the States of Arizona, California, New Mexico, or Texas;

(C) a political subdivision of any of the States referred to in subparagraph (B);

(D) a local emergency planning committee;

(E) a federally recognized Indian tribe; or

(F) any other entity that the Administrator determines to be appropriate.

(3) METHODS OF DISTRIBUTION OF FUNDS.—In carrying out the purpose described in paragraph (1), the Administrator may expend amounts made available to the Administrator from the Environmental Fund directly or make the amounts available through grants or contracts.

(4) ADMINISTRATIVE EXPENSES.—An amount not exceeding 10 percent of the amounts in the Environmental Fund shall be available in each fiscal year to pay administrative expenses necessary to carry out the purpose described in paragraph (1).

(5) AVAILABILITY OF FUNDS.—Amounts in the Environmental Fund shall be available without fiscal year limitation.

(d) INVESTMENT OF FUNDS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Environmental Fund as is not, in the judgment of the Secretary, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments, obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Environmental Fund may be

sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO ENVIRONMENTAL FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Environmental Fund shall be credited to and form a part of the Environmental Fund.

(e) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Environmental Fund under subsection (d) shall be transferred at least monthly from the general fund of the Treasury to the Environmental Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

SEC. 4. DECLARATION OF ENVIRONMENTAL EMERGENCIES.

(a) IN GENERAL.—

(1) DETERMINATION BY THE ADMINISTRATOR.—Subject to paragraph (3), if the Administrator determines that conditions exist that present a substantial threat to the land, air, or water resources of the area comprising the Border Environment Zone, the Administrator may declare that an environmental emergency exists in the Zone.

(2) PETITION OF GOVERNOR.—Subject to paragraph (3), in addition to the authority under paragraph (1), the Administrator, upon the petition of the Governor of the State of Arizona, California, New Mexico, or Texas, or the governing body of a federally recognized Indian tribe, may declare that an environmental emergency exists in the Zone.

(3) LIMITATION.—The Administrator may not declare a condition to be an environmental emergency under this section if the condition is specifically within the sole jurisdiction of the International Boundary and Water Commission.

(b) CONSULTATION WITH AFFECTED PARTIES.—In responding to emergencies, the Administrator shall consult and cooperate with affected States, counties, municipalities, Indian tribes, the Government of Mexico, and other affected parties.

(c) AUTHORITY TO RESPOND.—The Administrator may respond directly to an emergency declared under this section or may coordinate the response with appropriate State or local authorities.

SEC. 5. INFORMATION SHARING.

(a) IN GENERAL.—The Administrator, in cooperation with the Secretary of State, the Governors of the States of Arizona, California, New Mexico, and Texas, the governing bodies of federally recognized Indian tribes located within the Border Environment Zone, and the appropriate officials of the Government of Mexico, may establish a system for information sharing and for early warning to the United States, each of the several States and political subdivisions of the States, and Indian tribes, of environmental problems affecting the Border Environment Zone.

(b) INTEGRATION INTO EXISTING SYSTEMS AND PROCEDURES.—The Administrator shall integrate systems and procedures established under this section into any systems and procedures that are in existence at the time of the establishment under this section and that were established to provide information sharing and early warning regarding environmental problems affecting the Border Environment Zone.

SEC. 6. REPORTS TO CONGRESS.

(a) IN GENERAL.—After consultation with the Secretary of State, appropriate officials of the Government of Mexico, the Governors of the States of Arizona, California, New Mexico, and Texas, and the governing bodies of appropriate federally recognized Indian tribes, the Administrator shall submit an annual report to Congress describing the use of the Environmental Fund during the calendar year preceding the calendar year in which the report is filed, and the status of the environmental quality of the area comprising the Border Environment Zone.

(b) NOTICE OF AVAILABILITY.—The Administrator shall publish a notice of the availability of the report in the Federal Register, together with a brief summary of the report.

SEC. 7. INTERNATIONAL AGREEMENTS.

(a) AUTHORITY.—The Secretary of State, acting through the United States Commissioner, may enter into agreements with the appropriate representative of the Ministry of Foreign Relations of Mexico for the purpose of correcting border sanitation emergencies.

(b) RECOMMENDATIONS.—Agreements entered into under subsection (a) should consist of recommendations to the Governments of the United States and Mexico of measures to protect the health and welfare of persons along the international surface rivers and streams that form or cross the boundary between the United States and Mexico, including recommendations concerning—

(1) facilities that should be constructed, operated, and maintained in each country;

(2) estimates of the costs of plans, construction, operation, and maintenance of the facilities;

(3) formulas for the sharing of costs between the United States and the Government of Mexico; and

(4) a time schedule for the construction of facilities and other measures recommended by the agreements entered into under this section.

SEC. 8. JOINT RESPONSES TO BORDER SANITATION EMERGENCIES.

(a) CONSTRUCTION OF WORKS.—The Secretary of State, acting through the United States Commissioner, may enter into agreements with the appropriate representative of the Ministry of Foreign Relations of Mexico for the purpose of joint response to correct border sanitation emergencies through the construction of works, repair of existing infrastructure, and other appropriate measures in Mexico and the United States. The United States Commissioner shall consult with the Governors of the States of Arizona, California, New Mexico, and Texas in developing and implementing agreements entered into under this section.

(b) HEALTH AND WELFARE.—Agreements entered into under subsection (a) should consist of recommendations to the Governments of the United States and Mexico that establish general response plans to protect the health and welfare of persons along the international surface rivers and streams that form or cross the boundary between the United States and Mexico, including recommendations concerning—

(1) types of border sanitation emergencies requiring response, including sewer line breaks, power interruptions to wastewater handling facilities, breakdowns in components of wastewater handling facilities, and accidental discharge of sewage;

(2) types of response to border sanitation emergencies, including acquisition, use, and maintenance of joint response equipment and facilities, small scale construction (including modifications to existing infrastructure and temporary works), and the installation of emergency and standby power facilities;

(3) formulas for the distribution of the costs of responses to emergencies under this section on a case-by-case basis; and

(4) requirements for defining the beginning and end of an emergency.

SEC. 9. CONSTRUCTION, REPAIRS, AND OTHER MEASURES.

(a) BORDER SANITATION EMERGENCIES.—The Secretary of State, acting through the United States Commissioner, may respond through construction, repairs, and other measures in the United States to correct border sanitation emergencies. The Secretary of State may respond directly to a border sanitation emergency or may coordinate the response with appropriate State or local authorities.

(b) CONSULTATION WITH AFFECTED PARTIES.—In responding to a border sanitation emergency, the Secretary shall consult and cooperate with the Administrator, affected States, counties, municipalities, federally recognized Indian tribes, the Government of Mexico, and other affected parties.

SEC. 10. TRANSFER OF FUNDS.

(a) TRANSFER AUTHORITY.—The Secretary of State, acting through the United States Commissioner, may include as part of the agreements entered into under sections 7, 8, and 9 such arrangements as are necessary to administer the transfer to another country of funds assigned to 1 country and obtained from Federal or non-Federal governmental or nongovernmental sources.

(b) COST-SHARING AGREEMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds of the United States shall be expended in Mexico for emergency investigation or remediation pursuant to section 7, 8, or 9 without a cost-sharing agreement between the United States and the Government of Mexico.

(2) EXCEPTION.—

(A) IN GENERAL.—Funds may be expended as described in paragraph (1) without a cost-sharing agreement if the Secretary of State determines and can demonstrate that the expenditure of the funds in Mexico would be cost-effective and in the interest of the United States.

(B) REPORT.—If funds are expended as described in paragraph (1) without a cost-sharing agreement, the Secretary of State shall submit a report to the appropriate committees of Congress that explains why the costs were not shared between the United States and the Government of Mexico and why the expenditure of the funds without cost-sharing was in the interest of the United States.

(c) COMMISSION FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the "United States International Boundary and Water Commission Fund". The Commission Fund shall consist of—

(A) such amounts as are transferred to the Commission Fund under paragraph (2); and

(B) any interest earned on investment of amounts in the Commission Fund under paragraph (4).

(2) TRANSFER TO COMMISSION FUND.—From amounts made available to the Department of State, the Secretary of State shall transfer to the Secretary of the Treasury for deposit into the Commission Fund $5,000,000. The Secretary of the Treasury shall deposit amounts received under this paragraph into the Commission Fund.

(3) EXPENDITURES FROM COMMISSION FUND.—

(A) IN GENERAL.—Subject to this paragraph, upon request by the Secretary of State, the Secretary of the Treasury shall transfer from the Commission Fund to the

Secretary of State such amounts as the Secretary of State determines are necessary to carry out this section and sections 7, 8, and 9.

(B) METHODS OF DISTRIBUTION OF FUNDS.—In carrying out the purpose described in subparagraph (A), the Secretary of State may expend amounts made available to the Secretary of State from the Commission Fund directly or make the amounts available through grants or contracts.

(C) ADMINISTRATIVE EXPENSES.—An amount not exceeding 10 percent of the amounts in the Commission Fund shall be available in each fiscal year to pay administrative expenses necessary to carry out the purpose described in subparagraph (A).

(D) AVAILABILITY OF FUNDS.—Amounts in the Commission Fund shall be available without fiscal year limitation.

(4) INVESTMENT OF FUNDS.—

(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Commission Fund as is not, in the judgment of the Secretary, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(B) ACQUISITION OF OBLIGATIONS.—For the purpose of investments, obligations may be acquired—

(i) on original issue at the issue price; or

(ii) by purchase of outstanding obligations at the market price.

(C) SALE OF OBLIGATIONS.—Any obligation acquired by the Commission Fund may be sold by the Secretary of the Treasury at the market price.

(D) CREDITS TO COMMISSION FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Commission Fund shall be credited to and form a part of the Commission Fund.

(5) TRANSFERS OF AMOUNTS.—

(A) IN GENERAL.—The amounts required to be transferred to the Commission Fund under paragraph (4) shall be transferred at least monthly from the general fund of the Treasury to the Commission Fund on the basis of estimates made by the Secretary of the Treasury.

(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

SEC. 11. ADMINISTRATION.

(a) IN GENERAL.—The Secretary of State and the Administrator shall carry out this Act in a manner that is consistent with the environmental provisions of the North American Free Trade Agreement, so long as the United States applies the North American Free Trade Agreement to Mexico.

(b) DEFINITION.—In this section, the term "North American Free Trade Agreement" means the agreement between the United States and Mexico (without regard to whether Canada is a party to all or part of the agreement) entered into on December 17, 1992, and approved by Congress pursuant to section 101(a) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3311(a)). The term includes any letters exchanged between the Government of the United States and the Government of Mexico with respect to the agreement and any side agreements entered into in connection with the agreement.

SEC. 12. EFFECT ON OTHER LAW.

Nothing in this Act shall amend, repeal, or otherwise modify any provision of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) and the amendments made by the Act, or any other law, treaty, or international agreement of the United States.

SEC. 13. TERMINATION OF AUTHORITY.

The authority provided by this Act shall terminate on the date that is 5 years after the date of enactment of this Act.•

By Mr. BUMPERS:

S. 197. A bill to establish the Carl Garner Federal Lands Cleanup Day, and for other purposes; to the Committee on Energy and Natural Resources.

THE CARL GARNER FEDERAL LANDS CLEANUP ACT

• Mr. BUMPERS. Mr. President, several years ago I introduced legislation which resulted in the creation of the Federal Lands Cleanup Act. This law designates the first Saturday after Labor Day of each year as Federal Lands Cleanup Day and requires each Federal land managing agency to organize, coordinate, and participate with citizen volunteers and State and local agencies in cleaning and maintaining Federal public lands.

I was inspired to introduce this legislation by a talented and dedicated public servant by the name of Carl Garner. Carl is the resident engineer with the Army Corps of Engineers at the Greers Ferry Lake site in Arkansas. In 1970, he organized a group of about 50 volunteers to clean up trash that had accumulated along the shoreline of the lake. The Greers Ferry Cleanup Day was such an overwhelming success that eventually it was expanded to other Corps of Engineers-operated lakes and other Federal and State lands in Arkansas and became known as the Great Arkansas Cleanup. The cleanup has become so popular that last year more than 24,000 Arkansans participated in it at more than 100 sites.

Carl Garner recognized that we must instill in our citizens a greater sense of ownership, pride, and responsibility for the care and management of our State and public lands. His efforts and the phenomenal success of the Arkansas Cleanup Program inspired me to introduce the Federal Lands Cleanup Act of 1985.

Today, I am introducing legislation that will rename the Federal Lands Cleanup Act and the day in honor of Carl Garner. This bill was approved by the Senate in the 103d Congress but was not considered by the House. I am introducing it again so that future generations who enjoy and treasure our Nation's forests, national parks, and waterways to know that it was the vision and leadership of Carl Garner that was responsible for creating this national cleanup effort.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD.

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

S. 197

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

SECTION 1. THE CARL GARNER FEDERAL LANDS CLEANUP ACT

The Federal Lands Cleanup Act of 1985 (36 U.S.C. 169i-169i-1) is amended by striking "Federal Lands Cleanup Day" each place it appears and inserting "Carl Garner Federal Lands Cleanup Day."•

By Mr. CHAFEE (for himself, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KOHL, and Mr. DORGAN):

S. 198. A bill to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes; to the Committee on Finance.

EXTENSION OF THE MEDICARE SELECT PROGRAM

• Mr. CHAFEE. Mr. President, I am pleased today to join with Senators FEINSTEIN, HUTCHISON, KOHL, and DORGAN in introducing legislation to extend the Medicare Select Program permanently and to make it available in all 50 States.

Based on legislation that I introduced in 1990, Medicare Select is a demonstration project operating in 15 States with more than 400,000 participants. Under this program, Medicare beneficiaries have the option to purchase Medicare supplemental insurance policies—often referred to as Medigap policies—through managed care networks.

This program has been a huge success and admirably serves those beneficiaries lucky enough to participate. Recent data continues to show that Medicare beneficiaries who purchase Medicare Select products pay premiums 10 percent to 37 percent less expensive than traditional Medigap products. Moreover, consumer satisfaction with these products is extremely high. Of the top 15 Medigap products ranked by Consumer Reports magazine in its August 1994 issue, eight were Medicare Select products. Unfortunately, under current law, current Medicare Select carriers will have to halt enrollment in July 1995.

Almost all the major health care reform plans introduced during the past session of Congress included provisions to expand the Medicare Select Program to all 50 States. While none of these health care reform efforts succeeded, my colleagues and I worked at the end of the last session to extend the demonstration program until July of this year, until we could introduce a bill to extend the program permanently and to expand it to all 50 States. As I indicated, the current demonstration program expires in July of this year—before we will be able to take any actions on health care reform.

Therefore, we need to enact legislation that will allow the current successful program to become a permanent option for Medicare beneficiaries

and to expand to all States. This bill will do just that, and I urge my colleagues to give it their support.•

• Mrs. FEINSTEIN. Mr. President, I support Senator CHAFEE's proposal to extend the Medicare Select Program, which currently provides Medigap health benefits to roughly 400,000 older Americans by using a managed care model.

Like many of the other original cosponsors of this legislation, I come from one of the 15 States where the Medicare Select demonstration program has proved its popularity during the last 3 years.

Medicare Select, which currently provides 100,000 Californians with low-cost Medigap insurance using a managed care model, was enacted in 1990 as a 3-year demonstration program and has proved to be extremely popular, enrolling 400,000 seniors in 15 States.

This program used a network of providers to cut premium costs by 10–30 percent over fee for service Medigap products—those services and costs not covered by Medicare—according to several reports.

In California, roughly 100,000 seniors have signed up for the program, and Blue Cross of California alone is enrolling an additional 2,200 per month. These Medicare enrollees are signing up because the Medicare Select Program can provide low-cost, high-quality health benefits, while still retaining a high degree of choice over their physician.

The reason for the program's popularity are simple. In order to save money or receive added benefits, more and more older Americans are enrolling in managed care plans.

In fact, Consumer Reports lists many Medicare Select products as its highest rated values, and extension of the Medicare Select Program is strongly endorsed by California Insurance Commissioner Garamendi, as well as the National Association of Insurance Commissioners.

In addition, the Mainstream plan—and nearly every other health reform proposed this Congress—provided for a continuation and expansion of Medicare Select and other forms of managed Medicare.

Certainly, managed Medicare programs like Medicare Select must be implemented carefully, in order to ensure that Medicare enrollees are appropriately informed of the benefits of this program, provided with high-quality services, and ensured access to highly trained physicians. In addition, managed care programs must be shown to provide lower costs to the Federal Government in addition to consumer discounts.

However, without the extension of the Medicare Select Program, which has already proven its initial success, new enrollments will be cut off in July 1995—before additional health care reform will have been enacted.

In the absence of national health care reform, I believe that this successful and popular managed Medicare program should be allowed to continue.•

By Mr. KYL (for himself and Mr. MCCAIN):

S. 199. A bill to repeal certain provisions of law relating to trading with Indians; to the Committee on Indian Affairs.

REPEAL OF INDIAN TRADING LAWS

Mr. KYL. Mr. President, I rise today with my colleague from Arizona, JOHN MCCAIN, to introduce legislation to repeal the outdated Trading with Indians Act.

Originally enacted in 1834 with a legitimate purpose in mind, the Trading with Indians Act was intended to protect native Americans from being unduly influenced by Federal employees.

But that act is no longer needed, and is in many cases unnecessarily punitive and counterproductive, in 1995. It is wreaking havoc on hard-working employees and their families, and it is bad for reservation economies.

The act establishes a virtually absolute prohibition against commercial trading with Indians by employees of the Indian Health Service and Bureau of Indian Affairs. The prohibition extends to transactions in which a Federal employee has an interest, either in his or her own name, or in the name of another person, including a spouse, where the employee benefits or appears to benefit from such interest.

The penalties for violations are severe: a fine of not more than $5,000, or imprisonment of not more than 6 months, or both. The act further provides that any employee in violation be terminated from Federal employment.

This can result in an employee being subject to criminal penalties and termination, not for any real or perceived wrongdoing on his or her own part, but merely because the person is married to another enterprising individual on an Indian reservation. The nexus is enough to invoke penalties. It means, for example, that an Indian Health Service employee, whose spouse operates a law firm on the Navajo Nation, could be fined, imprisoned, and/or fired. It means that a family member can't apply for a small business loan without jeopardizing the employee's job.

The protection that the Trading with Indians Act provided in 1834 can now be provided under the Standards of Ethical Conduct for Government Employees. The intent here is to provide adequate safeguards against conflicts of interest, while not unreasonably denying individuals and their families the ability to live and work—and create jobs—in their communities.

Both Health and Human Services Secretary Donna Shalala and Interior Department Assistant Secretary for Indian Affairs Ada Deer have expressed support for the legislation to repeal the 1834 act. As Secretary Shalala pointed out in a letter dated November 17, 1993, the Department "agree(s) with the position that the Standards of Ethical Conduct, along with the criminal statutes at 18 U.S.C. 201–211, provide adequate safeguards against conflicts of interest involving Federal Government employees."

Secretary Shalala went on to note that, "in addition, the bill could improve the ability of IHS to recruit and retain medical professional employees in remote locations. It is more difficult for IHS to recruit and retain medical professionals to work in remote reservation facilities if their spouses are prohibited from engaging in business activities with the local Indian residents, particularly since employment opportunities for spouses are often very limited in these locations.

Mr. President, I urge Members of the Senate to join me in this effort to promptly repeal an outdated and counterproductive law, and I ask that the text of my bill be reprinted in the RECORD at this point:

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

S. 199

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

SECTION 1. REPEAL.

Section 437 of title 18, United States Code, is repealed.

By Mr. BRADLEY (for himself, Mr. KOHL, and Mr. SIMON):

S. 200. A bill to amend title 18, United States Code, to regulate the manufacture, importation, and sale of any projectile that may be used in a handgun and is capable of penetrating police body armor; to the Committee on the Judiciary.

COP KILLER AMMUNITION BAN ACT

Mr. BRADLEY. Mr. President, I rise today to introduce a measure designed to ban any handgun bullet capable of piercing body armor, regardless of the bullet's physical composition.

Mr. President, this legislation grows out of the recent controversy over the Black Rhino bullet, which allegedly penetrates tightly woven fibers of bulletproof vests and, upon impact with human tissue, purportedly disintegrates much more rapidly than a conventional bullet, causing massive damage.

Mr. President, Federal law currently outlaws cop-killer bullets based on the physical description of the bullet. For example, under the Violent Crime Control and Law Enforcement Act of 1994, Federal law currently bans cop-killing ammunition that is: constructed from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper or depleted uranium; or is larger than .22 caliber with a jacket that weighs no more than 25 percent of

the total weight of the bullet. The Black Rhino bullet is allegedly made of ground powdered plastic and coated with a plastic polymer. Based on its alleged physical characteristics, this bullet would evade the Federal ban.

Mr. President, the Bureau of Alcohol, Tobacco and Firearms [ATF] has not tested the Black Rhino bullet; thus, I am not sure that this ammunition can do what the manufacturer claims. Indeed, ATF has not even been given sample ammunition to test. Therefore, I am not certain that this ammunition even exists. However, even if these bullets do not perform as advertised, it is clear that with the downsizing of the military and the resulting application by the defense industry of military defense technology for use in the private sector, it is only a matter of time before ammunition that can pierce body armor will be developed utilizing construction material that does not fall within the current Federal ban.

Mr. President, every year about 60 sworn police officers are shot to death in the line of duty. By industry estimates, body armor has saved over 500 officers from death or serious injury by firearm assaults. Most police officers serving large jurisdictions report they have armor and wear it at all times when on duty. Mr. President, because body armor saves lives, the development of armor-piercing bullets that sidestep the Federal ban—whether it be the Black Rhino bullet or any other bullet employing high-technology material—will serve one purpose and one purpose only—to put the lives of American citizens and those in blue sworn to defend American citizens in jeopardy.

As a result, Mr. President, I introduce this bill which will establish a performance standard such that any ammunition that is designed to penetrate body armor will be banned irrespective of its physical characteristics. The bill specifically directs the Department of the Treasury and the Justice Department to promulgate a uniform performance standard for testing a bullet's capacity to pierce armor within 1 year of the enactment of the bill. The manufacture, importation, and sale of any ammunition that fails to pass the performance standard to be promulgated will be banned.

Mr. President, cop-killing ammunition that has no purpose other than penetrating bulletproof vests has no place in our society. At a time when gun violence is becoming a national epidemic, the last thing we need is ammunition expressly designed to terrorize our police and instill fear in neighborhoods across New Jersey and this country. I therefore introduce this legislation to ensure that the 24,000 annual deaths attributable to handgun use do not senselessly increase.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 200

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cop Killer Ammunition Ban Act of 1995".

SEC. 2. REGULATION OF THE MANUFACTURE, IMPORTATION, AND SALE OF PROJECTILES THAT MAY BE USED IN A HANDGUN AND ARE CAPABLE OF PENETRATING POLICE BODY ARMOR.

(a) EXPANSION OF DEFINITION OF ARMOR PIERCING AMMUNITION.—Section 921(a)(17)(B) of title 18, United States Code, is amended—

(1) by striking "or" at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting "; or"; and

(3) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and that the Secretary determines, pursuant to section 926(d), to be capable of penetrating body armor.".

(b) DETERMINATION OF THE CAPABILITY OF PROJECTILES TO PENETRATE BODY ARMOR.—Section 926 of such title is amended by adding at the end the following:

"(d)(1) Not later than 1 year after the date of enactment of this subsection, the Secretary shall promulgate standards for the uniform testing of projectiles against the Body Armor Exemplar, based on standards developed in cooperation with the Attorney General of the United States. Such standards shall take into account, among other factors, variations in performance that are related to the length of the barrel of the handgun from which the projectile is fired and the amount and kind of powder used to propel the projectile.

"(2) As used in paragraph (1), the term 'Body Armor Exemplar' means body armor that the Secretary, in cooperation with the Attorney General of the United States, determines meets minimum standards for protection of law enforcement officers.".

By Mr. WARNER (for himself and Mr. ROBB):

S. 201. A bill to close the Lorton Correctional Complex, to prohibit the incarceration of individuals convicted of felonies under the laws of the District of Columbia in facilities of the District of Columbia Department of Corrections, and for other purposes; to the Committee on the Judiciary.

LORTON CORRECTIONAL COMPLEX CLOSURE LEGISLATION

• Mr. WARNER. Mr. President, today I join with my colleague Senator ROBB in introducing legislation that will address the problems that exist at the Lorton Correctional Complex.

Lorton Correctional Complex is an outdated, deteriorating, overpopulated, and undermanaged facility.

For years, I and others have worked to provide funds to build a prison within the District of Columbia so it could house its own prisoners. Our efforts have been blocked in the District of Columbia and our efforts to enhance safety and curb illegal drugs and guns at Lorton have been to no avail.

Every day, the local newspapers are filled with appalling reports of violence and drug use among the inmates and the place has been called a graduate school for drug merchants. Lorton's problems may not be unique among Federal prisons, but surely they are among the worst.

There is no option but to close Lorton.

The legislation we are introducing today would relocate 7,300 prisoners presently incarcerated at Lorton to other Federal facilities over a 5-year period. Once the legislation is passed, all new District of Columbia felons will be immediately incarcerated in Bureau of Prisons facilities. The District of Columbia Department of Corrections will still have responsibility for juveniles, misdemeanants, and pre-trial detainees.

A second important provision of the legislation is the establishment of a commission to be known as the Commission on Closure of the Lorton Correctional Complex. The commission will be comprised of locally appointed representatives to help devise a plan for the closure of Lorton. The involvement of the local community is essential in establishing a transition that ensures that local residents will have all their concerns heard.

I have been informed by a representative of the Federal Bureau of Prisons that at this time the Bureau is not taking a position on the legislation. The 7,300 prisoners at Lorton will be a stress on the Federal prison system. Sixty percent of the prisoners at Lorton will require being transferred to a maximum security prison. Also, several new prisons will need to be constructed to house the prisoners along with the additional personnel needed to operate and maintain the prisons.

It is in the interest of Fairfax County, the Commonwealth of Virginia, the District of Columbia, and the Federal Government to cooperate in resolving the problems at Lorton Prison. As partners, contributing to the reform of this system, these goals can be accomplished.•

• Mr. ROBB. Mr. President, I am pleased to join Senator WARNER in introducing the Lorton Correctional Complex Closure Act. This legislation provides a vital solution to the problem associated with the Lorton Correctional Complex, located in Virginia.

Originally, Lorton was designed as a workcamp and dormitory for misdemeanants and drunkards. Today, Lorton's facilities are outmoded and overburdened. The same dormitories which were designed to hold nonviolent, minimum security prisoners now house D.C.'s most dangerous felons. In its strapped fiscal state, the District is ill-equipped to improve the facility at Lorton.

Part one of our proposal will direct new D.C. felons into Federal correction facilities, providing an immediate remedy for increased overcrowding. Then,

within 5 years, all remaining felons at Lorton will be turned over to the control of the Director of the Federal Bureau of Prisons, enabling final closure of the facility. The D.C. Department of Corrections will retain responsibility for juveniles, misdemeanants, and pretrial detainees.

Part two of the bill sets up a commission of locally appointed representatives from the District of Columbia, Fairfax County and Prince William County to help devise a plan for closure of the facility, disposal of the property, and future land use. This creates a process that maximizes community involvement, input and participation in inherently local decisions.

Under this plan, northern Virginians will have safer communities and will be able to participate in the development of future land use proposals for the affected area.

Since the land is owned by the Federal Government and the facility is operated by the District, local officials and residents in northern Virginia have had limited means of impacting the decisions relative to Lorton. That's why I included a provision giving local residents and officials a voice in expansion proposals during last year's crime bill. But limiting expansion just isn't enough—I've come to the conclusion that the Federal Government must accept its responsibility and devise a long-term solution.

We have before us an honest and open attempt to provide a vital remedy for the longstanding problems at Lorton. Closing this facility will not be easy—but I look forward to working with the Virginia delegation and the District to develop a reasonable and sound solution to the problems posed by the Lorton facility in its present condition. I urge quick consideration and passage of this measure.•

By Mr. KENNEDY (for himself and Mr. WELLSTONE):

S. 203. A bill to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage, to establish a Commission to conduct a study on the indexation of the Federal minimum wage, and for other purposes; to the Committee on Labor and Human Resources.

AMERICAN FAMILY FAIR MINIMUM WAGE ACT

Mr. KENNEDY. Mr. President, much has been said and written about the decline in real wages suffered by the majority of working Americans, the troubling rise in income equality, and the emergence of what Secretary of Labor Reich has so aptly described as "the anxious class."

Today, I am introducing legislation which is an important part of the initiatives we must undertake if we are serious about addressing these problems—legislation to increase the Federal minimum wage.

The minimum wage should be a living wage. That principle served this Nation well for more than 40 years. From the enactment of the first Federal minimum wage law in 1938 through the end of the 1970's, Congress addressed the issue six times. And six times bipartisan majorities—with the support of both Republican and Democratic Presidents—reaffirmed the nation's commitment to a fair level of the minimum wage for America's workers.

But in the 1980's, that commitment was abandoned. From 1981 through 1989, the minimum wage was allowed to fall, in real terms, to the lowest value in its 50-year history. The modest increases enacted in 1989—which brought the minimum wage up from $3.35 to $3.80 in 1990 and to $4.25 in 1991, provided some measure of relief to low-wage workers. But those increases restored only about half of the purchasing power lost during the 1980's

It is unacceptable in this country today that a person who works full-time, year round at the minimum wage—even with the expanded earned income tax credit—does not earn enough to bring a family of three above the poverty line. Despite the increases that went into effect in 1990 and 1991, the current minimum wage is still a poverty wage. At $4.25 an hour, a person working 40 hours a week at the minimum wage earns just $170 a week—before taxes and Social Security are deducted.

The legislation I am introducing today will raise the minimum wage by 50 cents a year over the next 3 years—to $4.75 this year, $5.25 in 1996, and $5.75 in 1997.

The first 50-cent increase will merely restore the minimum wage, in real terms, to the value it had in 1991 when the last increase went into effect. In the past 4 years the purchasing power of the minimum wage has already declined to the point that a 50-cent increase is needed just to recover the ground lost since 1991.

The second 50-cent increase, in 1996, will bring the minimum wage, in real terms, up to the level where Congress sought to put it in the legislation passed by both Houses of Congress which President Bush vetoed in 1989.

The third 50-cent increase will put the wage, in real terms, within reach of what ought to be our ultimate goal—to restore the minimum wage to a level roughly equal to half the average hourly wage, the level that prevailed for decades until the 1980's when it was allowed to drastically decline.

Finally, the legislation I am introducing creates a Commission to study and make recommendations on two important issues: First, the best means by which we can achieve the goal of restoring the minimum wage to its historic level, and second, the best means by which we can provide regular, periodic adjustments to the wage, in order to avoid long periods of stagnation such as occurred during the 1980's.

As we begin this effort to increase the minimum wage, it is likely that we will be confronted by opponents with the same sky-is-falling predictions of job loss and damage to the economy that have been made every time the minimum wage has been increased since 1938. The textbook economic theory that increases in the minimum wage necessarily result in job losses has never had solid empirical support. Recent studies by leading economists who examined the results of the most recent increases in both State and Federal minimum wages have shown the theory to be at odds with reality.

Economists Lawrence Katz of Harvard University and Alan Krueger and David Card of Princeton University studied the impact of those increases on employment. According to their findings, those increases did not have the negative employment effects predicted by opponents. In fact, their findings included evidence indicating a positive impact on employment.

A survey designed to measure the effects of the recent increase in the New Jersey minimum wage to $5.05 found that employment in New Jersey if anything actually expanded with the rise in the minimum wage, and similar results were found in a studies conducted in Texas and California.

Krueger and Card's analysis of the impact of the 1990 and 1991 increases in the Federal minimum wage also found that those increases did not adversely affect teenage employment, and that increases in the minimum wage were not offset by reductions in fringe benefits.

The increases proposed in this bill will bring long overdue help to millions of workers in America. I urge my colleagues to sponsor this legislation, and I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 203

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Family Fair Minimum Wage Act of 1995".

SEC. 2. MINIMUM WAGE INCREASE.

Paragraph (1) of section 6(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) except as otherwise provided in this section not less than—

"(A) $4.25 an hour during the period ending on August 31, 1995;

"(B) $4.75 an hour during the year beginning on September 1, 1995;

"(C) $5.25 an hour during the year beginning September 1, 1996; and

"(D) $5.75 an hour during the year beginning September 1, 1997;".

SEC. 3. ESTABLISHMENT OF COMMISSION ON THE MINIMUM WAGE.

(a) ESTABLISHMENT.—There is established a commission to be known as the Commission on the Minimum Wage (hereafter in this Act referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall be composed of 9 members to be appointed not later than 180 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the Secretary of Labor.

(2) Three members shall be appointed by the Secretary of Commerce.

(3) Three members shall be appointed by the Secretary of Health and Human Services.

(c) DUTIES OF THE COMMISSION.—

(1) STUDY.—The Commission shall conduct a study of, and make recommendations to Congress on—

(A) means to restore the minimum wage to the level relative to the average hourly wage that existed when the Congress adjusted the minimum wage during the period 1950 through 1980; and

(B) means to maintain such level with minimum disruption to the general economy through regular and periodic adjustments to the minimum wage rate.

(2) REPORT.—Not later than September 1, 1993, the Commission shall prepare and submit a report to the appropriate committees of Congress that shall include the findings of the Commission and the recommendations described in paragraph (1).

(d) COMPENSATION OF MEMBERS.—

(1) PAY.—The members of the Commission shall serve without compensation.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rate authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(e) TERMINATION OF THE COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits the report under subsection (c)(2).

(f) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—Except as provided in subsections (d) and (e), the provisions of the Federal Advisory Committee Act shall apply to the Commission.

• Mr. WELLSTONE. Mr. President, I just wanted to acknowledge the work of Senator KENNEDY in crafting this important legislation which we are introducing today to increase the Federal minimum wage.

I had introduced a similar bill in the last Congress, which would have increased the minimum wage even further than is provided for in this bill, and have been a long-time supporter of making sure that low-income people are paid a decent and just minimum wage. I may be reintroducing that bill later this year, because in addition to a higher target wage, it also provided for indexing of the Federal minimum wage—a key element of any minimum wage increase legislation, in my view.

This measure provides for modest, incremental increases over 3 years in the Federal minimum wage, and then for a study to be ready at the end of the third year to address other key issues like indexation. I am delighted to join as an original cosponsor of this measure.•

By Mr. MOYNIHAN:

S. 204. A bill to provide for a reform of the public buildings program, and for other purposes; to the Committee on Environment and Public Works.

FEDERAL BUILDINGS REFORM ACT

Mr. MOYNIHAN. Mr. President, I rise to introduce a bill to reform the way the Federal Government builds. Ever since my election to Congress, I have attempted to improve our unwieldy and often wasteful public building program. I do so again this Congress. Building appropriately and well is as fundamental a sign of the competence of government as will be found. Recently, however, we have chosen increasingly to rent, avoiding the up-front costs of buildings and the hard decisions requisite in their construction.

The result is that now we house over 40 percent of the Government in leased space. Not temporary space. Eternal space. And the cost? Now, $2.2 billion a year and rising. There will be nothing to show for this money when the lease is up, only the prospect of another lease.

The point is that we can no longer afford to sidestep the problem by renting; we must face up to the task of building. And to do this, we must reform our public building program. We must plan out rationally just what buildings we need, we must build them in the right place, we must build them at the right time, we must build them to the degree of permanence appropriate to their mission, and finally, we must build them for a fair price. We are not really that distant from the time it fell to me as a young member of the Kennedy administration to draw up the "Guiding Principles for Federal Architecture," which President Kennedy put forth on June 1, 1962. But in our time the fear of taxpayer resentment of the cost of public buildings has been compounded with an almost ideological alarm at the implications of building itself.

Building, however, is still cheaper than renting. We are deceiving the taxpayer to say otherwise. Recently, the GSA came to the Environment and Public Works Committee asking for 11th-hour approval of an office space lease at a yearly cost of $21 million. To build would have cost $70–$100 million. This, however, was a lease in name only, cast as such to avoid up-front scoring for the budget. The building had yet to be designed, the GSA had not fully planned the space, and yet they were asking approval for an expenditure over the term of the lease of $420 million. Several times the cost of building and nothing to show for it after 20 years but a file full of rental receipts.

Nevertheless, the decision to stop hiding behind leases is beyond the scope of the legislation I introduce today, which aims simply to ensure that what is built is built responsibly and worthy of the Nation. Building or leasing is the larger question, and it remains to be seen whether this Congress will accept the responsibility or, as is so often the case, put off resolution to the end of a 20-year lease term, when few, if any of us, will be here still.

By Mrs. BOXER:

S. 205. A bill to amend title 37, United States Code, to revise and expand the prohibition on accrual of pay and allowances by members of the Armed Forces who are confined pending dishonorable discharge; to the Committee on Armed Services.

LEGISLATION RELATING TO THE PAY OF DISHONORABLY DISCHARGED MEMBERS OF THE ARMED FORCES

• Mrs. BOXER. Mr. President, if I were to tell you that the Pentagon pays full salary to convicted child molesters, rapists, and murderers, you would probably think I was making it up. But I'm not.

Each month, the Pentagon pays the salaries of military personnel convicted of the most heinous crimes, while their cases are appealed through the military court system—a process than often takes years. During that time, these violent criminals can sit back in prison, read the Wall Street Journal, invest wisely, and watch their taxpayer-funded nest eggs grow. While in prison, many military criminals even get cost of living raises.

I cannot think of a more reprehensible way to spend taxpayer dollars. No explanation could ever make me understand how the military could reward rapists, murders, and child molesters—the lowest of the low—with the hard-earned tax dollars of law-abiding citizens. This policy thumbs its nose at taxpayers, slaps the faces of crime victims, and is one of the worst examples of Government waste I have seen in my 20 years of public service.

Congress must act now to end this practice. According to data provided by the Defense Finance Accounting Service and first published in the Dayton Daily News, the Department of Defense spent more than $1 million on the salaries of 680 convicts in the month of June, 1994, alone. In that month, the Pentagon paid the salaries of 58 rapists, 164 child molesters, and 7 murders, among others.

The individual stories of military criminals continuing to receive full pay are shocking. In California, A marine lance corporal who beat his 13-month-old daughter to death almost 2 years ago still receives $1,105 each month—about $25,000 since his conviction. He spends his days in the brig at Camp Pendleton, doesn't pay a dime of child support.

I spoke with the murdered child's grandmother who now has custody of a surviving 4-year-old grandson. She is a resident of northern California. She was outraged to learn that the murderer of her grandchild still receives full pay. "No wonder the Government is out of money," she told me.

Another Air Force sergeant who tried to kill his wife with a kitchen knife

continues to receive full pay while serving time at Fort Leavenworth. He told the Dayton Daily News, "I follow the stock market; I buy Double E bonds."

And believe it or not, Francisco Duran, who was arrested last October after firing 27 shots at the White House was paid by the military while in prison after being convicted of aggravated assault. According to DOD records, Duran was paid $17,537 after his conviction for deliberately driving his car into a crowd of people outside a Hawaii bowling alley in 1990. Some of that money may well have paid for the weapon he used to shoot at the White House.

This policy is crazy, and it has got to stop.

At a time when the Republican Contract With America calls for more dollars for the Pentagon, let's not go back to the days of throwing money at the military as long as this kind of wasteful spending continues.

This legislation will immediately halt pay to all military personnel who have been sentenced to confinement and dishonorable discharge.

This legislation will save the taxpayers money—millions of dollars each year. It will put an end to this egregious waste of taxpayer dollars, and it will treat military criminals as they deserve to be treated—as criminals—to be punished, not rewarded.

It is my hope that this legislation can be acted upon quickly. I have discussed this matter with Edwin Dorn, Undersecretary of Defense for Personnel and Readiness, and he agreed that we must correct the Department's obviously flawed policy.

I received a copy of a memorandum from Secretary Dorn today advising me that he has convened an internal working group on this issue, and I trust that we can work cooperatively to end this outrageous practice immediately. We must not drag out the process while criminals continue to reap unjust rewards.

There is no need to take a long time to study this issue. We know the problem, and this legislation offers a workable solution.

I will soon discuss the issue with Senator THURMOND and Senator NUNN and I trust that they will agree that this legislation deserves to move forward.

In the course of my investigation into this issue, I have learned of several other aspects of the military justice system that merit further investigation. For example, the military has no system in place for providing restitution or other needed compensation to victims or to families of military criminals. These are important problems and I will continue to work with my colleagues and the Department to find the best solution.

I ask unanimous consent that two news articles discussing this issue be inserted in the RECORD.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 205

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

SECTION 1. PAY AND ALLOWANCES.

(a) REVISION OF PROHIBITION.—(1) Section 804 of title 37, United States Code, is amended to read as follows:

"§ 804. Prohibition of accrual of pay and allowances during confinement pending dishonorable discharge

"(a) PAY AND ALLOWANCES NOT TO ACCRUE.—A member of the armed forces sentenced by a court-martial to a dishonorable discharge is not entitled to pay and allowances for any period during which the member is in confinement after the adjournment of the court-martial that adjudged such sentence.

"(b) RESTORATION OF ENTITLEMENT.—If a sentence of a member of the armed forces to dishonorable discharge is disapproved, mitigated, or changed by an official authorized to do so or is otherwise set aside by competent authority, the prohibition in subsection (a) shall cease to apply to the member on the basis of that sentence and the member shall be entitled to receive the pay and allowances that, under subsection (a), did not accrue to the member by reason of that sentence.".

(2) CLERICAL AMENDMENT.—The item relating to section 804 in the table of sections at the beginning of chapter 15 of such title is amended to read as follows:

"804. Prohibition of accrual of pay and allowances during confinement pending dishonorable discharge.".

(b) PROSPECTIVE APPLICABILITY.—The amendment made by subsection (a)(1) does not apply to pay periods beginning before the date of the enactment of this Act.

[From the Dayton Daily News]

WHITE HOUSE SHOOTER'S PAST—EX-SOLDIER DURAN KEPT HIS PAY WHILE IN PRISON IN 1991

(By Russell Carollo)

Two years before he opened fire on the White House, Spc. Francisco M. Duran was on the U.S. Army's payroll.

Not as a soldier, but as a prison inmate.

On Aug. 9, 1990, Duran deliberately drove his red Nissan sedan into a crowd of people who had chased the drunken soldier from the bowling alley at Schofield Barracks on Oahu in Hawaii.

Cecilia Ululani Ufano, 49, was tossed in the air and fractured her skull when she landed.

Duran was convicted of aggravated assault on Feb. 15, 1991, and sentenced to five years in prison, but the military kept paying him until June 1992. In all, he earned, $17,537 after his conviction.

A military court had ordered his pay to stop, but Duran wrote to a commander hearing his appeal, pleading for a paycheck to help his family.

"Rent is outrageous in Hawaii * * *," he wrote. "We still owe on our car."

The commander allowed Duran to keep some of his pay.

His five-year sentence would have kept him in prison until 1995, but a commander suspended all but 42 months of his sentence.

By Sept. 3, 1993, he had been discharged from the service and released from prison early for good behavior.

Last month, Duran, 26, was charged with trying to assassinate President Clinton. He faces life in prison if convicted.

He was arrested Oct. 29 after he, allegedly fired 27 rounds from a semiautomatic rifle at the White House. Authorities reportedly recovered from his truck a map with the words "Kill the (prez)" written on it.

While the Army paid Duran, it gave Ufano nothing. Insurance didn't pay all of her medical bills.

"I'm angry about it," she said during a telephone interview. "I'm still under medication. * * * I can't smell, and it's been four years."

[From the Dayton Daily News, Dec. 18, 1994]

CASHING IN BEHIND BARS—U.S. MILITARY BELIEVES IN PAYING SOLDIERS, SAILORS IT SENDS TO PRISON

(By Russell Carollo and Cheryl L. Reed)

Andre D. Carter choked and raped a cocktail waitress in his Colorado Springs apartment. He went to prison but still was paid $20,788.

James R. Lee sodomized three teen-age boys in Illinois, and he was paid even more: $85,997.

Rodney G. Templeton molested a 4-year-old girl in the basement of a Dayton church, where the two had gone to hang choir robes. He was paid $148,616.

Carter, Lee and Templeton were paid by U.S. taxpayers.

They didn't work for the money.

They didn't need to. They committed their crimes while members of the U.S. armed forces.

They are among hundreds of murderers, rapists, child molesters and other criminals paid by the armed services long after being locked away.

A *Dayton Daily News* examination of payments to military convicts found that in just one month, June, the military spent more than $1 million in pay and benefits to more than 665 prisoners in military jails and prisons. Some even got pay raises behind bars.

Most of Congress was unaware the military paid prisoners. Even the military had no idea exactly how much it paid, but the newspaper calculated payments by using military computer records.

"Any type of pay to convicted criminals is wrong," said District Attorney John Wampler of Altus, Okla., after learning a service member from his area was paid despite a 1992 involuntary manslaughter conviction. "It offends me that the federal government would compensate the person after they've been sent to prison."

Had Carter, Lee or Templeton worked for nearly any other public or private employer, they would have been fired and lost their salaries. But the U.S. military, supporting a tradition dating to the old West, believes if it sends soldiers or sailors to prison it should, in many cases, pay them.

Their victims aren't so lucky. Several were left without a dime to pay medical expenses, while their attackers got paychecks to pay bills, start a business or even buy stocks.

While the military kept paying Carter, the waitress's boss cut off her pay because she could not muster the courage to return to her job, where she met Carter.

"No, they shouldn't get paid, but what can you do about it?" she said, adding that she has yet to see a counselor.

Ret. Gen. David Brahms, former chief military attorney for the Marine Corps and technical adviser for the movie, *A Few Good Men*, said victims should get something.

"Unfortunately, that isn't the way it is now," Brahms said. "Maybe the Congress should address that question."

BEHIND THE WALLS

At the military maximum-security prison at Fort Leavenworth, Kan., 405 prisoners, or 30 percent of the prison population, were allowed by military courts to keep their pay up to several years.

Besides the pay, the military gave to the dependents of those inmates, and to the dependents of others throughout the country, free medical coverage and 20–30 percent discounts at base stores.

Those who got checks included 164 child molesters and child rapists, 58 other rapists, 11 convicted of attempted murder and seven convicted murderers.

They include people such as Air Force Sgt. Rossel Jones.

Jones chased his wife around their apartment at Holloman Air Force Base, N.M., with a knife, stabbing her several times as she warded off the swinging blade with her hands.

"That's how my fingers and hands were cut," Deborah Jones told an Air Force investigator the day after the Oct. 7, 1991, attack. "When Rossel stabbed me in the neck, I managed to bend the knife and take it away.

". . . I fell down and passed out. When I awoke, Rossel was hitting me in the head and body with a table leg."

Jones was convicted nearly three years ago, but the Air Force still pays him $1,152.90 a month.

From inside the prison, Jones watches his government pay grow.

"I follow the stock market," said Jones, who reads stock and mutual fund listings in the *Wall Street Journal* and *USA Today*. "I buy Double E Bonds."

A SYSTEM FROM THE OLD WEST

Paying convicted criminals is just one of the many anomalies in the military justice system.

At a court-martial, the military's version of a trial, a defendant is not judged by peers; he's judged by superiors, mostly officers.

Panel members don't elect a foreman; it's the highest-ranking officer.

And just about every step in the justice process is subject to approval of the defendant's commanding officer, who often is not a lawyer.

No one knows exactly how long the military has paid criminals.

Col. Charles Trant, a military law historian and the Army's chief criminal attorney, said the first formal summary of the policy was written in 1880. Soldiers served in remote outposts and when they were sent to jail, their families needed money to return home and resettle.

"The rationale is the same one we use today," said Trant, who conceded the practice is outdated. "It was quite a different Army then."

Generally, civilians, even ones working for the government, lose their jobs when they cannot report to work. Some lose their pay even without an arrest.

"That's one of the starkest differences between the military and civilian systems: We tend to treat them more generously," Trant said.

On Aug. 16, Dayton police officer Daniel Bell was suspended without pay—even though not arrested or charged—when a urine test detected cocaine in his system after he struck and killed a pedestrian.

Most state and federal benefits, so-called entitlements, are cut to people in prison. The federal government cuts the bulk of a defendant's Social Security benefits at conviction. It even cuts off workers compensation to federal employees convicted of felony crimes.

The military cuts off pay, too, when an employee is jailed by civilian authorities.

When Colorado Springs police arrested Carter for rape and held him pending action by military authorities, the Army stopped his pay.

But after Carter was transferred to an Army jail, his pay started again, as if he were back on duty.

Not all governments pay their military prisoners. With rare exception, the Canadian military stops checks the moment a soldier is arrested by anyone. If a soldier's family requests help, the military will only give them as much as they could receive from government welfare.

"This rule would apply even if they haven't been tried," said Maj. Ric Jones, spokesman at Canadian Defence Headquarters in Ottawa.

A CHECK FOR EVERY CELL

On Nov. 9, 1991, a mother told military police at Wright-Patterson Air Force Base that Sgt. 1st Class Claudio Smith-Esminez molested her 7-year-old daughter several times while baby-sitting.

The military's investigation took 20 months, during which time Smith-Esminez earned his full pay of about $2,000 a month, plus housing and food allowances.

"We had all these pre-trial meetings. She had to keep talking about it," said the girl's mother, who lives in Dayton.

On July 12, 1993, Smith-Esminez was convicted of molesting the girl four times, and his rank was reduced to the lowest in the military, E–1, with a salary of about half of what he was earning.

Still, Smith-Esminez got all his pay because military convicts receive full pay until their first appeals are decided by commanders. Smith-Esminez first appeal wasn't decided until March 1994, eight months after his conviction and 28 months after authorities began their investigation.

Of the 367 inmates arriving at Leavenworth during the past 12 months, 270, or 73.6 percent, were awaiting decisions by commanders on their first appeals.

Even the military is questioning the practice. A Pentagon spokesman, Lt. Col. Doug Hart, confirmed that the military is studying whether to stop pay at conviction, but he offered no details.

"At this point, we really don't have anybody who is willing to be interviewed on the subject." Hart said.

CONVICTS GET PAID FOR YEARS

Smith-Esminez's pay didn't stop after his first appeal.

In fact, Leavenworth records show he could get paid until Dec. 14, 1995, when his enlistment expires.

In the military, whether people are paid after first appeals is determined by their sentences. The court can order that some, all or none of the prisoners' pay be cut.

The court cut Smith-Esminez's rank, but it didn't take away any of his pay, so he continues to receive more than $800 a month, the amount entitled to him under his new, lower rank.

Inmates can have their paychecks sent to the bank or address of their choice.

Enlisted service members can be paid a few days to several years after conviction, either until their enlistment dates expire or their final appeals and discharges are decided, whichever occurs first.

Officers get paid even longer, until the secretary of their service discharges them after their final appeals.

SEVERITY NOT A FACTOR

The severity of the crime—with the exception of murder—seemed to matter little in determining who got paid.

Army Lt. Timothy L. Jenkins lost all his pay and was fined $15,000 at a court-martial at Leighton Barracks, Germany, last year. His crime: writing thousands of dollars worth of bad checks.

Senior Airman Samuel J. Carter sold drugs and was picked up for attempted theft. At a court-martial at Bergstrom Air Force Base, Texas, he lost all his pay, too.

Col. Lee, however, kept his pay, despite a conviction last fall for seven counts of sodomy and 21 counts of indecent acts with teen-age boys from Illinois. More than a year after his conviction, Lee still receives $6,618.30 a month, more than what 98 percent of all Ohio families earned in 1990.

Sgt. Edward Higgins kept his pay, too.

He was convicted in 1992 of five counts of molesting young women who came to his Air Force recruiting office in Youngstown, Ohio.

"He asked me if I had been checked for scoliosis," an 18-year-old woman told a military court in 1992. ". . . He told me to drop my pants three-to-four inches below from where they were from my waist and bend over and pull up my shirt."

Higgins told another 18-year-old to take off her jump suit, and then he ran "his hand up and down her back from her neck to her buttocks," the woman told military authorities.

"He said he had to get a measurement of my body fat," the woman said during an interview. "We all felt so stupid because we fell for this guy.

"Why should he get paid? . . . That's ridiculous. I can't believe it."

Since he was convicted and sentenced to four years in prison, Higgins has earned $25,499 pay from the Air Force.

FAMILY MATTERS

In his appeal for pay and a light sentence, Higgins' attorney asked the court to consider "his family, his wife, his three young children . . . all the Saturdays that his boys wouldn't be able to go to McDonald's for this special time with their father."

The prosecutor made a different plea. "While he's in jail, he shouldn't be paid. He's no longer a productive member of the Air Force . . . It's not the Air Force's responsibility to take care of his family.

"It was Sgt. Higgins' responsibility. And when he decided to do what he did over that period of time, he reneged on that responsibility."

The court sided with Higgins.

The Dayton Daily News examined dozens of court-martial files and found that in every case defendants who received pay had families.

Although jurors award pay based on family needs, they're not supposed to.

"There's nothing in the Code of Military Justice that allows that," said Nelson, who is now administrator of North Dakota's court systems.

Paying any convicted criminal regardless of the reason, is a questionable practice, said Nelson, a military attorney for 33 years. "In crime, one is accountable for their own acts."

Civilian families often get nothing when loved ones go to prison.

Mark Putnam went to prison in 1990 for strangling an informant in Kentucky while working for the FBI. His family was forced to ask for welfare.

"You can't expect the FBI to pay benefits to me and my children because my husband committed a crime," said Putnam's wife, Kathleen, who now lives in Connecticut. "I can't see how anyone should pay him when my husband committed a crime."

LITTLE OVERSIGHT

Although the military often pays its inmates to help their families, it often can't ensure the families get the money or need it.

At Sgt. Terry H. Cox's trial at Ellsworth Air Force Base, S.D., last year, the 7-year-old girl he raped stood in front of a jury of adults wearing uniforms and pointed to the part of her body Cox touched.

"Right here," the girl said.

The testimony was enough to help convict Cox of nine separate acts of rape, sodomy and other indecent acts on the girl, but it wasn't enough to stop his pay.

The military decided to keep paying Cox after he asked the court: "Please help me put a stop to my family's suffering and mine."

Three months after his March 1993 conviction, Cox still had not given his wife written permission to pick up his check. Although he received more than $1,700 a month, he didn't send regular support payments to her.

The military also often doesn't verify a family needs the money before granting pay.

Unlike in civilian courts, sentencing begins immediately after conviction in courts-martial, leaving little time for the prosecutors to verify a defendant's claim of needing money to support his family.

"The government virtually never goes back and tries to rebut that," said Col. Trant, who spent 6½ years as an Army judge before becoming the service's chief criminal attorney.

Even though his wife earned $17,000 a year and even though his family had four cars, two boats, a motorcycle and lived in a $110,000 home, the military paid Lt. Col. Templeton.

Templeton, who helped oversee a $28-billion weapons program at Wright-Patterson, pleaded guilty in March 1992 to 10 acts of child molestation involving girls, including the Dayton child.

In his plea for clemency, Templeton asked the court to consider his family's financial needs. Since he confessed three years ago, Templeton has earned $148,616 and he still gets $4,739.40 a month, which includes a pay raise of $102 a month he received in January. His family is supposed to get about $1,800 of it for support.

The Canadian military stops pay to people like Templeton.

In Canada, an "assisting officer" ensures the family needs money. The family's need and other sources of income also are investigated by provincial welfare officials, who recommended an amount the military should pay.

"So if you're not entitled to anything under the welfare system. . . . you're not entitled to anything under our system either," said Maj. Jones, the Canadian military spokesman.

PAYING FOR MISTAKES

Even when a military court is so outraged by a crime that it cuts all pay, even when the convict has no living relative to support, a service member still can earn his full military paycheck for years.

The military didn't want Army Sgt. Ronald Webster to get paid, but he got his money anyway. In 1982, Webster was convicted of rape, burglary, assault, resisting arrest and 10 other charges involving an attack on a fellow soldier in her barracks at Fort Story, Va.

He was sentenced to lose his pay, $965.70 a month, but four years after his conviction, Webster said, the military found an error in his case.

The error did not earn Webster a new trial, or prove his innocence, but it did earn him the right to resubmit his case for clemency. So the military, he said, paid him four years of back pay.

"I think it was about $38,000 to $40,000 after taxes," said Webster, who was released from Leavenworth Nov. 18 and now lives in Cincinnati.

Military members who win certain types of appeals, even years after trials, can receive full back pay for the time it took to appeal the case.

If a defense attorney can't find a reason to appeal a case, lawyers working for the highest court for military appeals will try to find one for them. Unlike other civilian appeals courts in the country, the military's highest appeals court pays lawyers to search cases for legal errors, even when appeals are not filed.

And in case both a defense attorney and the appeals court can't find errors, convicts at Leavenworth can search for themselves, using the prison's 6,000-volume law library.

"Lawyers have told us we have a better library than they have in their offices," Army spokesman Staff Sgt. Alvah Cappel said as he showed off the prison's facilities during a tour this fall.

Webster said he invested some of the money he won in his case.

"I think I had $5,000 in stocks. You can invest in anything you want (in prison). You just can't form a business in there.

"All you do is get a broker. You stay in contact with your broker and do it over the phone. They accept collect calls."

He also used the money to start a demolition company in Cincinnati.

"I think I deserve the money," Webster said. "That's the way the system works. They've been doing it for years. It's a whole different kind of system."

Below is a breakdown of military prisoners receiving government paychecks in June. Many were convicted of serious offenses, including murder, rape and child molestation.

PAY AND BENEFITS GIVEN TO MEMBERS OF THE ARMED SERVICES IN JAILS AND PRISONS

Branch of service	Number of prisoners	Amount for June 1994
Marines	268	$323,461
Army	225	233,016
Air Force	137	146,706
Navy	34	64,678
Coast Guard	1	1,458
Total	[1] 665	769,319
Total including benefits to prisoners and dependents		1,015,662

[1] One or more services may have included types of convicts not counted by other services.

Source: Dayton Daily News computer analysis of records from U.S. Defense Finance and Accounting Service and the military prison at Leavenworth, Kan. The U.S. Coast Guard and civilian health insurance consultants, Dept. of Defense records on military benefits. ●

By Mr. DASCHLE (for himself and Mr. EXON):

S. 208. A bill to require that any proposed amendment to the Constitution of the United States to require a balanced budget establish procedures to ensure enforcement before the amendment is submitted to the States; to the Committee on the Budget and the Committee on Governmental Affairs, jointly.

RIGHT TO KNOW ACT

Mr. DASCHLE. Mr. President, I have the honor of introducing today on behalf of Senator EXON, the distinguished ranking member of the Budget Committee, and other Democratic Senators, the Right to Know Act.

The proposal is straightforward. It demands that American taxpayers know what the impact of a constitutional balanced budget amendment will be before State legislatures vote on ratification of the constitutional amendment. It also ensures that we take immediate steps to balance the budget by the year 2002—the express goal of the constitutional amendment.

Our proposal says that, upon passage of a balanced budget amendment by Congress but before States must ratify, we would give States and the American people the information they need to make this important decision. Second, under our approach, the actual deficit reduction required to balance the budget would begin immediately.

No State would be required to vote on the amendment until Congress passes a concurrent budget resolution committing to actual deficit reduction and outlining, through reconciliation instructions to committees, how the budget would be balanced by the year 2002.

It is critically important that Americans understand that passing a constitutional amendment to balance the budget does not reduce the national debt by one penny. Nor does passage of a balanced budget amendment provide the slightest detail of how the budget could or should be balanced. Only if Congress acts on legislation that accomplishes a balanced budget will the precise ramifications be known.

We simply cannot afford to wait until 2001 to start complying with the balanced budget amendment. By doing so, we will be adding a far greater burden to our national debt, which already has reached nearly $4.7 trillion. Even if we pledge our commitment to continued deficit reduction today, we will still need about $1.2 trillion of cuts over the next 7 years to balance the budget by the year 2002. Failure to make these cuts will simply add to the $4.7 trillion debt.

If we delay even 1 year, the national debt will increase by over $150 billion as a result of that delay, and the interest on the debt will be approximately $50 billion greater. Each year we delay adds another enormous sum of our already-astronomical national debt, and increases the percentage of our budget that must be dedicated to servicing that debt.

In the last Congress, we passed a deficit reduction package that will reduce the budget deficit by nearly $500 billion. Given the magnitude of our existing debt, it would be irresponsible and profoundly illogical not to continue striving toward a balanced budget this year, not next year or the year after.

Mr. President, senators on both sides of the aisle are divided on the issue of a constitutional balanced budget amendment. We all want to bring budget deficits under control, but reasonable people disagree on the way to accomplish that goal, both in terms of

budget priorities and in terms of the proposal to amend the Constitution.

The Right to Know Act offers an approach that senators on both sides of the constitutional amendment issue and on both sides of the aisle could—indeed should—support.

Senators who support a constitutional amendment to require a balanced budget—and I am one—should know that this proposal is wholly consistent with that position. In fact, if we are serious about balancing the budget, we must be prepared to work with our colleagues to ensure that the deficit reduction resumes immediately. We also must be prepared to explain to the American people and the States exactly how we are going to achieve our goal.

Senators who may oppose a constitutional amendment, but who believe we need to take serious steps toward deficit reduction and an actual balanced budget, should also find this proposal wholly consistent with that position. The Right to Know Act simply ensures that the balanced budget amendment, if it passes, will not become a gimmick or a hollow promise.

I strongly urge all of my colleagues, regardless of their position on the underlying balanced budget amendment issue, to study this proposal carefully.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 208

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Right to Know Act".

SEC. 2. PROPOSAL OF AMENDMENT.

No article proposing a balanced budget amendment to the Constitution shall be submitted to the States for ratification in the 104th Congress until the adoption of a concurrent resolution containing the matter described in section 2 of this Act.

SEC. 3. CONTENT OF REQUIRED CONCURRENT RESOLUTION.

(a) CONTENTS.—The concurrent resolution referred to in section 1 shall set forth a budget plan to achieve a balanced budget (that complies with the article of amendment proposed by that section) not later than the first fiscal year required by the article of amendment as follows:

(1) a budget for each fiscal year beginning with fiscal year 1996 and ending with that first fiscal year (required by the article of amendment) containing—

(A) aggregate levels of new budget authority, outlays, revenues, and the deficit or surplus;

(B) totals of new budget authority and outlays for each major functional category;

(C) new budget authority and outlays, on an account-by-account basis, for each account with actual outlays or offsetting receipts of at least $100,000,000 in fiscal year 1994; and

(D) an allocation of Federal revenues among the major sources of such revenues;

(2) a detailed list and description of changes in Federal law (including laws authorizing appropriations or direct spending and tax laws) required to carry out the plan and the effective date of each such change; and

(3) reconciliation directives to the appropriate committees of the House of Representatives and Senate instructing them to submit legislative changes to the Committee on the Budget of the House or Senate, as the case may be, to implement the plan set forth in the concurrent resolution.

(b) RECONCILIATION.—The directives required by subsection (a)(3) shall be deemed to be directives within the meaning of section 310(a) of the Congressional Budget Act of 1974. Upon receiving all legislative submissions from committees under subsection (a)(3), each Committee on the Budget shall combine all such submissions (without substantive revision) into an omnibus reconciliation bill and report that bill to its House. The procedures set forth in section 310 shall govern the consideration of that reconciliation bill in the House of Representatives and the Senate.

(c) CBO SCORING.—The budget plan described in subsection (a) shall be based upon Congressional Budget Office economic and technical assumptions and estimates of the spending and revenue effects of the legislative changes described in subsection (a)(2).

By Mr. SIMON:

S.J. Res. 15. A joint resolution proposing an amendment to the Constitution of the United States to allow the President to reduce or disapprove items of appropriations; to the Committee on the Judiciary.

PRESIDENTIAL LINE-ITEM VETO

• Mr. SIMON. Mr. President, every day our budget deficit grows larger and larger. In this time of crisis, we need to use every available weapon in our arsenal to fight the growing national deficit. It takes a constitutional amendment that requires Congress to pass a balanced budget; and it also takes a constitutional line-item veto amendment, which I introduce today.

This line-item veto amendment takes as its model the amendment that appears in the Constitution of my home State of Illinois. According to some studies, the Illinois State government is able to reduce its annual budget by about 3 percent because of the line-item veto. Similar success on a Federal level will bring us that much closer to reducing the national debt.

My amendment is a simple one. It is a constitutional amendment to permit the President to reduce or disapprove any item of appropriations, other than an item relating to the legislative branch. If the President does not reduce or disapprove an item of appropriations, it becomes law. If he does reduce it, then Congress is empowered to override the President's veto by a simple majority vote of each House.

There are those concerned that the line-item veto takes away power from the legislative branch and puts it into the hands of the executive. That might be true if this veto were like all others and required a two-thirds override. But my amendment is faithful to the principle of majority rule in passage of legislation. It threatens only those appropriations which do not have majority support and it is those appropriations items which often are the least credible in the eyes of the American people and most difficult to justify.

Forty-three States now have the line-item veto. As ranking member of the Constitution Subcommittee of the Judiciary Committee, I—in conjunction with my friend from Colorado, who now serves as subcommittee chairman—hope to devote serious efforts toward securing passage of this important piece of legislation. The line-item veto is by no means a panacea. It is, however, a big step in the right direction for any serious attempt to put our fiscal affairs in order.•

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. GRASSLEY, the names of the Senator from Tennessee [Mr. FRIST] and the Senator from New Mexico [Mr. DOMENICI] were added as cosponsors of S. 2, a bill to make certain laws applicable to the legislative branch of the Federal Government.

At the request of Mr. WELLSTONE, his name was added as a cosponsor of S. 2, supra.

S. 21

At the request of Mr. DOLE, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 21, a bill to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

S. 45

At the request of Mr. FEINGOLD, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 45, a bill to amend the Helium Act to require the Secretary of the Interior to sell Federal real and personal property held in connection with activities carried out under the Helium Act, and for other purposes.

S. 91

At the request of Mr. COVERDELL, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of S. 91, a bill to delay enforcement of the National Voter Registration Act of 1993 until such time as Congress appropriates funds to implement such Act.

S. 145

At the request of Mr. GRAMM, the names of the Senator from Idaho [Mr. CRAIG] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 145, a bill to provide appropriate protection for the Constitutional guarantee of private property rights, and for other purposes.

S. 165

At the request of Mr. MCCAIN, the name of the Senator from Mississippi

[Mr. LOTT] was added as a cosponsor of S. 165, a bill to require a 60-vote supermajority in the Senate to pass any bill increasing taxes.

S. 185

At the request of Mr. BUMPERS, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 185, a bill to transfer the Fish Farming Experimental Laboratory in Stuttgart, Arkansas, to the Department of Agriculture, and for other purposes.

SENATE RESOLUTION 38—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE COMMITTEE ON APPROPRIATIONS

Mr. HATFIELD, from the Committee on Appropriations, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 38

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Appropriations is authorized from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 28, 1996, under this resolution shall not exceed $4,823,586, of which amount (1) not to exceed $175,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $4,931,401, of which amount (1) not to exceed $175,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as mended), and (2) not to exceed $5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1996, and February 28, 1997, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 39—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES FOR THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 39

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 1995, through February 29, 1996, and March 1, 1996, through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 29, 1996 under this resolution shall not exceed $2,678,348.

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $2,739,487.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1996, and February 28, 1997, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 29, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 40—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN, from the Committee on Indian Affairs, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 40

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearing, and making investigating as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Indian Affairs is authorized from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 28, 1996, under this resolution shall not exceed $1,056,916, of which amount (1) no funds may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) no funds may be expended for the training of the professional staff of such committee under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $1,079,534, of which amount (1) no funds may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) no funds may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but

not later than February 28, 1996, and February 28, 1997, respectively.

SEC. 4. Expenses of the Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees fees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

• Mr. McCAIN. Mr. President, today I am reporting a resolution to authorize expenditures by the Committee on Indian Affairs. Earlier today, the committee conducted a business meeting during which the members of the committee approved the proposed budget for the 104th Congress.

The resolution I am reporting today is consistent with the budget approved by the members of the Committee on Indian Affairs for submission to the Committee on Rules and Administration. The resolution is also consistent with the request from the Rules Committee for a budget proposal which reflects a 15-percent reduction from the approved funding level for 1994. This translates into a 25-percent reduction in the committee staff.•

SENATE RESOLUTION 41—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS, from the Committee on Foreign Relations, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 41

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations, is authorized from March 1, 1995, through February 29, 1996, and March 1, 1996, through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 29, 1996, under this resolution shall not exceed $2,719,280, of which amount (1) not to exceed $45,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period March 1, 1995, through February 28, 1997, expenses of the committee under this resolution shall not exceed $2,782,054, of which amount (1) not to exceed $45,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1996, and February 28, 1997, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 29, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 42—MAKING MINORITY PARTY APPOINTMENTS TO THE ETHICS COMMITTEE

Mr. DASCHLE submitted the following resolution; which was considered and agreed to:

S. RES. 42

Resolved, That the following shall constitute the minority party's membership on the Ethics Committee for the One Hundred and Fourth Congress, or until their successors are chosen:

Select Committee on Ethics: Mr. Bryan, Vice Chair, Ms. Mikulski, and Mr. Dorgan.

SENATE RESOLUTION 43—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. SPECTER, from the Select Committee on Intelligence, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 43

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the committee on Intelligence is authorized from March 1, 1995 through February 29, 1996, and March 1, 1996, through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 29, 1996, under this resolution shall not exceed $2,228,666 of which amount (1) not to exceed $30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $2,280,704, of which amount (1) not to exceed $30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1996 and February 28, 1997, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee, from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 44—AUTHORIZING EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Mr. COHEN (for himself and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 44

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Special Committee on Aging is authorized from March 1, 1995, through February 29, 1996, and March 1, 1996, through February 28, 1997, in its discretion—

(1) to make expenditures from the contingent fund of the Senate,

(2) to employ personnel, and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 1995, through February 29, 1996, under this resolution shall not exceed $1,025,746.

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $1,048,589.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1996, and February 28, 1997, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate,

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate,

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate,

(4) for payments to the Postmaster, United States Senate,

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or

(6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 29, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations.".

• Mr. COHEN. Mr. President, on behalf of myself and Senator PRYOR, I am pleased to submit a resolution to provide funding from the contingent fund of the Senate for operational moneys for the Senate Special Committee on Aging for the years 1995 and 1996. I am hopeful that the Senate Committee on Rules and Administration will approve this funding request.

The amounts contained in this budget request fully comply with the direction of the Rules Committee to reduce the operational budget of the committee substantially below the 1994 budget authorization level.

Senator PRYOR and I are fully committed to implementing these reductions in both the salary and administrative portions of the committee budget. We believe that the budget submissions we are providing today to the Rules Committee reflect the commitment of myself, as chairman, and Senator PRYOR, as ranking member, to make the operations of the committee as efficient as possible and to support the leadership's goal of reducing the number of Senate staff. We are confident that the committee will be able to pursue a very active agenda of oversight, investigations, and consumer education within these staffing levels.

The Special Committee on Aging plays a critical oversight function to the Congress and the American taxpayer. While some of the programs and issues reviewed by the committee are within the legislative purview of other committees, the Aging Committee conducts essential oversight and investigations of these programs to ensure that they are serving the needs of older Americans and taxpayers.

This past Congress, for example, the committee examined a broad array of issues affecting the elderly, including major fraud and abuse scams targeting Medicare; drug addicts manipulating the Social Security disability programs; trends of escalating out-of-pocket health care costs of older Americans, including prescription drug and long-term care costs; crime against the elderly; and consumer scams targeting senior citizens. In many instances, findings and recommendations of the committee with respect to the issues it examined resulted in major legislative reforms, many of which have been enacted into law.

This year, the Aging Committee stands ready and able to take on a host of issues affecting older Americans. Some of the issues we plan to address this year will be investigating fraud and abuse in the Medicare and Medicaid programs and recommending proposals to better protect these programs and their beneficiaries from fraudulent practices; evaluating and recommending improvements in the administration of the Social Security disability programs to ensure a more efficient expenditure of taxpayer dollars; and evaluating the effects of entitlement reform on programs serving the elderly and retired populations. We will also continue to evaluate the effects of health care reform proposals on the elderly, including proposals to assist older Americans and their families bear the exorbitant costs of long-term care.

Mr. President, for more than 30 years, the Special Committee on Aging has overseen the needs and trends of our Nation's aging population and the programs that serve current and future generations of older Americans. It has been my great pleasure and honor to serve under the able leadership of Senator PRYOR as chairman of the Aging Committee and I look forward to working closely with him in his new capacity as ranking member of the committee in a bipartisan, cooperative spirit that has been the tradition of the committee for over 30 years.

We look forward to the challenges the 104th Congress will hold for the Aging Committee, and urge the Rules Committee to approve our budget request.•

SENATE RESOLUTION 45—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ROTH, from the Committee on Governmental Affairs, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 45

Resolved, That, in carry out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Governmental Affairs is authorized from March 1, 1995, through February 28, 1996, and March 1, 1996 through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration to use on a reimbursable, or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 28, 1996, under this resolution shall not exceed $4,515,333, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and not to exceed $2,470 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $4,618,593, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and not to exceed $2,470 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3 (a) The committee, or any duly authorized subcommittee thereof, is authorized to study or investigate

(1) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of government funds in transactions, contracts, and activities of the government or of government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public.

(2) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(3) organized criminal activities which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(4) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud and the use of offshore banking and corporate facilities to carry out criminal objectives;

(5) The efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(A) The effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(B) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(C) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(D) legislative and other proposals to improve these methods, processes, and relationships;

(6) The efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(A) the collection and dissemination of accurate statistics on fuel demand and supply;

(B) the implementation of effective energy conservation measures;

(C) the pricing of energy in all forms;

(D) coordination of energy programs with State and local government;

(E) control of exports of scarce fuels;

(F) the management of tax, import, pricing, and other policies affecting energy supplies;

(G) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(H) the allocation of fuels in short supply by public and private entities;

(I) the management of energy supplies owned or controlled by the Government;

(J) relations with other oil producing and consuming countries;

(K) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(L) research into discovery and development of alternative energy supplies; and

(7) the efficiency and economy of all branches and functions of government with particular reference to the operations and management of Federal regulatory policies and programs: Provided, That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of any particular branch of the Government; but may extend to the records and activities of any persons, corporation, or other entity.

(b) Nothing contained in this section shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946, as amended.

(c) For the purpose of this section the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, is authorized, in its, his, or their discretion (1) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents, (2) to hold hearings, (3) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate, (4) to administer oaths, and (5) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(d) All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 71 of the One Hundredth Third Congress, second session, are authorized to continue.

SEC. 4. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1995, and February 28, 1996, respectively.

SEC. 5. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery keeper, United States Senate, or (4) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (5) for payments to the Postmaster, United States Senate, or (6) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (7) for the payment of Senate Recording and Photographic Services.

SEC. 6. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 46—MAKING MAJORITY PARTY APPOINTMENTS TO THE ETHICS COMMITTEE

Mr. LOTT (for Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 46

Resolved, That the following shall constitute the majority party's membership on the following Senate committee for the 104th Congress, or until their successors are appointed:

Ethics: Mr. McConnell (Chairman), Mr. Smith, and Mr. Craig.

SENATE RESOLUTION 47—RELATING TO THE DESIGNATION OF COMMITTEE CHAIRPERSONS FOR THE 104TH CONGRESS

Mr. LOTT (for Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 47

Resolved, That the following Senators are designated as the Chair of the following committees for the 104th Congress, or until their successors are chosen:

Committee on Agriculture, Nutrition, and Forestry: Mr. Lugar, Chairman.

Committee on Appropriations: Mr. Hatfield, Chairman.

Committee on Armed Services: Mr. Thurmond, Chairman.

Committee on Banking, Housing, and Urban Affairs: Mr. D'Amato, Chairman.

Committee on Commerce, Science, and Transportation: Mr. Pressler, Chairman.

Committee on Energy and Natural Resources: Mr. Murkowski, Chairman.

Committee on Environment and Public Works: Mr. Chafee, Chairman.

Committee on Finance: Mr. Packwood, Chairman.

Committee on Foreign Relations: Mr. Helms, Chairman.

Committee on Governmental Affairs: Mr. Roth, Chairman.

Committee on the Judiciary: Mr. Hatch, Chairman.

Committee on Labor and Human Resources: Mrs. Kassebaum, Chairman.

Committee on Rules and Administration: Mr. Stevens, Chairman.

AMENDMENTS SUBMITTED

THE CONGRESSIONAL ACCOUNTABILITY ACT

LAUTENBERG AMENDMENT NO. 15

Mr. LAUTENBERG proposed an amendment to the bill (S. 2) to make certain laws applicable to the legislative branch of the Federal Government; as follows:

At the appropriate place in the bill insert the following new section:

SEC. . REDUCTION OF PAY OF MEMBERS OF CONGRESS IN EVENT OF SEQUESTRATION.

(a) IN GENERAL.—Section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is amended—

(1) in paragraph (1) by striking out "as adjusted by paragraph (2)" and inserting in lieu thereof "as adjusted by paragraphs (2) and (3)"; and

(2) by adding at the end thereof the following new paragraph:

"(3)(A) The annual rate of pay for each position described under paragraph (1) shall be reduced (for the period beginning on the effective date under subparagraph (B)(i)(I) through the end of the fiscal year in which such adjustment takes effect) by the percentage necessary to reduce the total annual pay for such position by the uniform percentage determined under—

"(i) section 251(a)(2) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 901(a)(2)) in any fiscal year in which there is a sequester under section 251 of such Act;

"(ii) section 252(c)(1)(C) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 902(c)(1)(C)) in any fiscal year in which there is a sequester under section 252 of such Act; and

"(iii) section 253(e) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 903(e)) in any fiscal year in which there is a sequester under section 253 of such Act.

"(B)(i)(I) An adjustment under subparagraph (A) shall take effect on the first day of the first applicable pay period beginning on or after the date on which an intervening election of the Congress occurs following the sequester.

"(II) Effective on the first day of the first applicable pay period beginning on or after October 1 of the fiscal year following the fiscal year in which an adjustment took effect under subclause (I), the rate of pay for each position described under paragraph (1) shall be the rate of pay which would be in effect if not for the provisions of this paragraph.

"(ii) If more than one adjustment would take effect on the same date in accordance with clause (i)(I), each applicable percentage determined under subparagraph (A) (i), (ii), and (iii) shall be added, and the resulting percentage shall be used in making a single adjustment.".

(b) REGULATIONS.—The Secretary of the Senate and the Clerk of the House of Representatives may prescribe regulations to carry out the provisions of this Act relating to the applicable Members of Congress.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this section.

GRASSLEY (AND GLENN) AMENDMENT NO. 16

Mr. GRASSLEY (for himself and Mr. GLENN) proposed an amendment to the bill S. 2, supra; as follows:

On page 2, in the item referring to section 220, strike "code" and insert "Code".

On page 11, line 14, insert a comma before "irrespective".

On page 27, line 14, strike "would be appropriate" and insert "may be appropriate to redress a violation of subsection (a)".

On page 30, line 6, strike "section 403" and insert "subsections (b) through (d) of section 403".

On page 30, lines 17 and 18, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 31, between lines 3 and 4, insert the following:

(5) COMPLIANCE DATE.—If new appropriated funds are necessary to comply with an order requiring correction of a violation of subsection (b), compliance shall take place as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the order requiring correction becomes final and not subject to further review.

On page 31, line 13, after "(b)" insert "except".

On page 31, between lines 17 and 18, insert the following:

(3) ENTITY RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for categories of violations of subsection (b), the entity responsible for correction of a particular violation.

On page 32, line 6, insert "and the Office of the" before "Architect".

On page 32, line 6, strike ", and to the" and insert "or other".

On page 32, lines 7 through 9, strike ", as determined under regulations issued by the Board under section 304 of this Act,".

On page 35, line 13, strike "and" and insert a comma.

On page 35, line 14, insert before the semicolon the following: ", and any entity listed in subsection (a) of section 210 that is responsible for correcting a violation of this section, irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such a violation occurs".

On page 36, line 3, strike "(a) and (f)" and insert "(a), (d), (e), and (f)".

On page 36, lines 4 and 5, strike "(a) and (f)" and insert "(a), (d), (e), and (f)".

On page 36, lines 15 through 17, strike ", as determined appropriate by the General Counsel pursuant to regulations issued by the Board pursuant to section 304".

On page 37, line 4, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 37, line 12, strike "section 6(b)(6)" and insert "sections 6(b)(6) and 6(d)".

On page 37, line 14, strike "655(b)(6)" and insert "655(b)(6) and 655(d)".

On page 37, line 16, strike "section 405" and insert "subsections (b) through (h) of section 405".

Beginning with page 37, line 24, strike all through page 38, line 4, and insert the following:

(6) COMPLIANCE DATE.—If new appropriated funds are necessary to correct a violation of subsection (a) for which a citation is issued, or to comply with an order requiring correction of such a violation, correction or compliance shall take place as soon as possible, but not later than the end of the fiscal year following the fiscal year in which the citation is issued or the order requiring correction becomes final and not subject to further review.

On page 38, between lines 18 and 19, insert the following:

(3) EMPLOYING OFFICE RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (a), the employing office responsible for correction of a particular violation.

On page 38, line 23, after "General Counsel" insert ", exercising the same authorities of the Secretary of Labor as under subsection (c)(1),".

On page 39, line 3, strike "and".

On page 39, line 4, after "Assessment" insert ", the Library of Congress, and the General Accounting Office".

On page 39, lines 12 through 14, strike ", as determined under regulations issued by the Board under section 304 of this Act,".

On page 41, lines 17 and 18, strike "Subject to subsection (d), the" and insert "The".

On page 42, line 25, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 44, line 1, strike "section 405" and insert "subsections (b) through (h) of section 405".

On page 44, line 8, strike "graphs (1) and" and insert "graph (1) or".

On page 44, line 8, before "may" insert a comma.

On page 45, line 1, strike "(c)" and insert "(d)".

On page 45, line 6, strike "(d)" and insert "(e)".

On page 45, line 20, strike "(d)" and insert "(e)".

On page 49, line 9, strike "(e)" and insert "(f)".

On page 49, line 14, strike "(d)(2)" and insert "(e)(2)".

On page 49, line 18, strike "(d)" and insert "(e)".

On page 50, line 3, strike "witness".

On page 54, strike line 11, and insert "than December 31, 1996—".

On page 56, line 25, insert "Senate" before "Fair".

On page 57, line 1, strike "of the Senate".

On page 67, line 16, strike "issuing" and insert "adopting".

On page 68, line 15, after the semicolon, insert "and".

On page 73, line 3, before the period insert "under paragraph (1)".

On page 75, line 4, before the period insert ", except that a voucher shall not be required for the disbursement of salaries of employees who are paid at an annual rate".

On page 75, line 4, after the period insert the following: "The Clerk of the House of Representatives and the Secretary of the Senate are authorized to make arrangements for the division of expenses under this subsection, including arrangements for one House of Congress to reimburse the other House of Congress.".

On page 75, between lines 4 and 5, insert the following:

(b) FINANCIAL AND ADMINISTRATIVE SERVICES.—The Executive Director may place orders and enter into agreements for goods and services with the head of any agency, or major organizational unit within an agency, in the legislative or executive branch of the United States in the same manner and to the same extent as agencies are authorized under sections 1535 and 1536 of title 31, United States Code, to place orders and enter into agreements.

On page 75, line 5, strike "(b)" and insert "(c)".

On page 77, line 9, after "after" insert "receipt by the employee of notice of".

On page 80, line 24, strike "(b)" and insert "(a)".

On page 88, line 18, before "this section" insert "section 404 and".

On page 89, line 21, strike "may" and insert "shall".

On page 90, line 11, strike "(d)" and insert "(e)".

On page 90, line 14, after "be," strike "may" and insert "shall".

On page 90, line 25, strike "paragraph (1)" and insert "subsection (a)".

On page 91, line 5, strike "407" and insert "405(f)(3), 407,".

On page 93, strike lines 3 through 8, and insert the following:

(c) HEARINGS AND DELIBERATIONS.—Except as provided in subsections (d), (e), and (f), all proceedings and deliberations of hearing officers and the Board, including any related records, shall be confidential. This subsection shall not apply to proceedings under section 215, but shall apply to the deliberations of hearing officers and the Board under that section.

On page 94, line 12, strike "102(b)(2)" and insert "102(b)(3)".

On page 105, lines 7 and 9, insert "of 1990" after "Act".

NOTICE OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. STEVENS. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR-301, Russell Senate Office Building, on Wednesday, January 18, and Thursday, January 19, 1995, at 9:30 a.m. on each day, to receive testimony from committee chairmen and ranking members on their committee funding resolutions for 1995 and 1996.

For further information concerning these hearings, please contact Christine Ciccione of the committee staff on 224-8921.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, January 11, 1995, to conduct a full committee business meeting to organize for the 104th Congress.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, January 11, 1995, for purposes of conducting a business meeting. Items to be considered include the committee's budget resolution for a 2-year period, March 1, 1995 through February 29, 1997; and changes in committee rules and organizational changes in full committee and subcommittee jurisdiction.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, January 11, 1995, at 10 a.m. to hold a business meeting to vote on pending items.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be permitted to meet during the session of the Senate on Wednesday, January 11, 1995, for the purpose of holding a business meeting to select a chairman and vice-chairman, approve a budget, and approve its rules.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Federal job training programs, during the session of the Senate on Wednesday, January 11, 1995, at 9 a.m.

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

COMMITTEE ON SMALL BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Wednesday, January 11, 1995, at 4 p.m. The committee will hold a full committee organizational meeting to consider and adopt committee rules and the committee budget resolution.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, January 11, 1995, at 3 p.m. to hold a closed business meeting.

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

ADDITIONAL STATEMENTS

RECOGNITION OF HARRY CLEMMONS

• Mr. GORTON. Mr. President, today I recognize Harry Clemmons, Kennewick School District's middle school director, for his leadership in fighting school violence.

Last January, I organized a meeting of over 200 parents, teachers, administrators, and students. At this conference I listened carefully to the concerns and ideas of those in attendance. While I heard many varied and different suggestions, one theme was constant. Innovative and resourceful programs which educators work hard to plan and execute deserve more recognition. I therefore promised to recognize, on a monthly basis, a school or school program that is outstanding and innovative. The school violence prevention programs that Harry Clemmons has successfully implemented are worthy of such recognition.

It is time we took the steps necessary to regain control of our Nation's schools. In Washington State, for example, violent crimes by youths have doubled in number in the past decade, despite a 3-percent reduction in the youth population. Our superintendent of public instruction recently released her annual report of weapons in Washington State schools for the 1992-93 school year. A total of 2,237 incidents of possession of firearms or dangerous weapons on school premises were reported by school districts and approved private schools.

The prevalence of such incidents is constantly increasing, as is the variation and types of weapons. We must address this problem now. We must ensure the safety of our children in school and provide a learning environment free of violence and disruption.

Mr. Harry Clemmons and his innovative prevention programs should continue to be promoted throughout Washington State, as well as the entire United States. Recognizing that a problem exists and taking the initiative to develop successful programs is the key to improving our education system.•

REGARDING THE ECONOMIC CRISIS IN MEXICO

• Mr. D'AMATO. Mr. President, while American diplomats and foreign policy pundits hand-wring over various crises in Eurasia and the American military is hand-holding the doomed in a number of Third World quagmires, an economic crisis of alarming proportions is threatening to engulf our nearest neighbor to the south. Could there be a better example of the failure of our foreign policy than the potential collapse of Mexico?

I believe that charity begins at home. Mexico and Canada are part of the American family. Yes, we bicker. We snipe. We engage in the kind of heated battles only family members could get away with, but, in the end, it is the family ties that bind.

We can no longer take our good neighbors for granted. Our national security and our economic well-being are inextricably linked to the health and stability of Mexican society and the Mexican economy. We face a far greater threat from instability in Mexico than we will ever face from open conflict or economic chaos in most of the places American diplomatic attention and foreign aid are currently focused.

We must help the Mexicans stabilize the peso, to renegotiate their debt, and to develop an economic strategy of long-term investment and growth that will improve the quality of life of all Mexicans, and, by extension, the quality of life of all Americans.

To do as we have been doing, to focus on the problems of other continents while ignoring our own, is asking to worrying over a distant storm as wolves gather in our backyard.●

ORDERS FOR THURSDAY, JANUARY 12, 1995

Mr. LOTT. Now, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9 a.m. on Thursday, January 12, 1995; that following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders be reserved.

I further ask unanimous consent that there then be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with the following Senators to be recognized under the following limitations: Senator GRASSLEY for 10 minutes, Senator THOMAS for 10 minutes, Senator SIMPSON for 10 minutes, and Senator CONRAD for 30 minutes.

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

CONSIDERATION OF S. 1

Mr. LOTT. Mr. President, under a previous unanimous-consent agreement, at 10 a.m. Thursday, the Senate will begin consideration of S. 1, the unfunded mandates bill for debate only prior to 2 p.m. Therefore, there will be no rollcall votes prior to 2 p.m. on Thursday.

Mr. DASCHLE. Mr. President, as I understood the unanimous-consent agreement last night, there would be no amendments laid down prior to 2 o'clock, and I would just want to confirm that with the distinguished majority whip.

Mr. LOTT. I believe that was the understanding, that there would be debate only until 2 and no amendments offered until after 2 p.m.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

1994 MEN OF THE YEAR

Mr. BYRD. Mr. President, recently I received a newspaper insert from the St. Louis Post-Dispatch concerning the selection of 2 of our former colleagues as the 1994 St. Louis Men of the Year.

Former Senators Tom Eagleton and John Danforth were selected to receive this prestigious designation by 19 of their fellow citizens, each of whom had been chosen in the past for this same award. They are the 41st and 42d individuals to be so honored by the St. Louis Post-Dispatch since the award was first established in 1955.

I congratulate the Post-Dispatch on its excellent selections of this dynamic duo. Both of these men were shining lights when they served here among us in the Senate, and they have both obviously continued to shine and inspire in private life.

Jack Danforth was a voice of reason and moderation in the Senate. He was a credit to his party precisely because he was never a slave to the party line. Senator Danforth's calm reasoned approach to the issues of the day, no matter how politically charged gave him enormous credibility of the type that is so needed in the Senate today. His presence is sorely missed in the Chamber.

Senator Tom Eagleton is a personal friend, and has been for many years, in addition to being an individual for whom I have tremendous respect and admiration. Over the years, Tom Eagleton has stayed in touch with my office, and he is never too busy to weigh in when the battle needs his energy and his force of character. Senator Eagleton brought to this chamber an irrepressible personal and intellectual honesty which was apparent in his floor statements and in the positions that he took on the issues of the day. If one wanted to hear the unvarnished truth, no matter how unpopular it might be to utter, one could always look to Tom Eagleton to come to the point, and to state with eloquence and with logic the bottom line. Common sense has been called genius dressed in its working clothes. Tom Eagleton has an abundance of that often too-scarce commodity.

I congratulate both Senator Eagleton and Senator Danforth. They have brought great credit to the Senate by their service in the body and now as private citizens. St. Louis is much the richer for the Senate's loss in the case of these two fine former Members.

Mr. President, I ask unanimous consent that an insert from the St. Louis Post-Dispatch be printed in the RECORD at this point.

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

[From the St. Louis Post-Dispatch]

THE 1994 ST. LOUIS MEN OF THE YEAR: THOMAS F. EAGLETON AND JOHN C. DANFORTH

(By Mary Kimbrough)

For the second time in its history, the St. Louis Man of the Year Award is given to two men, Thomas Francis Eagleton and John Claggett Danforth, who have represented Missouri in the United States Senate, one who left the Senate in 1986; and one who will officially retire on January 3.

The footsteps of the two honorees, one a Democrat, one a Republican, have trod parallel paths. Both are graduates of Country Day School. Both are graduates of eastern universities, Eagleton of Amherst, Danforth of Princeton, and of Ivy League law schools, Eagleton of Harvard University, Danforth of Yale University.

Both became practicing attorneys. Both served as attorney general of Missouri.

Both carry distinguished St. Louis family names, were intrigued in boyhood by politics and joined lively discussions of national and world issues around the dinner table.

Although they did not know one another well in St. Louis—Eagleton was ahead of Danforth's class at Country Day—they became good friends in Washington. Both of them would cross party lines in their voting records.

"We decided that working together for Missouri was the right thing to do," said Eagleton. That was their common concern.

When Eagleton retired, Danforth paid tribute. "When most candidates are going negative," he said in his remarks from the Senate floor, "when many candidates are taking cheap shots, Tom Eagleton is and will remain the standard for what politics should be—for decency and fairness and principle."

They will be honored at ceremonies at 10:30 a.m., Friday, Jan. 6, in the John M. Olin School of Business at Washington University. A reception will follow.

Eagleton and Danforth were selected by former recipients of the award, established 40 years ago by the St. Louis Globe-Democrat to recognize outstanding civic contributions, leadership and service to the community. When that newspaper ceased publication, previous honorees joined to maintain the annual award and carry on the tradition. For the past eight years, the St. Louis Post-Dispatch has served as sponsor of the annual award.

THOMAS F. EAGLETON

Tom Eagleton bounces through life like a sacked Joe Montana jumping off the turf and brushing off the bruises. A devout Cardinal fan—the baseball variety—he charges through his day like Pepper Martin barreling into a hapless catcher. And he's on the telephone more often than Joe Torre calling the bullpen.

At 65, Eagleton is many persons. Retired U.S. senator, political scientist, college professor, TV commentator, newspaper columnist. He is the sandlot kid grown to senior status, the urbane civic statesman in shirt sleeves, sometimes disheveled, his gray hair a bit mussed, turning up the volume of his voice as he leads the charge.

For the born-and-bred sports buff with a lifelong love affair with politics, a perfect world is an exuberant, scrappy, warm-hearted world of good talk and good friends, of family and a St. Louis Rams-Kansas City Chiefs Super Bowl in the new stadium, of rousing arguments and politics and the law and the Democratic party.

But he also knows the imperfect world that can be down and dirty, a world of war and want, of crime and poverty and people killing each other on the streets and on the battlefield. From the windows of his law office on the top floor of a sleek downtown office building, he can look through the Arch, symbol of progress, to see poverty and pain.

Thomas Francis Eagleton deals with both worlds with humor and energy and grace. And sometimes with righteous outrage.

After his retirement from the Senate, he was invited to a partnership in the legal firm of Thompson & Mitchell, with a charge to continue to serve this community. In his eighth year off the political fast track he may have tempered a little—but just a little—the jittery lifestyle described by a Post-Dispatch reporter at the time he left Washington.

"He still bounds around corners talking 90 miles a minute, whips into a room with 40 things on his mind * * * and generally vibrates like an oversized sparkplug."

His lifestyle is much calmer now that he has returned to his legal career. He and his wife, the former Barbara Smith, parents of a grown daughter, Christy, and son, Terence, make their home in Clayton.

Barbara, whom he married in 1956, learned to share his political activism during his career. When they moved back to Missouri, she organized the Women's Democratic Forum, now with some 350 members, who meet regularly to hear distinguished speakers on current issues.

Neither Christy nor Terence has shown any inclination to enter politics. Christy is in Washington, engaged to be married and working with International Sprint. Terence is a television producer in New York.

"Politics is not for everyone," said their father. "It's a unique profession and for whatever reason, you have to immerse yourself in it. When I was in the Senate, I went back to Missouri nearly every week. That's one of the down sides. I didn't have time to take my children to baseball games or school functions. I didn't have enough leisure time with my children.

"The best politics is back home."

Now that he is relieved of that pressure, he has found the time to write, to teach, to lecture and, as an ardent sports fan, to follow his cherished Cardinals.

"I like the day games," he said, with the fervor of a unabashed fan. "That's old-fashioned baseball. I'm there nearly every Sunday afternoon. I will be thrilled when the Cardinals once again play on grass."

But this year, he has been concentrating on another sport, working with the determination of a bulldozer to bring the National Football League back to St. Louis.

At the request of Congressman Richard Gephardt, Mayor Freeman Bosley and County Executive Buzz Westfall, he has headed FANS Inc., a civic committee devoted to persuading the Los Angeles Rams to move here.

"Politics was all consuming," he said. Now football is all consuming."

But Eagleton hasn't lost his passion for politics and history, and his love for America and St. Louis. This passion and this love are his heritage. To continue this heritage, the Federal Courthouse now under construction in downtown St. Louis has been named the "Thomas F. Eagleton Federal Courthouse."

He was born into an Irish Catholic home on Tower Grove Place in South St. Louis, where politics was polished to a fine art, and named for his immigrant grandfather. He and his older brother, Mark Jr., were the sons of Mark D. Eagleton, prominent figure in city politics and one-time candidate for mayor, and Zitta Eagleton, Mark's gentle and soft-spoken wife, who was determined that one boy would be a doctor, the other a lawyer.

That's just what they would do. Mark Jr., went to medical school and became a prominent St. Louis radiologist. He died in 1985. Tom also had a half-brother, Kevin, a St. Louis lawyer-businessman.

Tom would follow in the career footsteps of his father, a strong-willed, strong-voiced attorney, whose closing courtroom arguments are said to have been heard through open windows up and down Market Street.

A Bull Moose Republican, with the progressive stripe of Theodore Roosevelt, Mark Eagleton left his party in 1944 when his hero, Wendell Willkie, was denied re-nomination for a second run at the White House. He became a Democrat, and publicly announced his support of Franklin D. Roosevelt for a fourth term.

Four years earlier, the senior Eagleton had taken his son to the party convention in Philadelphia where the exuberant 11-year-old met Willkie, Robert Taft, Thomas E. Dewey and other party leaders.

"I decided I was for Dewey because he was handing out more buttons and horns and hats."

Many years later, his eyesight failing, Mark Eagleton would sit in the Senate Gallery to hear his younger son take the oath of office. He would remember and be glad that he had given this rookie senator a good start in their robust after-dinner conversations.

Sometimes Zitta finished her meal alone. Tom and Mark Jr. would eat as fast as they could to keep up with their dad who would then escort them into the living room to start the evening discussion.

"Our three favorite subjects were history, baseball and politics," Tom recalled. "Of course, politics had a lot of side issues. Frequently, we argued so much that without knowing it we switched sides to keep the argument going. That is where I first became interested in politics."

All three loved the Cardinals and each year when the boys were quite young, the whole family went to spring training.

"Mother was dragooned," said Eagleton. "She didn't abhor baseball but she sure didn't love it the way we did."

The boys were enrolled in a half-day school in a quonset hut. Zitta would pick them up at noon and take them to Al Lang Field, the ballpark.

"We would stay in the Bainbridge Hotel where all the players stayed and eat in the dining room with them. I remember especially Pepper Martin, Terry Moore and Howard Krist, a relief pitcher. Krist was very kind to us.

"Dad was a member of the St. Louis Board of Education and he used to take me with him to meetings at 911 Locust. That was between 1937 and 1943. I would sit out in the audience.

"Those were very exciting times. There were great arguments and debates and I said to myself, 'Wouldn't it be interesting doing something like that?'

"I had begun to focus on the Senate when I was in high school at Country Day. But there, and in college, I was the tactician, the pseudo Jim Farley. I didn't run for anything. I was interested in the strategy."

After graduating from Country Day, Tom went to Amherst where he received his bachelor of arts degree before going on to Harvard University for his law degree.

Then, after graduation and a stint in the Navy at Great Lakes, he came back to St. Louis, carrying with him that dream of public office.

Over the next 12 years, he was elected, in turn, St. Louis circuit attorney, Missouri attorney general and Missouri lieutenant governor, chalking up aggressive and noteworthy records in each office.

No longer was he a young Jim Farley. Now he was learning to plan his own career strategy, sometimes a bit homespun, sometimes more costly in shoe leather than in sophisticated political advertising. He talked to the people face to face. That was, and is, the Eagleton style. His sense of humor was his trademark.

So in 1968, at the age of 39, according to an informal biography from his office, "Tom Eagleton loaded his wife, two children and the family dog into his station wagon and headed for Washington."

He had reached his ultimate career goal. "I had achieved that. I didn't lust (to use President Carter's word) for anything higher."

Despite that, in one of the low spots of his career, he almost snagged the brass ring in 1972 when George McGovern, the Democratic nominee, chose him as his running mate. Three weeks into the campaign, he pulled out after revealing, with true Eagleton candor, that he had been undergoing medical treatment for depression.

"People thought it would get me down," he said. "It did not overwhelm me. I took it as a facet of life, a difficult facet of life, but I never viewed it as irreparably catastrophic.

"I never had any great ambition to be vice president nor did I ever have any notion I would run for the presidency."

He would be re-elected to the Senate twice, and in June 1984, he announced he would not seek a fourth term.

Now, after eight years as "Tom Citizen," he looks back on those days, surrounded in his office by shelves filled with books on history and politics. In 1974, he added his own to America's library of public servants' books, "War and Presidential Power; A Chronicle of Congressional Surrender."

On his wall are photographs, many of which picture his special presidential heroes, Franklin D. Roosevelt and Harry S Truman.

Eagleton also brought back to St. Louis many happy memories of special triumphs and bitter disappointments, but he carries no nostalgic desire to return to the thick of government and the partisan warfare in the Congress. In fact, he has seen both parties "atrophy."

"The two-party system is almost deceased. Back then you were proud to be a member of your party. You supported the platform.

"The only current need of the two-party system is to nominate someone for the presidency every four years, but the strength of the two parties has just withered away."

Was there a single moment, a single vote by his colleagues, that made him want to pull out of politics? No, he said, it was more a build up of disillusionment. The joy in the job had not dimmed, but the cost of campaigning had grown and the campaigns had grown ugly and "everlastingly long."

"As I raised funds for my last race, in 1980, by contemporary standards it was cheap. It was $1.2 million compared to today's standards of $5 million and up.

"I found fund raising to be increasingly distasteful. Back in those years you could raise practically all you needed in Missouri. But as politics was developing during that era, the fund raising became all the more intense. You had to go nationwide with a tin cup begging for funds."

In the early days, it was easier and a lot more fun.

As a member of the Committee on Environment and Public Works, he led in the enactment of the Clean Air and Clean Water acts. On the Committee on Labor and Public Welfare, he authored the "Right to Read" program. His Older Americans Act is the basis of federal social services for the aging.

But he is especially proud of one piece of legislation, the so-called Eagleton amendment to the American involvement in the war in Southeast Asia.

"We had withdrawn from Vietnam but we were still carpet bombing in Cambodia. The Eagleton amendment stopped that. For all practical purposes that ended American participation in that dreadful war."

As Charlotte Grimes wrote in the Post-Dispatch at the time of his retirement, "It, along with the War Powers Act that limited presidential authority to send troops into combat, was a culmination of sorts: Eagleton had campaigned for the Senate on a platform calling for an end to the war in Vietnam."

Even though he is no longer a lawmaker, Eagleton keeps a close eye on the Congress and, especially, on America's continuing involvement in foreign affairs.

An astute observer and prognosticator, he predicted before the November elections that the Democrats "would take a pretty good licking.

"We will have gridlock government for two years. It will be a war of words between the White House and the Congress."

As for engagements abroad, he continues to be, as he was in the Senate, a centrist able to cross party lines.

"I was opposed to sending military forces to Haiti but so far it has worked pretty well. But the problem is how do we get out of there. We will have to leave some troops and a lot of money. Haiti can no more be made into a democracy today than I can fly to the moon.

"Democracy is a very sophisticated form of government. The Haitians are not sophisticated people. They have an 80 percent illiteracy rate.

"I think the two philosophical extremes are both wrong. One is that we are the world's policeman, that it is our job to intervene in all sorts of places, send our army, send our air force and bring peace and justice to anyone we think ought to have it.

"Then there is the old, stale position of Robert Taft, that our only business is between the Atlantic and the Pacific, maybe Canada and Mexico, but nothing else is any of our business.

"That is equally wrong. We have some global responsibilities, for instance, the Middle East. I was never embarrassed to say that when President Bush went to Kuwait, the reason was oil because oil is indispensable to Europe and Japan, and to us, so that is an area where we were obliged to do something.

"There are finite limits to what we can do and what we can undertake. There is no magic line to be drawn. You cannot put in 50 words or less where we should go, how we should go. To define American foreign policy in 50 words cannot be done. You have to decide case by case if this is something in the direct American interest.

Then, turning the telescope around, he focused on problems closer to home.

"I think we are in a very ugly, negative time," he said. "I have never seen the public so turned off not only by politicians as such but by the political process. Federal, state, county, municipal. They want no part of it."

However, he said, "I think that 90 percent of the people in the House and Senate are there, in their own minds, to do the right thing.

"The work is stimulating, challenging, exciting. Dealing with situations where you think maybe you are doing the right thing: that outweighs the shortcomings.

"We are called a participatory democracy. That means that for its strength and vibrancy people have to participate. Write your congressman. That's a participatory democracy. But instead of that, we are sort of a complaining, griping democracy.

"In time, we will work ourselves out of this mood. I don't know when; it won't be overnight. But unless the people have some degree of confidence in the public decision-making process, there will be great agony. There is simply not that degree of confidence today."

A man of Tom Eagleton's optimistic nature can't stay grumpy long. But he is also a realist.

"I really hate to say this, but in all candor I see things getting worse before they get better. Maybe there has to be a shared sense of sacrifice. If things are not going well, we've got to get together and turn this thing around. There was such a shared sense during the Great Depression. Everyone had a shared sense of 'We've got to get out of this.' We don't have that now.

"But the economy is pretty darned good. It ought to be good enough for someone to get re-elected president."

For St. Louis, he has the same mix of optimism and realism. "I am generally optimistic about the greater metropolitan area. I wish I could be more optimistic about the inner city. When Ray Tucker was mayor, we had 900,000 people. Now it's down to 380,000. The tax base goes down and the needs for public services continue or even increase.

"What would I do if I were selling the city of St. Louis?

"Transportation. Railroads. Airlines. MetroLink is a real plus. Fine universities. Fortune 500 companies. Excellent and aggressive banks. A skilled workforce.

"But the St. Louis school system isn't what it should be. Housing in the city is not what it should be. Distribution of health care is uneven. Well, you say, there are Clayton and Ladue and other county communities. But if the urban center atrophies, the area as a whole atrophies.

"Simply because you live in Clayton or Ladue, you cannot be smugly complacent and say everything is fine. Everything isn't fine. We are all in this together. If the city of St. Louis goes down, it will, in time, take the rest of the area with it."

But Eagleton, the sports buff, has done more than his share to lure what he believes would be a real plus for St. Louis—NFL football.

"It is an indicia of a town's future. Right or wrong, St. Louis, to be a city of the future, has to have the identification of major sports teams."

With his undying enthusiasm and positive outlook, every time he goes to a Cardinals baseball game, he's thinking home run.

Now, he's added another word to his wish list.

Touchdown!

JOHN C. DANFORTH

It was a few days after the November elections. Voters had swept the majority party out of power like fragile leaves blown away by the autumn wind. With the Republicans' stunning victory, Missouri's senior senator, Jack Danforth, could have known even greater power and influence than he has acquired in his 18 years on Capitol Hill.

But this is not what he wanted. To serve in the Senate had been his dream since boyhood. After three terms, however, he decided against running another time and opted to leave the promised land on the Potomac to discover "life after politics."

He will find that life in St. Louis. Jack Danforth is coming home to stay.

On this autumn afternoon, relaxed and comfortable in a red plaid woodsman's shirt and rough trousers, he sat in his Clayton office and talked of his political and personal philosophy, of the career he was leaving behind, and of the new chapter of his life.

His manner was reflective and deliberate. His deep voice carried power without a hint of bluster. He often paused to consider an answer, then spoke with the decisiveness of a man who harbors no doubt about his convictions, but his conversation was brushed with humor and a grin often lightened his face.

At 58, though his graying hair has caught up with the distinctive white forelock, he is young enough to make a major change in the focus of his life.

"I had always thought I wanted there to be an end to my political life and a beginning of something after my political life," he said. "There was just a sense that I didn't want my self-identity, the way I viewed myself, as a person who had to be in public office, who had to win the next election. I wanted there to be life after politics."

And so, the Lincolnesque figure, nurtured in childhood by a grandfather who dared him to reach for the best, and loving parents who helped spur him on his way, has traded the nation's Congressional halls for the St. Louis law firm of Bryan Cave and his Washington mailing address for one in suburban St. Louis.

Thus he is returning to his roots as St. Louis is a part of him and of his heritage. He was born and reared here, grandson of the late William H. Danforth, founder of Ralston Purina, son of the late Donald and Dorothy Clagget Danforth, brother of Dr. William H. Danforth, retiring chancellor of Washington University (1977 Man of the Year), business leader Donald Danforth Jr. and Dorothy Danforth Miller.

He graduated from Country Day School before entering Princeton University and, later, Yale Law School and Yale Divinity School. He married the former Sally Dobson, who lived across the street when they were teen-agers. Their four daughters and one son, though living their early lives in Washington, have maintained their ties to St. Louis and three of them make their home, here.

The Danforths are a close clan, bound not only by family ties but also by their obvious affection and respect for one another.

But even with this major change in his life, for John Claggett Danforth, scion of this distinguished St. Louis family, reared in comfort and affluence, one essential part of his life will not be altered or be left behind—his deep and personal religious faith.

A politician in priestly robes, with a bachelor of divinity degree and a law degree, Danforth has conscientiously carved time from his senatorial duties to give early morning communion to parishioners in St. Alban's Episcopal Church in the shadow of the Washington Cathedral. In this new chapter of his life in St. Louis, he will carve time from his legal duties to continue to serve his church.

But Danforth is no pious recluse from the world. Rather, he is a quiet-spoken, resourceful activist, a low-key missionary, translating his faith in God into work for man.

That's why he has founded InterACT, a project for St. Louis congregations of all faiths, designed to create opportunities for church members, as organized groups, to give help to boys and girls of the inner city. This will be a major emphasis of his life in St. Louis.

"I hope it all works out," he said. "There is a big leap between a concept and actually doing it. I just want to be the catalyst.

"InterACT is built around three interrelated concepts. The first is that religious people have a claim on them to live beyond

themselves. It is the love commandment, 'Love your neighbor as yourself,' but the opportunities to do it aren't always apparent.

"The second premise is that religion, a word that comes from the same root as ligaments, should hold things together. Religion should be something that binds society but so often it is the opposite.

"I think there are a lot of opportunities for religious people to do things beyond themselves, not as individuals only but as members of congregations.

"The third is the obvious need of kids in the inner city." Danforth calls them the 20th century "widow and orphan" of Biblical days.

A staunch believer in the separation of church and state, Danforth does not base his political opinion solely on the doctrine of his Episcopal denomination. But neither can he ignore his moral and ethical convictions inculcated in childhood, honed as a divinity student and solidified as a minister of the gospel.

While he is a loyal and committed Republican, he has known the political risk every senator on both sides of the aisle must face, of voting one's conscience if it conflicts with the party's position. He also has heard the screams from the press and voters who disagree with him. But that's nothing new for an office holder and Danforth has thickened his skin.

"There is a lot of room for humility in working out your political position because as the Bible says, 'My ways are not your ways and your thoughts are not my thoughts.' You can't claim that your position on tax legislation or trade legislation or the crime bill is something that directly is a pipeline to God. It's more of a question of just trying to do your best and work things out."

Still, he has kept his finger on the pulse of his constituents, even as he views the world around him not as a narrow, militant partisan but as a moderate, and politics as the art of compromise.

"People think politicians have lost touch with the voters. Not true. They are completely in touch. They can fly back and forth to seek constituents. They can take polls. They can have focus groups, find out within a margin of error of three percentage points what people think. They're very much aware of the next election, maybe too much so.

"However, having said all that, it's also important to be something more than a weathervane or someone who has his finger out to see where the currents are blowing. Because then you stand for nothing and all you want to do is to get yourself elected.

"What it really comes down to, if there is a conflict, of course you have to vote your conscience. But you do it with a lot of agonizing and a lot of listening and a lot of recognition that on some of the things you vote for you may be wrong. Particularly, if you view politics as the business of compromise, there are really few things you view as absolutely terrific." The crime bill, he said, would be an example.

"It was a mix, with good things and bad things. You do your best and you listen to the public. But a lot of people were phoning in saying to vote against it and I voted for it. All complex legislation is like that."

He supported former President Carter and voted with many Democrats on ratification of the Panama Canal Treaty because he considered it "the only responsible vote to cast."

"Some issues are hard. That one was not. It was a very clear case as far as I was concerned. It would have been such a mess had we not ratified the treaty, I did not view this as a party line issue.

"I am very comfortable with the basic Republican concept that government should be limited and the fundamental Republican principles that government should operate with a light touch and not a heavy hand. The one thing that keeps the Republicans together is economics, trying to keep taxes low, trying to keep spending low."

Moving with steady grace, Danforth has risen through his party's hierarchy, taking on more responsibilities and gaining power and prestige. At the time of his decision to leave the Senate, he had attained the rank of 21st in seniority among the 100 senators.

He was senior member of the Finance Committee, the ranking Republican member of the Committee on Commerce, Science and Transportation, which he chaired in 1985–86, the first Missouri senator to chair a major legislative committee since World War I.

He was a principal author of legislation to require strict on-the-job testing for drug and alcohol use by key transportation workers, to strengthen federal and state laws against drunken driving, to improve the inspection of safety equipment on commercial trucks and buses, to establish national standards for licensing professional drivers, to increase the safety of passenger vehicles, and to expand and modernize airports and the air transportation system.

In the 102nd Congress, he was the principal sponsor of the Cable Television Consumer Protection Act to stimulate competition in the cable television industry and provide local authority over rates in markets where service is a monopoly.

He has also been concerned with health care costs, with efforts to improve education, to stimulate rural economic development, to encourage soil conservation, to increase Federal support for basic scientific research and to reduce world hunger and malnutrition.

Of all his achievements as a senator, he is most proud of the Civil Rights Act of 1991, providing for fairness in hiring, promotion and other employment practices.

Recent Supreme Court decisions, "had really turned the clock back on civil rights.

"I don't think you can do that. I wanted to remedy that." Also, he wanted his party in the forefront of the fight for civil rights.

A major disappointment was the 1986 tax act. "It started out as a good concept and turned sour. The problem was that in order to come up with additional revenue to make the numbers add up in conference, the bill had to scuttle more and more from the tax code that I felt was important."

As co-chairman with Senator Bob Kerry of a commission to study entitlements—Medicare, Medicaid, Social Security and the Federal Retirement System—he has concluded that entitlement spending will consume in the next couple of decades all tax revenues "except for what we pay for interest on the debt and by about 2030 we won't even be able to pay interest on the debt."

What can be done? "There is a variety of things, all of them painful. You could means test or adjust the cost of living formula. It is like a disease. The earlier you deal with it, the less painful the cure, the longer it goes, the more painful the cure."

The commission's findings describe the economic future that will confront Americans during the first quarter of the 21st century if the Nation fails to act.

"The picture that they paint is unsettling. The findings are not, however, a prediction of the future. They are merely the product of current budget policies if our course is not changed. A better future for America can be secured if the country embarks on the course of long-term reform."

However, he said, "We have a system of government which is ingenious and brilliantly devised more than 200 years ago by people who really put it together right. We have this very diverse country with all of these people, all of these different backgrounds and beliefs, and they come here from all over the world and bring so much."

The complex issues with which he has dealt in the Senate could not have occurred to the boy Jack Danforth nearly a half-century ago as he sat in the Senate gallery to listen and watch. Certainly, he could not have envisioned himself among those men. But that trip to Washington changed his life.

"My parents had taken Don and me East partly to attend Bill's graduation from Princeton. I remember going to the Senate chamber, sitting in the balcony and thinking, 'Gee, I would like to do that sometime.'"

And so in that hour was born a dream that would not be denied. Neither of his parents was interested in politics as a career but it was typical of them, Jack said, that they supported and encouraged whatever their children chose.

"It was a wonderful childhood. They were both very loving and supportive of us. They thought of us as different individuals. They were non-directive. They didn't tell us what to do. Rather, they encouraged our strengths.

"Donald Danforth was really a wonderful father, a very kind man and very loving. Every memory I have of my father is of a loving father, of a man who liked to hug us a lot.

"With my brothers and sister and me, it was never fear that motivated us. It was a desire to make our parents proud. That, to me, is the great motivator. Even now that they are gone, I want to make them proud and make my wife proud, and our kids proud.

"For our children, it is the same. We are very proud of them. They are also very different. And they are really good kids. They have good values and are nice people."

None has chosen to follow him into politics although two have followed him into the law. The eldest, Eleanor (Mrs. Allan IV) Ivie, lives here and keeps busy rearing her three sons. Mary (Mrs. Thomas) Stillman has her law degree and is assistant dean at Washington University. She is the mother of a boy and girl. Dorothy (Mrs. Johannes) Burlin, known to the family as D.D., also is a lawyer, practicing under the name of Danforth. Johanna (Mrs. Timothy) Root, known as Jody, is a hospice nurse in Connecticut. Thomas is a senior at St. Olaf College in Northfield, Minn.

"In our family, the dinner table was and is important. That was the time you knew the family would be together. We weren't going to watch television. We would sit there and talk.

"At the Senate I frequently got home late but it was still important for us to be together. I would always ask the children, 'Tell me about your day.' Sally is the same way. It's important just to find the chance to show interest in kids and to take pride in them, to find something they can do well and appreciate that, to let them know you feel they are terrific. Everyone has something that you can appreciate and praise."

Although Jack's desire to go into the ministry did not blossom until his college days

at Princeton when he happened to have a free hour in his class schedule and a faculty advisor suggested a religion course in ethics. "I liked that course and took another and ended up majoring in religion. I was really interested and decided between my junior and senior years that I wanted to go into the seminary so I entered Yale Divinity School.

"It was soon apparent that this was not for me as a full-time career. The parish ministry was something I was not equipped for so I reverted to my original idea to go to law school and by the time I started unwinding my career path I was two years into Divinity School. So in 1963, he received both degrees."

But Jack Danforth had a third string to his bow—politics. In 1968, in his first race for public office, Missouri attorney general, he achieved the first Republican victory in a statewide race in more than 20 years and began a period of reform and two-party politics in Missouri.

He was re-elected in 1972, went to the Senate four years later and was re-elected in 1982 and 1988.

In this public life, he has received numerous honors. The most recent—as co-recipient with Chancellor Danforth—is the Regional Commerce and Growth Association's Right Arm of St. Louis award.

In 1988, one of the greatest honors in America—the vice presidency—might have been his, rather than Dan Quayle's.

James Baker, who was handling George Bush's 1988 campaign, asked him to submit material as a potential choice for the office, and although he was far from enthusiastic, he sent it.

"I was at the convention just one day. I had just returned home when I got a call from Bush saying he had selected Quayle as his running mate. "I said, 'I'm happy to hear that.' Bush said in disbelief, 'You are?'"

Even the top office has never tempted him. "It would be too pre-emptive of my life. The only reason to run for president is to win and if you win, that's all you are for the rest of your life.

"No, once I am out of the Senate, I am not a senator. You are not a senator for the rest of your life. You close the book on that even though it was a wonderful chapter."

Now that John Claggett Danforth has come home again, the book is opened again for the next chapter.

SELECTION COMMITTEE

Thomas F. Eagleton and John C. Danforth were selected as the 1994 St. Louis Men of the Year by 19 citizens, each of whom had been chosen in the past for the award. They are the 41st and 42nd to be so honored since the award was first established in 1955.

Listed on the selection committee, and in order of their receiving the honor, are the Rev. Paul C. Reinert, S.J., chancellor emeritus of Saint Louis University; Howard F. Baer, former president of the A.S. Aloe Co. and retired chairman, Bank of Ladue; Harold E. Thayer, retired chairman, Mallinckrodt Inc.; W.L. Hadley Griffin, chairman of the executive committee, Brown Group Inc.; Lawrence K. Roos, retired president of the Federal Reserve Board of St. Louis; Edwin S. Jones, retired chairman and chief executive officer of First Union Bancorporation and The First National Bank; Dr. William H. Danforth, chancellor of Washington University; William H. Webster, former director of the Central Intelligence Agency and the Federal Bureau of Investigation; Zane E. Barnes, retired chairman and chief executive officer of Southwestern Bell Corp.; Clarence C. Barksdale, vice chairman of the board of trustees, Washington University; G. Duncan Bauman, retired publisher of the St. Louis Globe-Democrat; Sanford N. McDonnell, chairman emeritus, McDonnell Douglas Corp., Charles F. Knight, chairman and chief executive officer, Emerson Electric Co.; Lee M. Liberman, chairman emeritus, Laclede Gas Co.; August A. Busch III, chairman of the board and president of Anheuser-Busch Cos. Inc.; Dr. Peter H. Raven, director of the Missouri Botanical Garden; William E. Cornelius, retired chairman, Union Electric Co.; Osborne E. "Ozzie" Smith, shortstop for the St. Louis Cardinals; and H. Edwin Trusheim, chairman, General American Life Insurance Co.

Twenty-one recipients have died: David R. Calhoun Jr., chairman of the board of St. Louis Union Trust Co.; Major Gen. Leif J. Sverdrup, chairman of the board of Sverdrup & Parcel Associates Inc.; Ethan A.H. Shepley, chancellor of Washington University; Stuart Symington, United States senator from Missouri; Morton D. May, chairman of May Department Stores Co.; Thomas B. Curtis, United States congressman from Missouri; August A. Busch Jr., chairman of Anheuser-Busch Cos. Inc.; Edwin M. Clark, president of Southwestern Bell Telephone Co.; H. Sam Priest, chairman of the Automobile Club of Missouri; James P. Hickok, chairman of The First National Bank in St. Louis; Dr. Charles Allen Thomas, board chairman of Monsanto Co.; James S. McDonnell, chairman of the board of McDonnell Douglas Corp.; William A. McDonnell, chairman, The First National Bank in St. Louis; C. Powell Whitehead, chairman of General Steel Industries; Frederic M. Peirce, chairman of the board of General American Life Insurance Co.; Maurice R. Chambers, chairman of the board, Interco, Inc.; George H. Capps, president of Volkswagen Mid-America Inc. and Capital Land Co.; Armand C. Stalnaker, chairman of the board, General American Life Insurance Co.; Edward J. Schnuck, chairman of the executive committee, Schnuck Markets Inc.; Robert Hyland, senior vice president of CBS and general manager of KMOX and KLOU-FM Radio; and Donald O. Schnuck, chairman of the board, Schnuck Markets Inc.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

ORDERS FOR TOMORROW AMENDED

Mr. LOTT. Madam President, I have a couple of unanimous consent requests which have been checked with the Democratic leader and have been cleared.

So at this time I ask unanimous consent that the orders for tomorrow be amended to reflect that the period for morning business be extended to the hour of 10:30 a.m. with Senators permitted to speak therein for up to 5 minutes each and that at 10:30 the Senate begin consideration of the unfunded mandates bill.

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

MEASURE PLACED ON THE CALENDAR—H.R. 1

Mr. LOTT. Madam President, I ask unanimous consent that H.R. 1, the House companion bill to the congressional coverage bill, be placed on the calendar.

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

ORDER OF PROCEDURE

Mr. LOTT. Madam President, finally, if no further business is to come before the Senate—I only see one other Senator waiting to speak. After the conclusion of the remarks by the distinguished Senator from Pennsylvania, I ask unanimous consent that the Senate stand in recess as previously ordered.

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

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

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE DEATH PENALTY

Mr. SPECTER. Madam President, within the past week, the State of Texas has executed a man named Jesse Jacobs for murder in a case which, in an unusual twist, will severely hamper law enforcement and thwart the use of the death penalty as a deterrent against murder.

In this case, the State of Texas first convicted Jesse Jacobs on a murder charge and then convicted his sister, Bobbie Jean Hogan, for the same murder, articulating very different factual circumstances as to how the murder was committed.

In the first trial involving Jesse Jacobs, the State of Texas contended that he had, in fact, committed the murder, based largely on his confession. At the time of trial, Jesse Jacobs recanted his confession and said, in fact, that he was trying to protect his sister. The jury convicted him of murder in the first degree with the death penalty, which was later imposed. Between that trial and the execution of Jesse Jacobs, which occurred within the past week, the State of Texas indicted his sister, Bobbie Jean Hogan, and said that she, in fact, had committed the murder, and she was convicted of homicide in the second trial.

When the case reached the Supreme Court of the United States, the court refused to hear the appeal of Jesse Jacobs on the ground that Jacobs had presented no newly discovered evidence requiring Federal review, which is a very startling finding under the facts of this case.

The decision by the Supreme Court not to review Jesse Jacobs' case was 6 to 3. And Justice John Paul Stevens said this in asking the Supreme Court to review the case: "It would be fundamentally unfair to execute a person on the basis of a factual determination that the State has formally disavowed," because when Jacobs was convicted of murder, it was on the State's representation that he had, in fact, pulled the trigger. Later, the State found different facts, that it was not Jacobs who had pulled the trigger but that it was his sister, Bobbie Jean Hogan, whom he had sought to protect.

I submit, Madam President, that this case poses a very material problem in a number of directions. First, on the facts, I think that Jacobs was entitled to have the case reviewed because of the very unusual circumstances where a later investigation disproved his confession and in fact showed that what he had said at trial when he recanted—that is took back his confession—that it was his sister, was true, because the State then proceeded to prosecute the sister. Beyond the palpable unfairness to Jacobs, who was executed, without the Supreme Court even reviewing the case, this is a real threat to the continued use of the death penalty, which I believe is very important for law enforcement in the United States.

I served as an assistant district attorney in Philadelphia for some 4 years, tried many cases of violence, robbery, murder, rape, and later was district attorney of an office handling 30,000 prosecutions a year, including some 500 homicide cases. I have found in that experience that the death penalty is a very effective deterrent against violence.

The death penalty has been imposed relatively little since 1972 when the Supreme Court of the United States in a case called Furman v. Georgia, said that the death penalty was unconstitutional, unless very stringent standards were set where the State proved a series of aggravating circumstances which overbalanced any mitigating circumstances which the defendant might produce—that is, that it was a very horrendous offense. And all the people on death row at that time had their convictions invalidated. During the course of the intervening years since 1972, there have been other Supreme Court decisions which further limited the applicability of the death penalty. So that in the most recent statistics available, with some 2,800 people on death row, only 38 cases had the sentence of death carried out.

The statistics show that when the death penalty was being enforced, the homicide rate was much less than it is in the period since 1972 when the death penalty had not been enforced. In my own State of Pennsylvania, there has been no carrying out of the death penalty since 1962.

My conclusion, as a former prosecuting attorney, that the death penalty is, in fact, a deterrent was based on many, many cases, where I saw professional burglars and robbers who were unwilling to carry weapons because of the fear that they might commit a killing in the course of a robbery or burglary, and that would constitute murder in the first degree, as a felony murder.

There is a vast volume of evidence to support the conclusion that the death penalty is an effective deterrent, although I would say, at the same time, that many people disagree with the statistics, and there are many people who have conscientious scruples against the imposition of the death penalty, which I respect. But it is the law of 36 of the States of the United States that the death penalty is valid and in effect.

There is a move in many other States—in New York now, with the newly elected Governor; in Iowa at the present time, and other States—to reinstitute the death penalty because of the conclusion of most people that it is an effective deterrent against violent crime and we should use every weapon at our disposal to try to curtail crimes of violence, which is the most serious problem facing the United States on the domestic scene.

I submit, Madam President, that if we impose the death penalty in a callous or unreasonable fashion that we are going to lose the death penalty. The death penalty remains a penalty which the American people want enforced, as demonstrated by poll after poll, with more than 70 percent of the American people favoring the death penalty. In the U.S. Senate during the recent votes, more than 70 United States Senators consistently voted in favor of the death penalty, as they did on my Terrorist Prosecution Act, for the imposition of the death penalty for terrorists anywhere in the world who murder a U.S. citizen.

But if we are to retain the death penalty, we are going to have to use it in a very careful way. If we are to find cases like the Jacobs case, where a man is executed after the State represents, in an affirmative way, on the subsequent trial of his sister Hogan that, in fact, the materials presented to the jury in the Jacobs case, where the jury imposed the death penalty, were false, then that is going to undermine public confidence in what we are trying to do.

For the past 5 years, I have tried to change the Federal procedures on Federal review of death penalty cases because today it is ineffective. There are some cases which go on in the Federal courts for up to 20 years, where the death penalty is not imposed because of arcane and illogical decisions in the appellate courts; where the case goes from the State courts to the Federal courts, back and forth on many occasions, because of the Federal procedural law which requires what is called exhaustion of State remedies. The case will go to the Federal court, which will send it back to the States, saying there has not been an exhaustion of State remedies, and back to the State and back to the Federal courts.

So that the legislation which I have pushed would give the Federal court jurisdiction immediately, on the conclusion of the State supreme court that the death penalty is imposed with time limits providing fairness to the defendant, but an end to the ceaseless round of appeals.

My bill was passed by the Senate in 1990, but was rejected by the House. I believe in this Congress, the 104th Congress, there is an excellent opportunity to have those changes made in the application of Federal procedures so that the death penalty will again be an effective deterrent. And it is effective only if it is certain and if it is swift, which is not the case at the present time. The death penalty is, in effect, a flagship of punishment under our criminal justice system. So, that the criminals know that the death penalty is a laughing stock, it impedes law enforcement in a very generalized way.

So when I read about the execution of Jesse Jacobs in Texas under circumstances which are going to undermine public confidence in the death penalty, may make it harder to get a reform of Federal law to handle the cases in a timely way so that they are decided in approximately 2 years instead of 20 years, and where the use of the death penalty may be undermined generally, that is very counter to the interests of society and effective law enforcement.

It is obviously fundamentally unfair, as Justice John Paul Stevens said and three Justices who wanted the Supreme Court of the United States to review this case.

I believe that the Congress is going to have to enact legislation to correct what is happening in the Supreme Court on these procedural matters. When they hand down decisions on constitutional grounds, that is it, unless there is a constitutional amendment. But when they establish their own procedural rules as to when they will review a State case involving the death penalty, that is a matter where the Congress can legislate because we can establish the standards under which jurisdiction attaches and under which the Supreme Court and the other Federal courts will consider these cases.

This case has not received the kind of attention which is really warranted.

There are so many events that happen every day and so many matters which come across the television screens and in the newspapers and on the radio that there is not a great deal of opportunity to focus on this kind of a matter.

I had been looking for a few minutes when the Senate was not otherwise engaged. I regret keeping people here for a few minutes, but I think this is an important matter which will require the attention of our Judiciary Committee so that there will be some realistic and reasonable standards by the Supreme Court of the United States in the interest of fundamental fairness to defendants, and also so that we can retain the death penalty and speed up the process so that it can be an effective weapon for law enforcement

I thank the Chair and I thank the attending staff, and I yield the floor.

RECESS UNTIL TOMORROW AT 9 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess.

Thereupon, the Senate, at 7:17 p.m., recessed until Thursday, January 12, 1995, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate January 11, 1995:

THE JUDICIARY

LACY H. THORNBURG, OF NORTH CAROLINA, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA, VICE ROBERT D. POTTER, RETIRED.

JOHN D. SNODGRASS, OF ALABAMA, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA, VICE E.B. HALTOM, JR., RETIRED.

SIDNEY H. STEIN, OF NEW YORK, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE PIERRE N. LEVAL, ELEVATED.

THADD HEARTFIELD, OF TEXAS, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE ROBERT M. PARKER, ELEVATED.

DAVID FOLSOM, OF TEXAS, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE SAM B. HALL, JR., DECEASED.

SANDRA L. LYNCH, OF MASSACHUSETTS, TO BE U.S. CIRCUIT JUDGE FOR THE FIRST CIRCUIT, VICE STEPHEN G. BREYER, ELEVATED.

EXTENSIONS OF REMARKS

"TIME OUT" FOR EPA

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. UPTON. Mr. Speaker, I am introducing today legislation to delay full implementation of the Clean Air Act by 2 years. As this program has unfolded, it is clear that it is generating more expense and disruption than was foreseen at enactment.

Most knowledgeable Americans still support the Clean Air Act's goals and most are willing to accept reasonable personal sacrifice to achieve those goals. But, as EPA tightens the program's enforcement screws, I fear a public backlash that could undermine support for the program itself. Americans are simply in no mood for Dracoian regulatory programs, especially when program benefits are so difficult to determine.

We have a situation in western Michigan that illustrates this point. A three county area generally around Grand Rapids and Muskegon is a nonattainment area. Studies by the U.S. Environmental Protection Agency and Michigan's Department of Natural Resources confirm that 80 to 90 percent of the pollution measured in this nonattainment area is not produced locally, but drifts across Lake Michigan from the industrial complexes on her western shore.

EPA is leaning hard on the State and on local agencies to take difficult steps to bring the area into compliance. These steps include a centralized or enhanced inspection and maintenance system for automobiles, a system that will be expensive and inconvenient. Three testing centers have been built in western Michigan at a cost of some $16 million but they have catalyzed great public outcry and their opening has been delayed.

EPA has required development of regional transportation plans to evaluate transportation proposals to insure that traffic generated by those proposals won't push the region over its ozone budget. As described by one local official:

> We have to take into consideration all the variables, including employment centers and traffic patterns, and project those in place in future years. We then have to run that data through the EPA's model and prove that the resulting emissions are less than the base case, which is 1990.

This is a significant and questionable change in the way local governments have operated. Under such a system, it's hard to see what the function of local government will be. If all decisions are driven by Clean Air Act considerations, what is the residual role of State and local agencies? Is EPA to be a national office of planning, zoning and development?

The public has yet to be convinced that such heavyhanded regulation will achieve results worth the costs involved. In the case of enhanced inspection and maintenance, a 1992 study by the General Accounting Office found more than one in four cars that failed the initial emissions test subsequently passed a second emissions test even though no repairs were made to the vehicles.

In areas more severely out of compliance, EPA has advocated an array of programs including mandatory carpooling that will have even heavier impact on the daily lives of working Americans. Small wonder that these planning, inspection, and trip reduction strictures cause many to wonder if job creation and economic development are even possible in areas under EPA's regulatory thumb. Few of the people I represent, viewing EPA data on the steady improvement in air quality, truly believe that the problem demands such solutions.

Earlier today, I wrote to the new chairman of the Commerce Committee's Subcommittee on Health and the Environment urging two actions on him. First, I asked that he schedule informational hearings as soon as feasible to reexamine the Clean Air Act, the assumptions accepted at the time of enactment and the methods proposed for achieving the act's goals. Secondly, I asked him to support a postponement in further enforcement of the act.

I have in mind a time out to reassess the situation and to allow State and local agencies additional time to determine what needs to be done and to do it. The bill I am introducing today simply grants a 2-year delay in further EPA requirements and in the imposition of sanctions against those unable to fulfill them.

Mr. Speaker, a clear message in November's election results is that Americans are weary of big, complicated and burdensome Federal regulatory programs. The public is not convinced that they generate benefits commensurate with their costs. I urge my colleagues to join me in assuring that the Clean Air Act's results justify its costs.

INTRODUCTION OF THE "HOUSING COUNSELING ENHANCEMENT ACT OF 1995"

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. TRAFICANT. Mr. Speaker, today I am introducing the "Housing Counseling Enhancement Act of 1995" to help veterans stave off foreclosure and keep their homes. I urge my colleagues to cosponsor this important legislation.

My bill contains two major provisions. First, the bill strikes from the notification provision of the Housing and Urban Development Act of 1968 the cause that excepts individuals who receive loans backed by the U.S. Department of Veterans Affairs [VA]. It is common knowledge that housing counseling services have helped dramatically in staving off foreclosures of loans backed by the U.S. Department of Housing and Urban Development [HUD]. After successfully extending the program to those with conventional loans through enactment of the Emergency Homeownership Counseling [EHC] Program. I again attempted to extend the service to those with VA-backed loans during the past Congress. My amendment to H.R. 3838 would have included VA-backed loans in the program by contacting VA borrowers 45 days delinquent in making a mortgage payment and notifying them that there are housing counseling services available to him or her via a 1–800 number. The measure, like the amendment, will not mandate any type of VA involvement. Rather, it will give the borrower additional means to avoid a nightmare.

Although the VA offers its own counseling services, they are far less effective because the borrower is not notified until he or she is 105 days delinquent. As anybody who has faced foreclosure will tell you, 90 days is already too late, let alone 105. Consequently, although the delinquency rate of HUD-backed loans—7.81 percent—was higher than VA-backed loans—6.73 percent—in 1993, the percentage of loans in foreclosure was nearly the same for HUD loans—1.43 percent—as it was for VA loans—1.34 percent. Of course, compare these numbers to those of conventional loans—2.65 percent delinquency, 0.72 percent foreclosure—and we see the positive influence of the EHC Program reflected.

Housing counselors have urged me to help the roughly 3.5 million borrowers with VA-backed loans avoid foreclosure. I believe this provision is a step in that direction. The Mortgage Bankers Association of America has expressed, from a lender perspective, that this provision is economically sound because it helps to prevent costly foreclosures. Congress should heed its input. With each foreclosure costing the Government an average of $28,000, Congress can ill-afford not to adopt the bill.

Second, the bill authorizes $62 and $65 million in funding for fiscal years 1996 and 1997, respectively, for all counseling programs. Half of these amounts, which are identical to what was included in H.R. 3838, are earmarked for the EHC Program.

Mr. Speaker, at times Congress passes spending programs that appear one-way in nature. We spend the money, but never see the benefits. The EHC Program, however, is a preventative service has a proven track record of helping homeowners avoid nightmarish and costly foreclosures.

Again, I urge my colleagues to sign on as a cosponsor to the Housing Counseling Enhancement Act of 1995.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Housing Counseling Enhancement Act of 1995".

SEC. 2. EXTENSION OF PROGRAMS.

(a) EMERGENCY HOMEOWNERSHIP COUNSELING.—Section 106(c)(9) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(9)) is amended by striking "September 30, 1994" and inserting "September 30, 1997".

(b) PREPURCHASE AND FORECLOSURE-PREVENTION COUNSELING DEMONSTRATION.—Section 106(d)(13) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(d)(13)) is amended by striking "fiscal year 1994" and inserting "fiscal year 1997".

SEC. 3. NOTIFICATION OF DELINQUENCY ON VETERANS HOME LOANS.

Subparagraph (C) of section 106(c)(5) of the Housing and Urban Development Act of 1968 is amended to read as follows:

"(C) NOTIFICATION.—Notification under subparagraph (A) shall not be required with respect to any loan for which the eligible homeowner pays the amount overdue before the expiration of the 45-day period under subparagraph (B)(ii).".

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x) is amended—

(1) in subsection (a), by striking paragraph (3);

(2) in subsection (c)—

(A) by striking paragraph (8); and

(B) by redesignating paragraph (9) (as amended by section 2) as paragraph (8);

(3) in subsection (d)—

(A) by striking paragraph (12); and

(B) by redesignating paragraph (13) (as amended by subsection (a)) as paragraph (12);

(4) in subsection (f), by striking paragraph (7); and

(5) by adding at the end the following new subsection:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $62,000,000 for fiscal year 1996 and $65,000,000 for fiscal year 1997. Of any amounts appropriated for any such year to carry out this section, the Secretary shall use not less than 50 percent to carry out subsection (c) and the Secretary may use 50 percent (or such lesser amount as may be appropriate) for counseling for renters. Any amounts appropriated pursuant to this subsection shall remain available until expended.".

SALUTE TO DR. JOSEPH D. PATTERSON, SR.

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. FOGLIETTA. Mr. Speaker, I rise to salute Dr. Joseph D. Patterson as he is installed as the president of the Black Clergy of Philadelphia at Hickman Temple A.M.E. Church on January 8. Dr. Patterson takes over the presidency of the Black Clergy, one of the most influential positive social forces in the city, from Rev. Jesse Brown who has lead the organization over the past years with great dignity and ability.

Dr. Patterson is a great leader in the Philadelphia community. He is a trustee at Cheyney University, a board member of the Philadelphia Industrial Development Corp., chairman of the board of the Baltimore Avenue Redevelopment Corp., and has served over the past years as first vice president of the Black Clergy before his election to the presidency.

Dr. Patterson's commitment to the strengthening of the community is well known. He believes unfailing in a comprehensive approach to solving society's problems, and has been an outspoken advocate for health care improvement, the strengthening of the family, the importance of education, and the elimination of violence in our neighborhoods.

I join with Dr. Patterson's friends, family, and the entire Philadelphia community in wishing him the best of luck at his new post, and look forward to many years of his expedient leadership.

25TH ANNIVERSARY OF BRUCE COLLINS ELEMENTARY SCHOOL

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. LEVIN. Mr. Speaker, I rise today to recognize the 25th anniversary of Bruce Collins Elementary School in Sterling Heights, MI. This anniversary was celebrated November 23, 1994.

Many times this body has heard discussions about problems with our education system. Collins Elementary School clearly does not fit this category. Collins Elementary school has actively pursued a partnership with the parents in order to form a better learning environment. The teaching staff has also played a major role in the school's 25 successful years. The teachers' 100 percent participation on the school improvement team is just one example of their commitment to the students. The major leader in Collins' success has been Principal Don Santilli who has directed the school for over 15 years.

With over 448 students the school has developed and implemented many programs to extend beyond the standard classroom learning environment. One such program is HOT in which students learn about the hazards of tobacco from the American Cancer Society. Another more renown program is DARE. This is an innovative drug prevention program which not only teaches the danger of tobacco, alcohol, and drugs but also instructs the students through practical situations, how to avoid these substances.

Bruce Collins Elementary School is much more than the simple brick and mortar of some facilities. This school has been instrumental in the teaching of students for over 25 years in the important early years of elementary school.

Mr. Speaker, I applaud the 25 years of successful education at Bruce Collins Elementary School and am sure that the next 25 years of this fine institution will be equally, if not more, successful.

MACBRIDE PRINCIPLES BILL, H.R. 470

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. GILMAN. Mr. Speaker, today I rise to introduce the MacBride Principles Bill, H.R. 470. I am pleased to be joined by my distinguished colleague, the gentleman from New York [Mr. MANTON], as an original cosponsor of this important measure. I am also pleased to cochair the bipartisan ad hoc Committee for Irish Affairs with Mr. MANTON.

Fair employment for Catholics in Northern Ireland is an issue that has concerned me for a very long time. For example, in a letter as far back as July 20, 1979, I requested the Irish National Caucus to investigate hiring practices of United States companies in Northern Ireland. This was the first time this issue was raised by anyone in the U.S. Congress.

The caucus investigation lead to a congressional bill H.R. 3465: "Requiring United States persons who conduct business or control enterprises in Northern Ireland to comply with certain fair employment principles," 1983. I was a proud cosponsor of that bill in time this led to the Irish National Caucus launching the MacBride Principles bill in November 1984. On October 1, 1986, I was cosponsor of the congressional MacBride bill. This is the bill I proudly reintroduce today as the 104th Congress begins legislative business.

This bill would prohibit United States companies in Northern Ireland from exporting their products back to the United States unless they are in compliance with the MacBride Principles.

The MacBride Principles campaign in the United States has been the most effective effort ever against anti-Catholic discrimination in Northern Ireland. Informed observers would agree that it has played a key role in putting the issue of anti-Catholic discrimination on the front burner. It was instrumental in bringing about the British Government's Fair Employment Act of 1989.

The MacBride Principles have won the support of the Irish Government, the European Parliament, and the President of the United States. Mr. Clinton as a candidate pledged during the 1992 Presidential campaign that he would support the principles. As President, on St. Patrick's Day in 1993 in the White House, Mr. Clinton reaffirmed his support for the principles. They have been passed into law in 16 States, including my own great State of New York. Over 40 cities have also passed laws or resolutions on the principles. Indeed, the U.S. Congress allowed the principles to become law for the District of Columbia on March 16, 1993.

Recently the Protestant and Catholic churches in Ireland joined with Protestant and Catholic churches of the United States of America and issued a call for fair employment and investment in Northern Ireland. This is what they said about the MacBride Principles.

Many Americans support the MacBride Principles, as amplified, as good faith, nonviolent means to promote fair employment. We urge that any support of these amplified

principles, which offer positive values and focus on fair employment, be joined with continued support for strong, fair, employment measures and as an active commitment to investment and job creation. The amplified principles, as many of their advocates agree, should not be used to discourage investment or encourage disinvestment.

Since 1986, over 100 Members of Congress have declared their support for the MacBride principles, as has the current Clinton administration, as well. Now, surely with peace moving forward and political solutions being sought for Northern Ireland, it is time for Congress to pass the MacBride principles, and also incorporate the principles as part of any planned increase in economic development assistance and new United States investment we are encouraging into Northern Ireland in aid of the ongoing peace process.

The methods we use to help address the twin problems of unemployment and discrimination, especially in the Catholic community, can and will play a important role in the chances for lasting peace and justice developing in Northern Ireland. For without a shared and equally distributed economic development, among both traditions, peace and justice may never take firm and lasting hold in Northern Ireland. The MacBride principles provide us a real tool to help being all these important goals to fruition, and avoid merely maintaining the totally unacceptable status quo of twice the level of Catholic unemployment in Northern Ireland.

Accordingly, I urge my colleagues concerned about lasting peace and justice in Northern Ireland to support the bill we are introducing today. I request that the full text of this measure be included at this point in the RECORD.

H.R. 470

SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Ireland Fair Employment Practices Act of 1995".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Currently, overall unemployment in Northern Ireland is approximately 13 percent, as compared to 9 percent in the rest of the United Kingdom.

(2) Unemployment in the minority community in Northern Ireland is 22.8 percent, and in some portions of the minority community unemployment has historically exceeded 70 percent.

(3) The British Government Fair Employment Commission (F.E.C.), formerly the Fair Employment Agency (F.E.A.), has consistently reported that a member of the minority community is two times more likely to be unemployed than a member of the majority community.

(4) The Investor Responsibility Research Center (IRRC), Washington, District of Columbia, lists 80 publicly held United States companies doing business in Northern Ireland, which employ approximately 11,000 individuals.

(5) The religious minority population of Northern Ireland is subject to discriminatory hiring practices by some United States businesses which have resulted in a disproportionate number of minority individuals holding menial and low-paying jobs.

(6) The MacBride Principles are a nine point set of guidelines for fair employment in Northern Ireland which establishes a corporate code of conduct to promote equal access to regional employment but does not require disinvestment, quotas, or reverse discrimination.

SEC. 3. RESTRICTION ON IMPORTS.

An article from Northern Ireland may not be entered, or withdrawn from warehouse for consumption, in the customs territory of the United States unless there is presented at the time of entry to the customs officer concerned documentation indicating that the enterprise which manufactured or assembled such article was in compliance at the time of manufacture with the principles described in section 5.

SEC. 4. COMPLIANCE WITH FAIR EMPLOYMENT PRINCIPLES.

(a) COMPLIANCE.—Any United States person who—

(1) has a branch or office in Northern Ireland, or

(2) controls a corporation, partnership, or other enterprise in Northern Ireland, in which more than twenty people are employed shall take the necessary steps to insure that, in operating such branch, office, corporation, partnership, or enterprise, those principles relating to employment practices set forth in section 5 are implemented and this Act is complied with.

(b) REPORT.—Each United States person referred to in subsection (a) shall submit to the Secretary—

(1) a detailed and fully documented annual report, signed under oath, on showing compliance with the provisions of this Act; and

(2) such other information as the Secretary determines is necessary.

SEC. 5. MACBRIDE PRINCIPLES.

The principles referred to in section 4 are the MacBride Principles, which are as follows:

(1) INCREASING THE REPRESENTATION OF INDIVIDUALS FROM UNDERREPRESENTED RELIGIOUS GROUPS IN THE WORK FORCE INCLUDING MANAGERIAL, SUPERVISORY, ADMINISTRATIVE, CLERICAL, AND TECHNICAL JOBS.—A workforce that is severely unbalanced may indicate prima facie that full equality of opportunity is not being afforded all segments of the community in Northern Ireland. Each signatory to the MacBride Principles must make every reasonable lawful effort to increase the representation of underrepresented religious groups at all levels of its operations in Northern Ireland.

(2) ADEQUATE SECURITY FOR THE PROTECTION OF MINORITY EMPLOYEES BOTH AT THE WORKPLACE AND WHILE TRAVELLING TO AND FROM WORK.— While total security can be guaranteed nowhere today in Northern Ireland, each signatory to the MacBride Principles must make reasonable good faith efforts to protect workers against intimidation and physical abuse at the workplace. Signatories must also make reasonable good faith efforts to ensure that applicants are not deterred from seeking employment because of fear for their personal safety at the workplace or while travelling to and from work.

(3) THE BANNING OF PROVOCATIVE RELIGIOUS OR POLITICAL EMBLEMS FROM THE WORKPLACE.—Each signatory to the MacBride Principles must make reasonable good faith efforts to prevent the display of provocative sectarian emblems at their plants in Northern Ireland.

(4) ALL JOB OPENINGS SHOULD BE ADVERTISED PUBLICLY AND SPECIAL RECRUITMENT EFFORTS MADE TO ATTRACT APPLICANTS FROM UNDERREPRESENTED RELIGIOUS GROUPS.—Signatories to the MacBride Principles must exert special efforts to attract employment applications from the sectarian community that is substantially underrepresented in the workforce. This should not be construed to imply a diminution of opportunity for other applicants.

(5) LAYOFF, RECALL, AND TERMINATION PROCEDURES SHOULD NOT IN PRACTICE FAVOR A PARTICULAR RELIGIOUS GROUP.—Each signatory to the MacBride Principles must make reasonable good faith efforts to ensure that layoff, recall, and termination procedures do not penalize a particular religious group disproportionately. Layoff and termination practices that involve seniority solely can result in discrimination against a particular religious group if the bulk of employees with greatest seniority are disproportionately from another religious group.

(6) THE ABOLITION OF JOB RESERVATIONS, APPRENTICESHIP RESTRICTIONS, AND DIFFERENTIAL EMPLOYMENT CRITERIA WHICH DISCRIMINATE ON THE BASIS OF RELIGION.—Signatories to the MacBride Principles must make reasonable good faith efforts to abolish all differential employment criteria whose effect is discrimination on the basis of religion. For example, job reservations, and apprenticeship regulations that favor relatives of current or former employees can, in practice, promote religious discrimination if the company's workforce has historically been disproportionately drawn another religious group.

(7) THE DEVELOPMENT OF TRAINING PROGRAMS THAT WILL PREPARE SUBSTANTIAL NUMBERS OF CURRENT MINORITY EMPLOYEES FOR SKILLED JOBS INCLUDING THE EXPANSION OF EXISTING PROGRAMS AND THE CREATION OF NEW PROGRAMS TO TRAIN, UPGRADE, AND IMPROVE THE SKILLS OF MINORITY EMPLOYEES.—This does not imply that such programs should not be open to all members of the workforce equally.

(8) THE ESTABLISHMENT OF PROCEDURES TO ASSESS, IDENTIFY, AND ACTIVELY RECRUIT MINORITY EMPLOYEES WITH POTENTIAL FOR FURTHER ADVANCEMENT.—This section does not imply that such procedures should not apply to all employees equally.

(9) THE APPOINTMENT OF A SENIOR MANAGEMENT STAFF MEMBER TO OVERSEE THE COMPANY'S AFFIRMATIVE ACTION EFFORTS AND THE SETTING UP OF TIMETABLES TO CARRY OUT AFFIRMATIVE ACTION PRINCIPLES.—In addition to the above, each signatory to the MacBride Principles is required to report annually to an independent monitoring agency on its progress in the implementation of these Principles.

SEC. 6. WAIVER OF PROVISIONS.

(a) WAIVER OF PROVISIONS.—In any case in which the President determines that compliance by a United States person with the provisions of this Act would harm the national security of the United States, the President may waive those provisions with respect to that United States person. The President shall publish in the Federal Register each waiver granted under this section and shall submit to the Congress a justification for granting each such waiver. Any such waiver shall become effective at the end of ninety days after the date on which the justification is submitted to the Congress unless the Congress, within the ninety-day period, adopts a joint resolution disapproving the waiver. In the computation of such ninety-day period, there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than three days to a day certain or because of an adjournment of the Congress sine die.

(b) CONSIDERATION OF RESOLUTIONS.—

(1) Any resolution described in subsection (a) shall be considered in the Senate in accordance with the provisions of section 601(b)

of the International Security Assistance and Arms Export Control Act of 1976.

(2) For the purpose of expediting the consideration and adoption of a resolution under subsection (a) in the House of Representatives, a motion to proceed to the consideration of such resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

SEC. 7. DEFINITIONS AND PRESUMPTIONS.

(a) DEFINITIONS.—For the purpose of this Act—

(1) the term "United States person" means any United States resident or national and any domestic concern (including any permanent domestic establishment of any foreign concern);

(2) the term "Secretary" means the Secretary of Commerce; and

(3) the term "Northern Ireland" includes the counties of Antrim, Armagh, Londonderry, Down, Tyrone, and Fermanagh.

(b) PRESUMPTION.—A United States person shall be presumed to control a corporation, partnership, or other enterprise in Northern Ireland if—

(1) the United States person beneficially owns or controls (whether directly or indirectly) more than 50 percent of the outstanding voting securities of the corporation, partnership, or enterprise;

(2) the United States person beneficially owns or controls (whether directly or indirectly) 25 percent or more of the voting securities of the corporation, partnership, or enterprise, if no other person owns or controls (whether directly or indirectly) an equal or larger percentage;

(3) the corporation, partnership, or enterprise is operated by the United States person pursuant to the provisions of an exclusive management contract;

(4) a majority of the members of the board of directors of the corporation, partnership, or enterprise are also members of the comparable governing body of the United States person;

(5) the United States person has authority to appoint the majority of the members of the board of directors of the corporation, partnership, or enterprise; or

(6) the United States person has authority to appoint the chief operating officer of the corporation, partnership, or enterprise.

SEC. 8. EFFECTIVE DATE.

This act shall take effect 180 days after the date of enactment of this Act.

CLARIFYING THE RIEGLE-NEAL INTERSTATE BANKING ACT

HON. BILL ORTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. ORTON. Mr. Speaker, I rise to provide clarification of the Riegle-Neal Interstate Banking and Branching Act of 1994.

Last year, I was proud to be an original cosponsor of H.R. 3841, the House version of interstate banking legislation which became law. I participated both in subcommittee and full committee consideration of this important legislation. I worked hard to see this legislation work its way through the House to become law. I believe passage of this bill was an important step toward the modernization and full development of our banking system.

Therefore, I was disturbed to see a recent appellate court decision that, in my opinion, misinterprets the provisions of this interstate banking bill. The decision I am referring to is *Mazaika* v. *Bank One Columbus,* N.A. No. 00231 (Pa. Superior Court 1994) (en banc). Incidentally, other courts have reached the opposite conclusion.

The Mazaika 6 to 3 majority ruled that a national bank located in Ohio was not authorized by section 85 of the National Bank Act to collect certain credit card charges from Pennsylvania residents. Collection of such charges is permitted under Ohio State law, but not under Pennsylvania State law. This decision relied on the applicable law provision of last year's interstate banking act in reaching the conclusion that Pennsylvania State law applies in such a case, notwithstanding section 85.

Based on my involvement in the legislative consideration of this bill, and on my understanding of its specific provisions, I believe that the conclusion reached in the Mazaika case is wrong. First, the applicable law provision in the interstate bill applies only when a bank branches into a second State. In such a case, the provision subjects the branch of a bank to the State laws of this second State unless those laws are preempted. In the case in point, however, no branching is involved. Therefore, section 85 is preemptive. In the case in point, the Ohio bank should not be subject to Pennsylvania limitations on credit charges.

Second, there is a savings clause in the interstate law that provides that nothing in the interstate law affects section 85 of the National Bank Act. As a result, the interstate law effectively preserves the lending authority of a national bank or State bank to collect lending charges on interstate loans from borrowers nationwide in accordance with the bank's home State limits.

Finally, while it is not relevant to legislative language or intent, it is my opinion that the Mazaika opinion, if upheld, could have a very detrimental effect on free-fettered banking activities. Philosophically, I believe in States rights. I believe that Federal laws should be preemptive only where there is an overriding need to provide national uniformity.

However, this is one such case where national rules should be preemptive. Subjecting lending activities of a bank in another State, where there are no branches, to that other State's limitations on credit card charges or usury limits would have a dampening effect on important interstate lending activities. This would also be contrary to the spirit and intent of the interstate banking bill, which is to expand lending activities nationwide.

Mr. Speaker, many Members of Congress spent countless hours last year crafting an interstate banking bill that increases credit availability and moves us into the 21st century. The Mazaika decision threatens this progress. It is my hope that this can be corrected .

CONGRATULATIONS TO LADY OLYMPIANS OF MARATHON, NY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. WALSH. Mr. Speaker, the biggest news in Marathon, NY, recently was the celebration surrounding the victorious Girls Field Hockey team, winners of the Class D New York State Championship. I ask my colleagues to join me today in adding our congratulations to the lady Olympians of Marathon High School who played on the team, the coaching staff and school staff, the fans who supported them so energetically throughout the season, and especially to the families and friends who traveled with the team to all the road games—notably, the 3-to-2 win in the State Championship game against North Warren at the State University of New York at Oneonta.

In the 21 years field hockey has been played in Marathon, a small and idyllic community in my upstate New York district, this is the first State Championship. We are all very proud.

The local celebrations have given residents a chance to display that pride, from the first night when the team returned home and fire sirens blared to the official ceremony at Lovell Field when each player and coach had time in the spotlight.

The girls have displayed the best competitive spirit as well as the best athletic performance. They have achieved much more than a series of victories, they have attained the satisfaction of personal best. While I salute their thrilling winning season, I applaud their outstanding individual drive.

The team is: Alissa Altmann, Annette Ando, Jenna Brown, Diana Contri, Carrie Ensign, Arlene Hallock, Jennie Lavens, Lela Leyburn, Hilary Matson, Bobbie McAllister, Gina Moyers, Tina Owen, Jen Potter, Kelli Reid, Joanna Ryan, Rachel Smith, Carla Tagliente, Tessa Warner, and Coach Karen Funk—who is responsible for the program's existence and its origin.

Mr. Speaker, I do not intend to overstate this accomplishment for it is in a field of sport—and not anything that directly relates to our business here today. But, when we honor the attainment of goals by these young people, we share their joy and their sense of community, a motivator for them which has been in abundance this season.

INTRODUCTION OF THE ECONOMIC DEVELOPMENT LOAN ASSISTANCE DEMONSTRATION PROGRAM ACT OF 1995

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. TRAFICANT. Mr. Speaker, today I am introducing the Economic Development Loan Assistance Demonstration Program Act of 1995 to incentivize private sector investment in our Nation's most needy areas.

When President Clinton announced the establishment of more than 100 enterprise communities and empowerment zones last month, the Federal Government signaled that it is willing to provide incentives to entrepreneurs, small businesses, and nonprofit groups who look to locate in our depressed communities. I reintroduced this bill to enhance this worthy initiative.

Specifically, the bill authorizes the Secretary of Housing and Urban Development [HUD] to make grants to bank Community Development Corporations [CDC's] that have targeted Federal enterprise communities for revitalization. The CDC's are then authorized to use the grant moneys to buy down interest rates on loans to businesses and nonprofit organizations that engage in economic redevelopment activities in the enterprise communities. The new rate cannot exceed 60 percent of the market rate of interest on the loan.

I understand that money for new programs is scarce. I also understand the need to test market new ideas before diverting precious resources to fund them. This is why my legislation specifies that the program be established in only five Federal enterprise zones. It is also why the measure requires a review of the entire program in a report to Congress within 1 year of its enactment. The report enables Congress to determine the cost effectiveness of the program, which is authorized from fiscal year 1994 through fiscal year 1996 at a level of approximately $33 million each year.

Under the bill, economic development activities are defined as the construction and rehabilitation of housing, downtown and neighborhood commercial revitalization, industrial development and redevelopment, small and minority business assistance, neighborhood marketing, training and technical assistance, research and planning for nonprofit development groups, and other activities that create permanent private sector jobs.

Because of their continued involvement in the community, I believe it is best to work with CDC's to finance these activities. CDC's are established by national banks or bank holding companies and are regulated by either the Federal Reserve or the U.S. Treasury, depending on the particular corporation. The CDC's offer incentives for banks to participate in local community development projects. In exchange, bank regulatory agencies allow CDC's more flexibility with their investments. Under this setup, the Federal Government benefits from private sector organizations investing in their local communities, while CDC's benefit from higher yield investments, such as real estate and more chancy businesses.

As we all know, Mr. Speaker, it is essential that the private sector invest in its community. The Federal Government cannot and should not be the only entity investing in our depressed communities. This is why I believe my bill is significant. In the past, I have had moderate success with passing comparable programs. During the 101st Congress, I offered similar legislation as an amendment to the Cranston-Gonzalez National Affordable Housing Act, Public Law 101–625, when it was under consideration on the House floor. Although I was successful at attaching the measure, it was stripped during conference. More recently, I was able to attach a provision to the Economic Development Administration and Appalachian Regional Commission reauthorization bill that allowed the EDA to buy down interest loans on private economic development loans.

Despite this success, much more is needed to stem the tide of hopelessness in our communities. My bill is important because it merges two existing community development tools, CDC's and enterprise communities. Both have had limited success on their own on the local and State level, but with a jump start from this Federal demonstration program, we can combine them and incentivize investment.

Since 1977, my community has been devastated by an exodus of 55,000 manufacturing jobs. Unemployment in Youngstown, OH is twice that of the national average. I have seen first hand the hopelessness of a community crumbling around its citizens. As representatives of Americans like these, it is our duty to help them help themselves, to lend a hand so that they can return their communities to the thriving, healthy environment it once was.

We can begin this process, Mr. Speaker, through passage of this bill. I urge my colleagues to cosponsor the Economic Development Loan Assistance Program Act of 1995.

H.R. —

SECTION 1. SHORT TITLE.

This Act may be cited as the "Economic Development Loan Assistance Demonstration Program Act of 1995".

SEC. 2. ESTABLISHMENT AND SCOPE OF DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall carry out a program to demonstrate the effectiveness of encouraging economic development in enterprise communities by making grants to community development corporations for reducing interest rates on loans for economic development activities in the enterprise communities.

(b) SELECTION OF ENTERPRISE COMMUNITIES.—

(1) NUMBER.—The Secretary shall carry out the demonstration program under this Act with respect to 5 enterprise communities, which the Secretary shall select not later than the expiration of the 30-day period beginning on the date of the enactment of this Act.

(2) DIVERSITY.—Of the enterprise communities selected under this subsection, not less than 2 shall be located in rural areas (as defined in section 1393(a) of the Internal Revenue Code of 1986) and not less than 2 shall be located in metropolitan statistical areas (within the meaning of section 143(k)(2)(B) of such Code). In selecting the enterprise communities, the Secretary shall provide for national geographic diversity among enterprise communities participating in the demonstration program.

SEC. 3. GRANTS FOR ECONOMIC DEVELOPMENT LOAN ASSISTANCE.

(a) AUTHORITY.—Under the demonstration program under this Act, the Secretary may make grants to any community development corporation sponsored by a bank or thrift institution, by a nonbank economic development corporation, or by residents of an enterprise community selected under section 2(b).

(b) USE.—Each community development corporation receiving a grant under the demonstration program under this Act shall use the grant amounts to assist businesses and nonprofit organizations by reducing interest rates on loans for economic development activities carried out in an enterprise community selected under section 2(b).

(c) OTHER REQUIREMENTS.—The Secretary shall require each community development corporation receiving a grant under the demonstration program under this Act to—

(1) use the grant amounts to reduce the interest rate on a loan described in subsection (b) by an amount not to exceed 60 percent of the market rate of interest on such loan; and

(2) take any actions necessary to inform businesses and nonprofit organizations of the availability of such loans, including holding informational meetings, making public announcements, and placing notices in newspapers and other publications.

SEC. 4. MONITORING.

The Secretary shall monitor the use of grants made under this Act and the costs of administering such grants.

SEC. 5. REPORTS AND STUDY.

(a) ANNUAL REPORT.—The Secretary shall submit to the Congress, not later than 1 year after the date that amounts to carry out this Act are first made available under appropriations Acts and for each year thereafter in which amounts are available to carry out the demonstration program, a report containing an evaluation of the effectiveness of grants made under the demonstration program.

(b) STUDY AND REPORT ON EXPANDED PROGRAM.—

(1) STUDY.—The Secretary shall conduct a study regarding the effects and costs of carrying out a long-term and expanded program of making grants for the purposes under this Act. The study shall determine the need for such grants and the amount of funds necessary to carry out an effective program of national scope.

(2) REPORT.—The Secretary shall submit to the Congress, not later than September 30, 1998, a report regarding the results of the study under paragraph (1) and any recommendations for carrying out a program as described in paragraph (1).

SEC. 6. DEFINITIONS.

For the purposes of this Act:

(1) ECONOMIC DEVELOPMENT ACTIVITIES.—The term "economic development activities" means the construction and rehabilitation of housing, downtown and neighborhood commercial revitalization, industrial development and redevelopment, small and minority business assistance, neighborhood marketing, training, and technical assistance, research and planning for nonprofit development groups, and other activities which create permanent private sector jobs.

(2) ENTERPRISE COMMUNITY.—The term "enterprise community" means an area that is designated as an enterprise community under section 1391 of the Internal Revenue Code of 1986.

(3) SECRETARY.—The term "Secretary" means the Secretary of Housing and Urban Development.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act in fiscal years 1996, 1997, and 1998 a total of $100,000,000.

SEC. 8. REGULATIONS.

The Secretary may issue any regulations necessary to carry out this Act.

TRIBUTE TO LYDIA BALDINI PIOMBO

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Ms. ESHOO. Mr. Speaker, I rise today to honor Lydia Baldini Piombo, an outstanding citizen of the 14th Congressional District who passed away last November after 70 extraordinary years of life. She was a devoted wife and the mother of 5 loving children, and the proud grandmother of 10. She was married to Frank Piombo, one of California's most distinguished jurists, for a remarkable 47 years, and was a partner in all he did.

In addition to her family, Lydia Piombo's other great love was St. Anthony's Padua Dining Room in Menlo Park, CA. Through St. Anthony's exemplary efforts to feed the hungry, Lydia Piombo touched the lives of literally thousands of people. She served on St. Anthony's board for 15 years, including a term as president, and guided the organization in its vital work with her intelligence, common sense, warmth, and always her wisdom. Our community has been enriched beyond measure because of her faithful devotion to serving those who were in need, alleviating their hunger of both the body and the spirit.

Mr. Speaker, Lydia Baldini Piombo was a shining light amongst us, inspiring all who knew her or benefited from her care and concern. Her devotion to and understanding of humanity was unsurpassed as she lived each day embracing the belief that we are all God's children.

She lives on through her children and grandchildren, through her devoted husband Frank, and all of us who were blessed to be part of her life.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a noble woman who lived a life of purpose and extend our deepest sympathy to Frank Piombo, the Piombo children and grandchildren. Lydia Piombo's legacy is that she made each one of us better, and because of her our community and our country have been immeasurably bettered as well.

THE HONEST BUDGET RESOLUTION

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. GEPHARDT. Mr. Speaker, while the Republicans advance their "Contract With America," Democrats will stay true to the oldest contract we have in this country: to disavow Government by gimmickry, and to govern in an open, honest, responsible way. Rather than rewriting the Constitution in a flash of ideological ink, it's time to live up to the principles of the Constitution itself.

So I am introducing House Resolution 33, the Honest Budget Resolution, and I am delighted that both the President and Senate Democratic leader, TOM DASCHLE, are joining me in supporting its passage. It says simply that before a balanced budget constitutional amendment can be sent to the States for debate, Congress must pass a plan to show exactly how we would balance the budget. Our States have a right to know. The people deserve a real plan of action—not just a bill of goods.

Democrats support balancing the budget as long as it's done honestly and responsibly. That's why we passed the largest deficit reduction package in history, without a single Republican vote. It was a $500 billion downpayment toward getting our fiscal house in order.

Republicans talk a good game about cutting the deficit, but actions speak louder than words. For years, they claimed that if they were in power, they could balance the budget. Now that they have the gavel, they're discovering what Democrats already knew, balancing the budget means tough choices. And the American people have a right to know what those choices will be.

After all, at the dawn of the 1980's, Republicans claimed they could give huge tax breaks to the wealthy, enact massive defense increases, and balance the Federal budget at the same time. The rhetoric didn't come close to the reality. Trickle down economics raised taxes on the middle class, exploded the deficit, and devastated our economy.

Today, that same fool's gold glimmers in the Republicans' eyes. More tax breaks for the wealthy; a tougher tax burden on hard-working, middle-class families. More space invaders defense systems; less support for crucial needs here at home. Reaganomics was a catastrophe in 1981, and it won't work in 1995.

When the Republicans bring their balanced budget amendment before the House, they must expect more from Democrats than blind faith without real proof. Democrats will demand that they give us facts, not fiction. Seniors have a right to know if Social Security or Medicare will be on the chopping block. Veterans have a right to know if their pensions will be slashed. Parents have a right to know if school funding or college loans will evaporate. Farmers have a right to know if Government will abandon its mission to help them feed our Nation.

It's time for the Republicans to put their money where their mouth is. The honest budget bill will force them to do that, once and for all.

INTRODUCTION OF THE MEDICARE SELECT EXPANSION ACT OF 1995

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mrs. JOHNSON of Connecticut. Mr. Speaker, today I am introducing a proposal to expand and make permanent the Medicare Select Program. My colleague, Senator CHAFEE, will be introducing an identical proposal in the Senate today as well.

The Medicare Select Program is currently a demonstration project that operates in only 15 States. It provides America's senior citizens with a MediGap managed care option. The program has been extremely successful. There are currently over 450,000 individuals enrolled in Medicare select policies. These individuals are enjoying premium savings over traditional fee-for-service MediGap policies that range from 10 to 37 percent. In real world terms, these reduced premiums translate into savings of up to $25 a month or $300 a year. This is obviously a significant savings for individuals on fixed incomes.

In addition, these policies are proving to be among the highest quality products available in the MediGap market today. In August 1994, Consumer Reports rated the top MediGap insurers nationwide. Eight of the top rated products were Medicare select plans. To date, there have been no reported abuses or problems with the Medicare Select Program.

This program also enjoys broad bipartisan support. Last year, 239 members cosponsored legislation to extend the program. In addition, the National Governors Association, the National Association of Insurance Commissioners, National Conference of State Legislatures, Families USA, and the National Committee to Preserve Social Security, and Medicare support expanding and making this program permanent.

The savings and benefits associated with the Medicare Select Program should be available to all of America's senior citizens. By expanding the program and making it permanent, Medicare select products will become much more broadly available and hundreds of thousands of seniors will, for the first time, be able to recognize the savings current participants in the program enjoy.

Mr. Speaker, Medicare select is now set to expire at the end of June. If this Congress does not move quickly to enact this legislation, America's senior citizens will lose access to one of the most successful programs in recent history. I strongly encourage my colleagues to cosponsor this legislation and look forward to providing seniors continued access to this very important program.

175TH ANNIVERSARY OF THE FIRST PRESBYTERIAN CHURCH OF MAUMEE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Ms. KAPTUR. Mr. Speaker, it is my pleasure to rise today in honor of the 175th anniversary of the First Presbyterian Church located in Ohio's 9th district.

Beginning on January 9, 1820, with the settlement of 11 pioneers as charter members, the contributions of the First Presbyterian Church have stretched through a rich and diverse history. Built on a site that was once used to house a British battery, the founders of Maumee, Ohio's First Presbyterian Church began a mission to provide spiritual guidance and sustenance that continues today.

Like all churches, First Presbyterian's greatest asset and resource is her congregation. Even as Maumee's prosperity began to shift to the neighboring city of Toledo and membership was declining rapidly, the church members continued their mission. In 1870, when it

became impossible to meet the pastor's salary of $900 and he was subsequently transferred to a larger parish, First Presbyterian's congregation pulled together and raised the resources necessary to maintain and continue the church's ministry.

As everyone in this historic Chamber knows, America's greatest strength is her communities and their willingness to contribute in times of national need and emergency. In keeping with this tradition and beginning with the Civil War, and continuing with World War I, World War II, the Korean conflict, and Vietnam, the church made innumerable and immeasurable contributions from her congregation and her ministry. Now, this proud history and tradition has become the wellspring of the church's continuing efforts to respond to today's challenges with a new era of service and devotion.

As the congregation of the First Presbyterian Church of Maumee begins to respond to new challenges and create tomorrow's history, let us remember the contributions of its first 175 years—and congratulate them on their willingness to serve their community, their country, and their fellow man.

SALUTE TO FRANCIS SORRENTINO

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. FOGLIETTA. Mr. Speaker, I rise to pay tribute to one of my constituents, Mr. Francis "Frank" Sorrentino, who is retiring from the Pennsylvania Department of Transportation (PennDot) after 34 years of distinguished and dedicated service.

Mr. Sorrentino, who received both his BSCE and MSCE from Drexel University in Philadelphia, has served for the past 5 years as the assistant district engineer for services in engineering district 6–0. The services unit has provided support activities for all of the PennDot design, construction and maintenance activities in the district 6–0 jurisdiction of bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

Mr. Sorrentino has led a staff of 95 engineering technical and clerical personnel responsible for the right-of-way acquisition, utility relocation, geotechnical, survey, traffic and municipal service functions of PennDot District 6–0.

Throughout his long career with PennDot, Mr. Sorrentino has shown leadership and dedication as a structural designer in the highway design unit, as chief project manager in the Philadelphia interstate office, as district soils engineer, and as administrator of the project management unit. He has also played a key role in the design, community coordination, and implementation of such major area highways as I–95, I–76 rehabilitation, I–476 and I–676.

Mr. Sorrentino will retire from service to PennDot on January 13 to enjoy more time with his wife Martha and three sons: Frank Jr., David, and Brian. I applaud and thank him for his commitment to the Pennsylvania transportation system.

Further, I commend him for his ability, dedication and pursuit of excellence in public service upon his retirement.

TRIBUTE TO DET. LT. DANIEL PATERSON III OF THE FERNDALE POLICE DEPARTMENT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. LEVIN. Mr. Speaker, I rise today to recognize the distinguished service of Det. Lt. Daniel Paterson III of the Ferndale Police Department.

Lieutenant Paterson has devoted over 29 years of service to the people of Ferndale. These 29 years of service have been marked by numerous promotions, and 13 different awards and commendations. For the past 8 years he has directed the detective bureau of the department.

Mr. Speaker, I can attest to the excellence of the Ferndale Police Department, and I am certain Lieutenant Paterson played a role in making it so.

I am privileged to join his family, friends, and colleagues in thanking him for 29 years of service and wish him a restful and rewarding retirement.

INTRODUCTION OF H.R. 448

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. TRAFICANT. Mr. Speaker, arachnoiditis easily qualifies as a disease of the nineties. It has been described as "the greatest enigma in the field of spinal surgery" with few surgeons ever having seen it, and even fewer knowing how to treat it. In simple terms, arachnoiditis means inflammation of the arachnoid, and is characterized by chronic inflammation and thickening of the arachnoid matter, the middle of the three membranes that cover and protect the brain and spinal cord.

Arachnoiditis may develop up to several years after an episode of meningitis or subarachnoid hemorrhage—bleeding beneath the arachnoid. It may be a feature in diseases and disorders such a syphilis or it may result from trauma during a diagnostic procedure known as a myelogram. According to the Arachnoiditis Information and Support Network, more than 600,000 myelograms are performed in this country every year. Of the 12 million Americans who suffer from arachnoiditis, the cases resulting from myelograms could have been avoided.

In a myelogram, a radiopaque dye is injected into the spinal subarachnoid space. After the x-ray examination, as much of the oil as possible is withdrawn; however, a small amount is left behind and is slowly absorbed. Studies have implicated the iodized oil contrast medium, Pantopaque, in arachnoiditis. Water-soluble dyes such as Amipaque, Omipaque, and Isovue were once thought to be safer for use; however, recent evidence proves they also cause arachnoiditis. In fact, Harry Feffer, professor of orthopedic surgery at George Washington University states that patients who have had two or more myelograms stand a 50 percent chance of developing arachnoiditis. Numerous studies on animals have confirmed these findings.

Symptoms of arachnoiditis include chronic severe pain and a burning sensation which may attack the back, groin, leg, knee, or foot and can result in loss of movement to almost total disability. Other symptoms include bladder, bowel, thyroid, and sexual disfunction, as well as headaches, epileptic seizures, blindness, and progressive spastic paralysis affecting the legs and arms.

In the past few years, arachnoiditis sufferers and Members of Congress alike have repeatedly asked the FDA to recall the use of Pantopaque. The FDA has clearly not reviewed the safety of oil-based Pantopaque as well as water-based dyes, in spite of medical evidence. As a result, I have introduced H.R. 448, a bill to ban myelograms involving the use of Pantopaque, Amipaque, Omipaque, or Isovue.

This legislation is not a new idea. Since 1990, Britain and Sweden have banned the use of Pantopaque in myelograms. In fact, a class action suit is still pending in Britain consisting of 25,000 people, 1,500 of which are nurses. In 1986, Kodak, the company that makes Pantopaque, voluntarily stopped distributing the drug in the United States due to public pressure. Pantopaque has a 5-year shelf life. The last batch was due to expire April 1, 1991. However, the use of Pantopaque has continued, with the most recent documented case in September 1993 and hospitals stocking the dye as recent as April 1994.

A large number of medical professionals do not know how to diagnose myelogram-related arachnoiditis, and when they do, they cannot treat it. Medical journals and case studies from around the world document the connection between radiopaque dyes and arachnoiditis. Despite this document, the medical profession as a whole has not been effectively enforced and still persists in its use. Moreover, the lack of information prevents the physician from recognizing the disease or side effects of the residual dyes after the fact. The time has come for thorough research to study this painful, disabling condition. H.R. 448 will direct the National Institute of Neurological Disorders and Stroke to estimate the number of Americans suffering from myelogram-related arachnoiditis and determine the extent of this relationship.

Every year, chronic back pain is responsible for billions of dollars in lost revenues and millions more in health care costs. The American Journal reports that chronic low-back pain is estimated to cost $16 billion annually in the United States Occupational research finds that back injuries, pain and complications cost an average of $15,000 per incident. According to "The Power of Pain," by Shirley Kraus, 100 million Americans are either permanently disabled or are less productive due to back pain. Those who do work lose about 5 work days per year, a productivity loss of $55 billion. Interestingly enough, these figures only refer to chronic back pain patients. Almost all arachnoiditis sufferers eventually become totally disabled, becoming permanent fixtures on

the rolls of Social Security, disability, welfare, and Medicaid.

Arachnoiditis sufferers want to become functioning, contributing members of society again. H.R. 448 will provide research for treatments for arachnoiditis sufferers, including treatments to manage pain. Pain-management treatments would enable sufferers to once again become active, working members of society.

It's time to protect unsuspecting Americans from this debilitating and preventable condition. I ask Members of Congress to join me by cosponsoring H.R. 448.

SERVICE AND COMMITMENT TO EASTERN LONG ISLAND

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. FORBES. Mr. Speaker, Edward V. Ecker, Sr. of Montauk, Long Island, NY, a community in my congressional district, continues to live the classic American dream in his very full life, and so it is with pleasure that we honor him for his ongoing and outstanding service and commitment to the east end. Mr. Ecker's list of accomplishments and friends reads like a Who's Who: from his youth to the present.

Mr. Eckert, a graduate of Montauk School, went on to be a star athlete at East Hampton High School and later attended Syracuse University on a football scholarship. After a tour of duty with the Army in the Korean war, he came home and worked as a probation officer. His gregarious, loving nature has held him in good stead throughout the years as a very popular elected official and recognized political pro.

As an East Hampton town supervisor and town councilman, he was the youngest in New York State. In addition he was the commissioner of jurors and the deputy commissioner of Suffolk County parks.

When his lifelong friend, Perry B. Duryea, Jr. ran for the State Assembly in 1960 and was elected speaker in 1969—the last Republican speaker of that body—Eddie Ecker was a key strategist and top advisor.

Currently he is assistant deputy commissioner of the Suffolk County Board of Elections and is a Republican committeeman, having once been the Republican town leader.

For 47 years he has been a Montauk volunteer fireman. He also served as fire police captain. For 29 years he had been the master of ceremony for the St. Patrick Parade in Montauk, as well as serving as past grand marshal.

Many of us are regular listeners of Ed's as he broadcasts high school sports weekends over Radio Eastern Long Island, WLNG. In the entertainment world he appeared in several movies—"Joe vs. Volcano," "Awakenings," and Woody Allen's "Manhattan Murder Mystery"—and a number of commercials including one for Prudential Life and Ray Ban sunglass. Business Week magazine also ran a feature article on Mr. Ecker.

Eddie Ecker has been a friend and a big influence in my life. He got me started over 20 years ago as an aid to Speaker Duryea. I've learned a lot about politics and government from Eddie. It is a point of high personal privilege to have this opportunity to stand with my colleagues in the 104th Congress in the first in 40 years to have a Republican majority—to recognize the tremendous accomplishments of our own "Mr. Republican." Eddie Ecker, a man whose love for family, for country, and for community serves as a bavon for us all. God bless you, Eddie.

THE FHA MODERNIZATION AND EFFICIENCY ACT OF 1995

HON. BILL ORTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. ORTON. Mr. Speaker, today I am introducing the FHA Modernization and Efficiency Act of 1995.

The purpose of this legislation is to make a number of changes to the FHA single family mortgage loan program to make it more responsive to market needs, and to provide for more efficient administration within the FHA. The bill contains many of the provisions found in H.R. 4484, a bill I introduced in the 103d Congress.

Six of the seven provisions in this bill are identical to the provisions the House adopted last year in H.R. 3838, the housing reauthorization bill. Since the Senate failed to act on this legislation, it is incumbent on Congress to take these matters up again.

As the current Congress convenes, there has been some talk of privatizing or eliminating the FHA single family loan program. I believe this would be a mistake. FHA has served as an invaluable source of low downpayment mortgages to enable young families and individuals to enter the housing market. As this Congress increasingly emphasizes policies which promote opportunities, there is hardly a better example of a Federal program which provides opportunities than the FHA Single Family Mortgage Loan Program.

Furthermore, there appears to be no good fiscal or public policy argument for transferring FHA operations to the private sector. The FHA single family Mutual Mortgage Insurance Fund [MMIF] is very healthy. Moreover, since the program is currently running a surplus, we would not cut Government spending by privatizing the program.

However, privatization or elimination would likely result in significantly less competition in the market for low downpayment mortgage loans. It is likely that a private company would not have either the congressional mandate or incentive to serve the affordable, low downpayment single family market in the same way FHA has historically done, through all market conditions, good and bad. It is hard to see how less competition would be better for the consumer.

However, it is also true that FHA suffers from a problem typical of Government agencies—a failure to adapt quickly to market changes and make internal efficiency improvements. While private companies can make changes in programs at a moment's notice, FHA is subject to programmatic restrictions by Congress that have not been updated for some time.

The FHA Modernization and Efficiency Act is an effort to make these needed changes. I believe that with the passage of the provisions in this bill, FHA can continue to be a fiscally sound, responsive provider of affordable single family loans.

First, let me address the provisions in my bill which make FHA loans more responsive to market conditions. A commonly cited impediment to use of FHA is the extraordinarily complex down payment calculation for FHA mortgages. Under current statute, borrowers, lenders, and realtors are forced to go through a convoluted two-part calculation to determine the maximum amount that can be financed, and the corresponding down payment required by FHA.

Under section 4 of my bill, this complexity would be replaced by a simple one-part formula, based on the size of the loan. For properties with a value up to $50,000, the loan could not exceed 98.75 percent of appraised value. For properties between $50,000 and $125,000, the loan could not exceed 97.65 percent of appraised value. Finally, for loans over $125,000, the loan could not exceed 97.15 percent of appraised value. In each case, the borrower could also finance mortgage premiums—as under current policy—but could not finance closing costs.

This measure was adopted as an amendment on the House floor last year by voice vote, with bipartisan support. The proposal was painstakingly developed to be as neutral as possible in comparison to current law with respect to the general levels of downpayments required by FHA. To achieve this, we also added a provision for high closing cost States, where we permit loans of up to 97.75 percent of value. This is because current law generally allows higher loan-to-value ratios for transactions with high closing costs. Finally, in a letter dated July 21, 1994, during House consideration of this proposal, the Commissioner of the FHA wrote me a letter in support of this proposal, stating that "We concur with your assessment that the new proposal will simplify the process for calculating the maximum mortgage amount available on single family properties and fully support it."

A second provision on my bill, section 6, makes the FHA program more flexible by eliminating the current prohibition against parental loans used in conjunction with FHA mortgages. Under current FHA policy, parents may assist children with downpayment assistance, but only if they submit a gift letter indicating that the assistance is not to be repayed. While prohibitions against loans for downpayments generally make fiscal sense, there is no reason to have this policy in the case of a parental loan. There is no practical difference between a parental gift and a parental loan. There would be no added risk to the FHA fund by eliminating this parental loan prohibition.

This change would permit many more families and individuals to enter the housing market. It would also end the common practice whereby many parents are forced to lie about the true nature of financial assistance, stating in the gift letter that no repayment is expected,

when in fact there is a private agreement that the loan shall be repayed. This provision was adopted in committee by voice vote and included in H.R. 3838 last year. I believe this change is both family-friendly and noncontroversial.

A third important provision in my bill, section 9, would provide for FHA authority to insure 2-step mortgages. This type of mortgage allows the borrower, for example, to have a 30-year term, with a 5-year fixed rate of interest, followed by periodic reset(s) of interest rates according to a formula. This mortgage vehicle has become increasing popular in recent years among private lenders, since it provides for more flexibility and lower rates for borrowers. In order to keep pace with market innovations, FHA should have the same capability. This provision was also adopted in committee by voice vote and included in H.R. 3838 last year.

A fourth provision in my bill, section 3, is probably the only controversial provision in the entire bill. This is the provision which raises the single family loan floor to 50 percent of the maximum Freddie Mac loan amount. This would permit loans of up to $101,150 in any place in the country, regardless of the average median home price. This is an important simplification provision for many smaller communities throughout the country, and was included in the bill which passed the House. However, I recognize that a smaller floor increase was adopted into law, in the VA-HUD appropriations bill. I believe that that increase was too small, and propose that we move the same loan floor we passed in the House last year.

In addition to changes needed to modernize the program, there are a number of changes we should make, to make administration of the FHA program more efficient. Perhaps the most significant is section 8 of my bill, which permits direct endorsement lenders to issue their own mortgage certificates. Several years ago, we took the important step of delegating underwriting decisions to qualified lenders, subject to strict FHA criteria as to LTV, appraisals, and other matters. However, the physical issuance of the certificates was still left in the hands of HUD. This is an unnecessary burden on HUD, and has resulted on long, and sometimes costly delays for lenders. The provision in my bill, developed by HUD and included in the housing bill we passed last year, would simply let lenders issue their own certificates. This would not represent any threat to the fund, since lenders would still be subject to the same scrutiny by HUD.

Finally, there are two other efficiency changes that we should make to streamline the FHA program and make it more efficient. Section 5 of my bill would remove an outdated 90 percent loan-to-value prohibition that applies to newly constructed homes that were not inspected by HUD prior to start of construction. With improvements in local zoning and inspection laws, this special limitation is outdated, and places an unnecessary inspection burden on HUD staff. FHA insurance of new homes continues to fall, in part because of this restriction. Ten years ago, when FHA's total business was roughly one-third of today's volume, its new construction business was approximately 40 percent higher than it is today. I believe that elimination of this unnecessary limitation would make FHA more competitive in this area. Again, this provision was adopted in committee by voice vote and included in H.R. 3838 last year.

Finally, section 7 of my bill would eliminate the need for FHA approval of condominium projects, when any such project has already been approved by a government sponsored enterprise [GSE]. Requiring FHA approval in this case is redundant, and is the type of bureaucratic excess that we are seeking to undo.

In conclusion, as we move to consideration of proposals dealing with FHA and other Federal housing programs, let's make sensible decisions which preserve opportunities for all Americans. My approach is simple: don't eliminate FHA—modernize it. I believe the FHA Modernization and Efficiency Act is the way to do this, and would welcome cosponsors for this important legislation.

SALUTING ROBERT AND ERIC SCHULTZ

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of all of our colleagues a courageous act of bravery on the part of two of my constituents, who serve as an inspiration to all of us.

Robert W. Schultz of New City, NY, and his 24-year old son Eric were vacationing at Saranac Lake in New York's Adirondack Mountains last May when they witnessed, on the lake, the capsizing of a canoe which was occupied by a father and son.

Both Robert and Eric dove into the freezing waters of the lake to rescue the two unfortunate canoeists. Eric managed to get the son to an island, where he administered first aid in the manner which he learned in the Boy Scouts, and performed other procedures which brought the young man back to consciousness. In the meantime, Bob was able to lead the father to another location on shore, where by utilizing the survival skills he had learned as a Boy Scout, reversed the first stages of hypothermia which had begun to set in, and stabilized the gentleman's condition until help arrived. Both Bob and Eric remained calm and collected throughout this emergency situation, and their actions resulted in saving the lives of both father and son.

Because of their heroism and their expertise, both Robert and Eric are being presented the Boy Scouts of America Lifesaving Award, perhaps the most prestigious honor bestowed by the Boy Scouts. Bob and Eric had both achieved the rank of Eagle Scout, and there is no doubt that the skills they had obtained as a part of their Boy Scout training directly led to the saving of both of these lives.

Mr. Speaker, in today's cynical society, many people question the relevance of the Boy Scouts of America to today's society. Let us point to Bob and Eric Schultz as a shining example of the worthiness of the Boy Scout movement—an organization which warrants the support of all of us. To those cynical naysayers, let us remind them too that the skills, the leadership, and the good citizenship which are the foundation of Scouting benefit our Nation as a whole.

40TH ANNIVERSARY OF FREEDOM FROM GOVERNMENT COMPETITION POLICY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. DUNCAN. Mr. Speaker, January 15, 1995, will mark a historic anniversary in the history of our Nation and one which could not occur at a more appropriate time.

It was on January 15, 1955, that President Dwight Eisenhower issued a policy that:

> The Federal Government will not start or carry on any commercial activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels.

That policy is still on the books today in Office of Management and Budget Circular A–76. However, this policy has been regularly avoided during the past 40 years. The Congressional Budget Office reported in 1987 that some 1.4 million Federal employees are engaged in occupations that are commercial in nature.

The Grace Commission recommended contracting out and estimated that $4.6 billion a year could be saved by using private contractors to perform the commercial activities currently accomplished in-house by Federal employees. Even this administration's National Performance Review recommended that A–76 be strengthen and enforced.

The issue of government competition with the private sector has become so pervasive that the most recent White House Conference on Small Business adopted as one of its leading planks:

> Government at all levels has failed to protect small business from damaging levels of unfair competition. At the federal, state and local levels, therefore, laws, regulations and policies should . . . prohibit direct, government created competition in which government organizations perform commercial services . . . New laws at all levels, particularly at the federal level, should require strict government reliance on the private sector for performance of commercial-type functions. When cost comparisons are necessary to accomplish conversion to private sector performance, laws must include provision for fair and equal cost comparisons. Funds controlled by a government entity must not be used to establish or conduct a commercial activity on U.S. property.

The issue is again at the top of the agenda of America's small business owners, having been adopted as a plank in several of the State meetings leading to the 1995 White House Conference on Small Business that will convene in Washington, DC, in June.

During the 102d and 103d Congress, I introduced legislation known as the Freedom from Government Competition Act. This bill would provide a legislative mandate for implementation of the 1955 Eisenhower policy. It would

require OMB to conduct an inventory of commercial activities performed by Federal agencies using Government employees and establish a process for contracting those activities to the private sector over a 5-year period.

During the course of my research on this matter, I have become aware of a particularly glaring example of the insidious nature of Government intrusion into an area that rightfully should be performed by the private sector. That is the field of surveying and mapping.

The Federal Government annually spends approximately $1 billion on surveying and activities, but in fiscal year 1993 only $69 million or 6.9 percent was contracted to the private sector while there are some 6,000 surveying firms and 250 mapping firms in the United States. You can go into any county seat in Tennessee or any other town in the Nation and you will find a private professional surveyor's firm within a 5-minute walk of the courthouse ready, willing, and able to do this work.

Not only do Federal agencies fail to contract a meaningful amount of their surveying and mapping requirements, but they market their services to other Federal agencies and to State, local, and foreign governments, in direct and unfair competition with the private sector. It just doesn't make since for the U.S. Government to have this capability when it is available from the private sector. I am convinced the more than 99 percent of the surveying and mapping firms that are indeed small business, as well as the larger firms, can save tax dollars and help us reduce the Federal deficit by working under contract with Federal agencies, and that the surveying and mapping firms in Tennessee and the other States can do as good if not better job of surveying and mapping our land than the Government.

The surveying and mapping community is a perfect example of overzealous Government growth in an activity that can and should be performed by the private sector. The old chain and transit methods of surveying have been replaced by Global Positioning System [GPS] satellite receivers, analytical computer mapping systems, and other technologies. It is frustrating to small business men and women that their markets, both domestic and foreign, are limited by the predatory activities of Federal agencies and that their tax dollars are supporting purchases of this same equipment by these agencies.

While there has been considerable discussion of privatization, an end to State-dominated economies in favor of market oriented economies, individual initiative, and other virtues that led Eastern Europe to discard socialism in favor of capitalism, Washington has not practiced here at home what we are preaching in fledgling democratic nations. When a Government agency competes with private firms it stifles growth in private industry by dominating certain markets; diverts needed personnel, particularly in technical occupations, from private sector employment; thwarts efforts by U.S. firms to export their services; and erodes the tax base by securing work that would otherwise be accomplished by tax paying entities.

Not only have the advantages of privatization and private sector utilization been recognized on the international scene, but these strategies are being implemented in American's States, cities, and counties.

In a recent report, "Listening to America", the Republican National Committee's National Policy Forum, said:

> In reducing the size and scope of government, it is time for Washington to learn from the lessons of the state and local governments. In Indianapolis, Jersey City, Dallas, Charlotte and Philadelphia, city governments under Democrat as well as Republican administration are turning to privatization to do more with less. In some cases, governments are getting out of the business of doing things they never should have done in the first place In other cases, private companies compete with public employees to provide service at the highest quality and the lowest cost. * * *
>
> The federal government can learn much from the new breed of mayors and governors who are responding to the call from their friends and neighbors to put government back in the hands of the people who found it, to rethink the role of government; to get out of business it doesn't belong in * * *

We in Congress have failed in our oversight responsibilities and permitted this buildup of in-house Government capabilities in commercial activities to occur. No matter how well intended these capabilities were when created or how popular they are now, we must put a stop to this unfair and costly practice.

I urge all my colleagues to use the 40th anniversary of President Eisenhower's policy to help focus America's attention on this important issue. I invite all Americans to join with me on January 15 to recognize the benefits of relying on our great enterprise system to assist in developing those Government services that can be performed at higher quality and lower cost than the Government itself. Let us use this occasion to dedicate ourselves to redefining Government by focusing the public sector on those activities only it can perform and relying on the private sector for those activities it does best.

LEGISLATION TO SAVE AMERICAN JOBS

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. KIM. Mr. Speaker, I rise today to introduce legislation which will save the jobs of thousands of American workers.

As many of my colleagues know, the medical device industry is one of the most dynamic industries in the United States. The statistics bear this point out: In 1993, the U.S. medical device industry produced nearly 40 billion dollars' worth of goods and employed approximately 270,000 workers in high-skill, high-wage jobs. U.S. medical device firms also exported almost $10 billion worth of goods in 1993, capturing 53 percent of the worldwide device market.

However, like other U.S. industries in the past, our position of world dominance in this industry is being threatened. The medical device industry is facing increasingly fierce competition from many foreign nations, especially Japan, Germany, and France.

Given this situation, one would think that our Government would be doing all it could to help device manufacturers retain their position as world leaders. Unfortunately, the opposite is true: In their fight for survival against these foreign competitors, our own Government has put U.S. companies at a serious competitive disadvantage.

Under current law, any company wishing to export a class III medical device must obtain separate export approval from the FDA—a process which is complex, expensive, and which can take months to complete. Surprisingly, U.S. companies are required to complete this export approval process even if the export product is not intended for sale in this country and has already been approved by the country to which it is being exported.

Because of this FDA redtape, U.S. device companies who want to export face a double hurdle: They must satisfy both the U.S. Government and the government of the country to which they wish to export. This situation creates a strong incentive for American companies to move overseas, where they do not face this kind of unnecessary redtape.

This incentive is already having devastating effects: In a recent survey of device company CEO's 40 percent said that their companies had reduced employment as a result of regulatory delays, and 22 percent said that they had already moved jobs offshore due to unnecessary FDA regulation. In other words, the result of this FDA regulation is lost American jobs.

The legislation I am introducing today, the Medical Device Export Promotion Act, could help save these jobs.

This legislation would direct the FDA to give automatic export approval to class III medical devices which have been approved for import by members of the European Community or Japan. These countries are our two most important export markets and have device approval processes which are internationally recognized as being safe and effective. The bill would also allow the U.S. companies which have gained approval for import into Europe and Japan to export worldwide without FDA interference. Finally, the bill would not allow companies to export products which have been banned in this country.

In short, this legislation represents the best of both worlds: It would allow 85 to 90 percent of U.S. medical devices to be freely exported without allowing U.S. companies to dump inferior products on the world market.

In doing so, this legislation would eliminate many of the bureaucratic hurdles that U.S. companies must currently overcome in order to export medical devices. In doing so, this legislation will eliminate the incentives for companies to move overseas to avoid such unnecessary regulation and, as a result, will save American jobs. For this reason, I urge my colleagues to support the Medical Device Export Promotion Act and ask for its timely consideration by this body.

American workers are counting on us. It is time to act.

CHANGING THE WAY GOVERNMENT WORKS

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. PACKARD. Mr. Speaker, last November the voters overwhelmingly chose to change the way Government works. Last week, we successfully changed the way Congress does business. Next, we will change the business Congress does.

We took our first steps toward turning back bloated, wasteful, inefficient government. I am committed to continuing down the path to less taxes, less spending, and less regulation.

In order to change the way government works, we must change the way Washington works. The out of control Federal spending beast thrived on 40 years of liberal tax and spend policies. We must pass the balanced budget amendment to reign in the spending beast and impose discipline on Washington's wasteful spending habits.

Our Nation's forefathers envisioned a government that served the people—not the other way around. A balanced budget amendment would help fulfill that vision.

TRIBUTE TO BOBBY CAVE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. BURTON of Indiana. Mr. Speaker, I would like to call this entire body's attention to the accomplishments of a young man from my district. Bobby Cave is 15-year-old freshman at Greenwood High School, Greenwood, IN, and his parents are Mr. & Mrs. Robert Cave. On Sunday, January 8, Bobby won the national Punt, Pass & Kick championship before a national television audience.

Mr. Speaker, Punt, Pass & Kick is an annual football skills competition which gives thousands of youngsters ages 8 to 15 a chance to participate in a healthy and competitive environment. It has been going on for many years, and in fact, a member of my staff twice competed in the competitions more than 15 years ago.

Mr. Speaker, Bobby Cave has proven himself to the Nation with his football skills, and in the process he has represented my district and my State in a very positive manner. I am very proud of Bobby and would like the entire U.S. Congress to recognize his accomplishments as well.

INTRODUCTION OF H.R. 452, THE "FOREIGN INTEREST REPRESENTATION ACT"

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. TRAFICANT. Mr. Speaker, every year, foreign interests spend hundreds of millions of dollars to influence the American Government. They employ topnotch lobbyists, many of whom are former U.S. Government officials and staff, to present their case in Washington. Meanwhile, our free trade policies have literally opened the doors to foreign investment, while an archaic law allows agents of foreign governments to work in secrecy.

The Foreign Agents Registration Act [FARA] of 1938 requires foreign agents to disclose their connections with foreign governments, foreign political parties, and other foreign principals to the Foreign Agents Registration Unit at the Department of Justice. However, according to General Accounting Office [GAO] reports, FARA is plagued by unclear language as to who is required to register, weak investigative and enforcement provisions, and loopholes.

GAO's July 1990 report entitled, "Foreign Agent Registration: Justice Needs to Improve Program Administration," finds that only 775 foreign agents—out of thousands—actually bothered to register under FARA. Since the 1990 report, neither the Justice Department nor Congress has rectified this breech of security. As a result, I have introduced H.R. 452, the Foreign Interest Representation Act.

The GAO report found several problems with current law:

The Foreign Agent Registration Act was originally enacted to target Nazi and Communist propaganda in the 1930's and 1940's. The term "foreign agent" was originally used to identify foreign principals in America who were spreading foreign propaganda and organizing political activities. With the end of the cold war, however, the emphasis has shifted from political propaganda to free trade and the global economic competition. FARA, however, remains unchanged. Thus, many individuals and law firms representing foreign interests are exempt from registration under the act.

My bill, H.R. 452, substitutes "representative of a foreign interest" for "foreign agent," thus broadening the definition and closing a loophole. Likewise, the term "political propaganda" has been dropped in favor of "promotional or informational materials." Several other term substitutions were made in this manner.

FARA provides certain exemptions to registration including commercial activities. Moreover, representatives of foreign interests are not required to notify the registration unit to claim an exemption. As a result, it is difficult for the unit to determine who should and who should not be registered.

Under H.R. 452, any person who engages in political activities for the purpose of furthering the commercial, industrial or financial operations of a foreign interest would no longer be exempt. In addition, representatives of foreign interests will now be required to notify the Attorney General.

Furthermore, H.R. 452, establishes a test to determine what constitutes foreign control. Entities that are more than 50 percent foreign owned would be presumed to be foreign controlled and required to register. Entities with 20 to 50 percent foreign ownership would also be considered foreign controlled, but the presumption could be rebutted with evidence. Less than 20 percent foreign ownership would not require registration. Both provisions help to clarify the law and will lead to an increase in registration.

Timeliness of foreign agent registration and reporting remains a problem. Of the 28 registration statements reviewed in the GAO report, a whopping 68 percent had not registered on time.

Currently, registrants must submit updated disclosure forms every 6 months after the initial registration. This system has made it almost impossible to know who is registered and whether the registration is up-to-date. H.R. 452 requires follow-up registration forms to be filed in January 30 and June 30 of each year. The Justice Department, however, would be given the authority to waive this provision, on a case-by-case basis, for entities whose fiscal year does not follow the calendar year.

Finally, harsh criminal penalties under FARA are another reason the Justice Department has shied away from enforcement of the act. Under H.R. 452, any person who has failed to file, has omitted facts, or has made a false statement regarding the facts, will be fined a minimum of $2,000, up to $1,000,000, depending upon the nature and duration of the violation. Furthermore, the Justice Department would be given the authority to subpoena individuals for testimony and records.

The bottom line is, the American people have a right to know who is getting paid by foreign interests to influence the U.S. Government. If you support an end to secrecy through uniform reporting and penalties for noncompliance, I urge you to cosponsor H.R. 452, the Foreign Interest Representation Act.

SIKH LEADER S.S. MANN ARRESTED FOR MAKING SPEECH; CALLED FOR FREE KHALISTAN; SIKHS SHOW SUPPORT FOR FREEDOM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. SOLOMON. Mr. Speaker, the brutal oppression of the Sikh nation by the Indian regime continues. Simranjit Singh Mann, a very prominent Sikh leader, was arrested on January 5 under India's draconian Terrorist and Disruptive Activities Act, known as TADA, after he made a speech in which he called for a free and independent Khalistan by peaceful means. The speech was given December 26 at an annual Sikh observance commemorating the martyrdom of Guru Gobind Singh's two sons. After telling the crowd that Khalistan is the only issue facing the Sikh nation, Mr. Mann asked the crowd of 40,000 to 50,000 to raise their hands if they supported a free Khalistan. The attendees all raised their hands if they supported a free Khalistan. The attendees all raised their hands in a clear demonstration of the Sikh nation's support for a free Khalistan.

When India held state elections in Punjab, Khalistan, in February 1992, only 4.3 percent of Sikhs there voted, according to the newspaper India Abroad. Nearly 96 percent stayed away, despite the military's effort to drag voters to polling places at gunpoint. This is a clear reflection of the Sikh nation's desire for freedom.

Now Mr. Mann, a former Member of Parliament, again faces charges under TADA as well as sedition charges. Will the almost 50,000 Sikhs who raised their hands also be declared terrorists by the brutal Indian regime?

India calls itself the world's largest democracy. Do these actions sound like the acts of a democracy? In fact, they sound more like the workings of North Korea, Cuba, or any other dictatorship you can name. If making a speech is terrorism, the word is drained of any meaning I recognize.

The oppression of the Sikhs must end. The Sikh nation wants its freedom. It is time for India to withdraw its occupying troops from Khalistan and allow Khalistan to achieve its full independence by peaceful means. Until India is willing to allow the Sikh nation to vote on independence, it cannot call itself democratic. Until India recognizes the fundamental liberties of all people living under its rule, it should receive no aid or trade from the overburdened taxpayers of the United States or any civilized nation.

Only freedom for Khalistan will ensure peace and freedom in the region. It is time for India to withdraw from Khalistan and all the other nations it is oppressing. It is the duty of the United States to support the cause of freedom. We should impose sanctions on India and cut off its aid until India is willing to live by the principles of freedom which define democratic nations. We must take strong measures to support human rights and self-determination for everyone.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ANNOUNCES CHANGES

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. LAZIO of New York. Mr. Speaker, on December 19, 1994, Secretary of the Department of Housing and Urban Development [HUD] Henry Cisneros announced that he planned to dramatically alter the manner in which the Department operates. He admitted that HUD was a bureaucracy more attentive to process than to results, was slavishly loyal to nonperforming programs, and did not trust the initiatives of local leaders. To correct these problems, he presented a plan, called the HUD Reinvention Blueprint, to restructure HUD's programs in an unprecedented fashion.

After reading the blueprint, which is still conceptual, I was pleased to see that the Secretary adopted many Republican ideas. For example, it proposes to shrink the Federal Government, to reduce micromanagement, and to return power and responsibility to State and local jurisdictions.

I told the Secretary that I welcomed his ideas and that I wanted to work with him to change the way housing, especially low-income housing, is provided in this country.

Nevertheless, I also told the Secretary that, as the new chairman of the Housing and Community Opportunity Subcommittee, I planned to review in toto all HUD's programs.

My reasons for this review are based on reports which question HUD's capacity to administer its more than 200 programs. For example, the National Academy of Public Administrators [NAPA] has recommended that HUD's programs be reduced to 10 by the year 2000 or be eliminated. HUD's inspector general [IG], in her most recent report to Congress, found that HUD needed to be more proactive and aggressive to correct its problems, especially in light of their magnitude and complexity. The HUD blueprint proposes to consolidate only 60 programs into 3—leaving unanswered the question of what becomes of the remaining 140 programs.

Congress must do a top-to-bottom review of HUD programs. Most require major overhaul—a process that involves rewriting statutes and reducing Federal regulations. Therefore, as part of my review, I intend to find ways in addition to the blueprint, to reform, consolidate, streamline, and if appropriate, eliminate outdated housing programs.

As part of this review, I am looking at new approaches to administering HUD programs in a cost-efficient, yet people-friendly manner so that as many families as possible can get housing. I intend to explore various options to deregulate programs so that States and local jurisdictions are provided with all the authority they require to operate independently—both financially and administratively. It is my feeling that unless localities have unfettered discretion to operate their programs, with the fewest possible attached strings, deregulation is illusory.

Finally, I want to review HUD's budget. Every Member of this House is aware that all Federal agencies must tighten their belts in order to reduce the budget deficit and pay for the middle-income tax cut. HUD cannot be excused from this effort.

It is my intention to work with HUD and with my former chairman, HENRY GONZALEZ, for whom I have great respect, as the committee reviews the proposals in the blueprint, particularly insofar as they are based on Republican efforts over the last 12 years. I welcome many of the blueprint's core ideas as a beginning, but intend to take a hard look at them and to expand upon them, so that they become in actuality what they appear to be in concept.

RESTRICTED EXPLOSIVES CONTROL ACT

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. QUINN. Mr. Speaker, I rise today to reintroduce the Restricted Explosives Control Act, a consequential piece of legislation that I sponsored in the 103d Congress.

Not only does my legislation require a Federal permit for all purchases of explosives, it also dictates that all applicants must submit a photograph as well as a set of fingerprints along with their permit application. The bill defines "restricted explosives" as: high explosives, blasting agents, detonators, and more than 50 pounds of black powder.

In addition, the legislation will not unduly burden legitimate explosives purchasers. The bill establishes a 6-month grace period, before the measure is implemented, to enable people to obtain Federal permits from the Bureau of Alcohol, Tobacco, and Firearms [ATF].

During the holiday season of 1993, four mail bombs exploded in western New York—taking five innocent lives. Current law enabled those accused in the murders to buy the deadly dynamite in Kentucky, simply by providing false identification, completing a short form furnished by the ATF, and promising not to cross State lines.

Once this measure is enacted, never again will an individual be able to walk into an explosives dealer's office, quickly fill out a short Federal form, and walk out with dynamite or some other type of high explosive.

The Restricted Explosives Control Act is endorsed by the Institute of Makers of Explosives, the very people who manufacture explosives. The bill also is endorsed by the National Rifle Association.

This legislation is a solid proposal that will prevent such tragedies. The fact is that current law allows for dynamite and other explosives to be sold over the counter. The Restricted Explosives Control Act must be implemented without delay so that we may close that deadly loophole in Federal explosives law.

HONORING DR. PAUL MICHAEL KAZAS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. SCHUMER. Mr. Speaker, one of the pleasures of serving in this legislative body is the opportunity we occasionally get to acknowledge publicly outstanding citizens of our Nation.

I rise today to honor Dr. Paul Michael Kazas, a model citizen. I congratulate Dr. Kazas for his recent election as president to the Woodhaven Residents' Block Association. If he brings the same dedication that he has brought to his other pursuits, then there is little doubt that this organization will blossom and grow.

Dr. Kazas belongs to some 20 civic professional organizations, and actively serves on five different board of directors. While others lead and leave the work to others, Dr. Kazas is never afraid to get his hands dirty. He cleans the traffic islands from Park Lane South to 91st Avenue on Woodhaven Boulevard; he was involved with repainting the nearby Interborough Parkway Overpass; he became a certified street pruner so that the community could receive a $15,000 grant from the New York State Department of Environment Conservation to plant trees on Jamaica Avenue. He is truly a remarkable individual.

Mr. Speaker, I would like to take this moment to ask my colleagues in the U.S. House of Representatives to join me in commending Dr. Kazas for his tireless work. He is worthy of our recognition for making Queens County and the city of New York a better place in which to live.

NO MORE TAXPAYER SUBSIDY FOR WESTERN EUROPE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, the biggest single mistake we are making in public policy today is to continue to spend far more on the military than is necessary. We have not responded responsibly to the collapse of the Soviet Union and our victory in the cold war in particular, we continue to act as if Western Europe is in need of subsidy for its defense from the American taxpayer.

During our recess, on December 3, Jack Beatty, senior editor at the Atlantic Monthly, wrote an excellent essay in the Boston Globe pointing out the irrationality of our current policy. I was flattered to read Mr. Beatty's forthright assertion that "NATO is an exorbitant anachronism" and I ask that his very persuasive essay be printed here. I hope that Members will read and think about it as we prepare to vote on the fiscal 1996 budget.

[From the Boston Globe, Dec. 3, 1994]

NATO: IT'S TIME THE EUROPEANS FOUND THEIR OWN WAY

(By Jack Beatty)

NATO is an exorbitant anarchronism. Widely regretted by columnists and editorial writers, the current rift among the NATO allies over Bosnia should instead be seen as a welcome development, a chance to reorder national priorities. We can no longer afford to defend countries with higher standards of living than our own against a vanished threat. The Cold War is over, but the peace dividend has been swallowed up by NATO.

We continue to spend $75 billion to $100 billion annually on the defense of Western Europe—this largely is to maintain the 150,000 US troops stationed there. The Clinton administration wants to cut that force by 50,000 by 1999. What is the rationale for keeping 100,000 troops in Europe into the next millennium? To repel any future Russian invasion of Lithuania. Unbelievably, that was the sole European case offered in the seven possible war scenarios leaked from the Pentagon two years ago.

We have no treaty commitments to Lithuania. For 50 years we tolerated the Soviet occupation of Lithuania without harm to our national well-being. Lithuania is to Russia as Haiti is to us, a small country within a big country's sphere of influence. Yet the Pentagon expects US taxpayers to fork over more than $50 billion every year to preserve a free Lithuania.

Military welfare to Europe should be as hot a political button as domestic welfare to women and children, and perhaps it would be if the British, Danes and Germans we are saving from the costly inconvenience of defending Lithuania all by themselves were—how to put it?—stigmatically nonwhite. But with the elites of both parties under the platitudinous spell of the foreign policy establishment, it will probably take a third party to raise the issue.

Counter-arguments? Two are usually cited. First, we would lose influence within the alliance if we had no ground troops stationed on alliance soil. Second, only isolationists could advocate abandoning the forward-deployment strategy taught by the bitter experience of two Europe-made world wars.

Lose influence within the alliance? What influence? The Clinton administration's fruitless efforts to change alliance policy on Bosnia shows how little influence we have. To be sure, we might have had more if, like the British and French, we had dispatched peace-keepers to Bosnia, a place with no peace to keep. But influence at the price of folly is a bad bargain.

The idea that we should "lead the alliance," that the European powers have grown soft behind the generous welfare states our defense spending has let them afford, has surface plausibility. Certainly the British and French have not shown much spine in Bosnia. But unpack that word "lead" and you'll find it means something like this: If we continue to spend more to defend Europe than the European countries spend to defend themselves, and if we are willing to station peace-keepers in powderkegs like Bosnia, the allies will suffer us to lead them, yes, but only where they want to go, as Lyndon Johnson discovered over Vietnam. Leadership means pointless, unending subsidy.

Moreover, it is insulting to the Europeans to carry on as if they are cock-a-hoop without us. Just as a welfare check can inhibit your will to work, so being led by others can inhibit your will and weaken your capacity to lead. The Europeans must find their own way.

Is it "isolationist" to leave them to it? No. It is realism. We should trade places with the French: They are the major land power in Europe. Let them lead; it will do wonders for their hauteur. Our political role should be as a French-like kibitzer around the edges of NATO, ready to build up in Europe, if necessary, to answer any buildup from a nationalist Russia. Our proper geostrategic role is offshore, as a maritime power. Walter Lippmann called this the "blue water strategy." Unlike the continuance of forward deployment against a phantom enemy, it has the merit of being sane.

Besides, as conservatives will soon be warning in Congress, we face security threats that the cost of forward deployment in Europe simply won't permit us to address. It is, for example, just a matter of time before some rogue regime or stateless band of terrorists learn how to make and transport nuclear weapons. We have no defense against such threats now. The Republicans want to revive the Strategic Defense Initiative, but even if that celestial Maginot Line could be constructed for less than hundreds of billions of dollars, it would only work against ballistic missile attack. A border patrol scaled to national security dimensions would make far more sense as protection against bomb-carrying terrorists. Estimates are that $20 billion annually, about half what NATO will cost in the year 2000, would pay for a real military-style border between the United States and Mexico. That would also keep out both illegal immigrants and drug traffickers, which would benefit both our lowest wage earners and inner-city kids. What a novelty that would be: American defense spending defending Americans.

In short, getting Europe out of our pockets is a requirement of both economic and national security. The burden should be on those who want to maintain the somnambulant commitment to NATO.

LESLIE MERLIN CELEBRATES 15TH ANNIVERSARY WITH THE BRICK CHURCH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues a wonderful woman who recently marked her 15th year with the Brick Presbyterian Church in Manhattan.

Since 1979, Associate Pastor Leslie Merlin has devoted her considerable talents and deep compassion to the Brick Church as Associate Pastor. As a parishioner at the Brick Church, I have enjoyed her sermons and been a beneficiary of her wisdom many times.

When she arrived in 1979, Pastor Merlin brought with her to the Brick Church a longstanding commitment to helping others, and a devotion to making the world around her a better place. After graduating from Wagner College in Staten Island, she served as a volunteer teacher in Papua New Guinea. Shortly thereafter, she blended her interest in teaching with a calling to the church by earning a master of divinity at Princeton Seminary. After a brief stay with the Nassau Presbyterian Church in Princeton, she came to the Brick Church, which has enjoyed her presence ever since.

Mr. Speaker, I would ask that my colleagues join me in celebrating Leslie Merlin's 15th anniversary with the Brick Church. She has been both a friend and an inspiration to the parishioners of the Brick Church, and I wish her many more years of happiness and joy.

REPEAL NAFTA!

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today in support of the NAFTA Withdrawal Act, legislation to pull the United States out of the North American Free-Trade Agreement [NAFTA].

When I cast my vote against NAFTA, I did so knowing full well the devastating impact such an agreement would have on U.S. workers. To date, because of NAFTA, over 8,000 American workers have lost their jobs.

Since NAFTA took effect, United States imports from Mexico have been increasing at a rate faster than United States exports to Mexico. This distinction is important because in order to create jobs, United States exports must be expanding faster than imports. This imbalance between imports and exports has cut the United States trade surplus with Mexico down to little more than $1 billion.

Likewise, from January through July of last year, United States automakers exported about 22,000 vehicles to Mexico. The United States, however, imported 221,000 from Mexico—an imbalance of 199,000 vehicles in Mexico's favor. Moreover, in the short-time since NAFTA passed, Honda, BMW, Volkswagen, Toyota, and Samsung have all announced plans to build new or expanded production facilities in Mexico.

In passing NAFTA, too many of my colleagues failed to see NAFTA for what it really was—a continuation of policies that have undermined the hard won benefits of our Nation's labor movement. Passage of the NAFTA Withdrawal Act is essential if we are to restore justice to the working people of America.

THE ROBERT J. LAGOMARSINO VISITORS CENTER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. GALLEGLY. Mr. Speaker, I am today re-introducing legislation to designate the visitors center at the Channel Islands National Park, CA, as the Robert J. Lagomarsino Visitors Center.

In 1980, Bob Lagomarsino successfully guided legislation through Congress which established the Channel Islands National Park in Ventura County, CA. He then worked tirelessly during the next dozen years to obtain land acquisition funds to buy the islands from their previous owners. Because of his efforts, virtually all of the islands are now protected, ensuring that they will remain free of development and in their pristine state which will be open to the public for generations to come.

Unquestionably, without Bob Lagomarsino's perseverance, it's safe to say that the islands would not be protected today. It's only fitting that the visitors center at Ventura Harbor serve as a living monument for the outstanding service Bob Lagomarsino provided to Ventura County residents for almost 35 years in public office.

Identical legislation was passed by the House in the 103d Congress; regrettably it was not considered in the Senate prior to adjournment.

I urge my colleagues to support and to cosponsor this legislation.

INTERSTATE BANKING REVISITED

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. McCOLLUM. Mr. Speaker, last year, Congress enacted the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994. This was certainly one of the Banking Committee's most important accomplishments. One provision in the interstate law, the applicable law provision, generated considerable discussion by the conference committee.

The applicable law provision is relevant when a national bank branches into a second State. With respect to four kinds of State laws specified in the statute, the branch is subject to State law as if it were a bank chartered by the host State, unless the State law is preempted. However, we were clear in the language of the statute and the legislative history that the applicable law provision in the interstate law applies only when a bank actually has branches in a second State. If a bank does not branch into a second State, the applicable law provision does not come into play.

Another provision of the interstate law, the savings clause of section 111, is also important in this regard. The savings clause provides that nothing in the interstate law affects section 85 of the National Bank Act and section 27 of the Federal Deposit Insurance Act. These provisions, as we explained in the legislative history, authorize banks to make loans, including interstate loans, and the savings clause therefore preserved the preexisting lending authority of banks to collect all lending charges, without regard to the changes in branching authority made by the interstate law.

I believe it is important to reemphasize these points as courts, regulators, and others interpret the applicable law provision and other parts of the new interstate banking law. It has come to my attention that a State court in Pennsylvania recently interpreted the applicable law provision in a decision concerning whether a national bank located in Ohio was authorized by section 85 of the National Bank Act to collect certain credit card charges from Pennsylvania residents. I would certainly hope that all courts recognize that the applicable law provision has no bearing on or relevance to a case in which a national bank has no branches in a second State.

HONORING THOSE FIRE FIGHTERS, EMERGENCY PERSONNEL, AND VOLUNTEERS WHO CONTAINED THE LOGAN VALLEY MALL FIRE IN ALTOONA, PA ON DECEMBER 16, 1994

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. SHUSTER. Mr. Speaker, I rise today to honor a group of people who exemplified the utmost professionalism and courage in their efforts to battle the devastating Logan Valley Mall fire in Altoona, PA during the early hours of Friday, December 16, 1994. These firefighters, emergency personnel, and volunteers all came together in a desperate time of need to contain this fire which has left an everlasting impression on the Altoona economy and its people. Over 300 firefighters, from 63 departments, stationed in Blair and four surrounding counties were called upon to extinguish the fire. Considering the fact that there are 81,000 firefighters in the Commonwealth of Pennsylvania, 73,000 of which are volunteer, one can realize the magnitude of this fire by the number of personnel involved. Along with these numerous firefighters were emergency assistance workers and volunteers on site to provide any needed support throughout the ordeal. I applaud the job done by the local police, sheriffs, dispatch centers, and community organizations which all played a part during the fire and the aftermath.

Due to the quick action by all of the participating fire departments the powerful blaze was contained, saving a majority of the mall stores, and even allowing a handful to reopen in the following days. Hopefully, the reconstruction of the mall will be completed by the fall of 1995 thanks in part to this team of people.

I know I speak for everyone involved in this tragedy when I say that without the support and cooperation demonstrated by this crew of professionals and volunteers the damage sustained from the fire surely would have been greater, and we are all very thankful that no one was seriously injured from the dangerous blaze. In fact, with hundreds of people on the scene, only one minor injury was reported. Even though a disaster such as this is never welcome, it is reassuring to know that there are top notch emergency services in central Pennsylvania, committed to a profession in which they face life and death situations every time that station bell goes off.

I hope that in the future our communities will be able to maintain the necessary resources needed to maintain such readiness when called into action in times of serious emergencies. The Altoona region is indeed fortunate to have such a dedicated fire and rescue service on hand.

IN MEMORIAL: SHANNON LOWNEY AND LEANNE NICHOLS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. FILNER. Mr. Speaker, the violence continues and the death toll rises once again. In the wake of the recent clinic violence in Massachusetts, 25-year-old Shannon Elizabeth Lowney and 38-year-old Leanne Nichols are dead, five people are injured, and an entire Nation sits paralyzed by fear and shock.

I wish to extend my deepest sympathies to the families of Shannon and Leanne. To them we offer this promise: We will not allow these women's lives to be lost in vain and we will not allow their sacrifice to be dismissed as mere casualties of a political conflict. These were not combatants—these were health care professionals. They were brutally murdered by those that seek to do through terrorism what they can never do through the ballot box.

The time has come for an end to clinic violence. An end to the lame excuses offered on behalf of the offenders. An end to the fear that grips professionals, patients, and ordinary Americans throughout our Nation. An end to the sick belief that violence will reap political empowerment.

Our Nation must act quickly to bring to justice both the assassins and those who incite them. Make no mistake: There is no greater threat to our national security today than the domestic terrorists roaming America under the cover of anti-choice politics. Dr. David Gunn, Dr. John Bayard Britton, Lt. Col. James Barrett, Shannon Elizabeth Lowney, and Leanne Nichols are gone forever, but their cause, the cause of freedom, lives on in all of us.

Our challenge is clear, our resolve unwavering, and our cause is just. We pause now to remember those who have died, but we will not give up our freedoms and we will not capitulate to terrorism. These women expect better of us, and better we must do to honor their memory.

THE ANTI-COP-KILLER BULLET ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. STARK. Mr. Speaker, today I am introducing legislation that would impose a tax and import controls on bullets expressly designed to penetrate the bulletproof vests of law enforcement personnel.

This legislation, the Anti-Cop-Killer Bullet Act, would impose the same tax which currently exists on controlled firearms, such as submachine guns and sawed-off shotguns, to high-technology cop killer bullets like the rhino and black talon bullet. If enacted, the bullet manufacturer would be taxed at the rate of $200 for each bullet—a tax so high that the bullet obviously would never be produced.

Over 10 years ago, a Teflon-coated bullet designed to pierce soft body armor was introduced. Due to strong public reaction, Congress in 1986 enacted the very first law to ban a round of ammunition. Since then other bullets manufactured from different materials but designed with the same purpose have been introduced. Only after threatening or actually carrying out our threat to ban these cop-killer bullets, have we in Congress been successful at stopping them from reaching our streets.

However, as soon as we in Congress go through the motions of preventing a cop-killer bullet from going into production, along comes another manufacturer with a new bullet designed to penetrate protective armor. This pattern will continue as long as bullet manufacturers are allowed to exploit the loophole that exists in the 1986 law banning cop-killer bullets. Under the law, only metal alloy and Teflon-coated bullets were singled out leaving the door wide open for companies such as the Signature Products Corporation to develop plastic-based ammunition like the rhino bullet.

My legislation would prevent these unscrupulous bullet manufacturers from taking advantage of this loophole in existing Federal law. Rather than attempting to add another amendment to the 1986 law, the Anti-Cop-Killer Bullet Act proposes an across-the-board tax on all bullets expressly manufactured or advertised to penetrate normal quality bulletproof vests worn by law enforcement personnel. The tax at $200 per bullet would surely make the business of manufacturing cop-killer bullets an economic impossibility.

America's law enforcement officers are already out-gunned as it is. Having to worry about a bullet piercing their protective armor should be the last thing on their mind.

By passing the Anti-Cop-Killer Bullet Act, we will be giving our law enforcement the support they need. I urge my colleagues to join with me to pass this legislation so that we can prevent these cop-killer bullets from endangering the lives of America's law enforcement officers.

CONGRATULATIONS TO THE LEAGUE OF WOMEN VOTERS

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. WALSH. Mr. Speaker, it is a great pleasure for me to commend the League of Women Voters for their recently celebrated 75th anniversary, which we recognized in Syracuse last month with a ceremony and exhibit at our beloved Erie Canal Museum.

The league has steadfastly dedicated itself to informing voters about the choices they have and the process they are most certainly a part of.

It is fitting that our celebration in Syracuse was held at the Canal Museum, inside a symbol of our regional—and, in fact, our national—history and our local heritage. Decisions by elected government are by their nature best made after consultation with an informed citizenry. Just as the Erie Canal was the work of governmental leaders enlightened by a populace requiring economic salvation, so too is democracy exercised best when groups such as the League of Women Voters have done their work.

My personal experience with the Syracuse Metro League has been positive. I believe I have benefited by their efforts. They have sponsored debates in which I have taken part. They have provided forums for discussion, most recently on health care. And more generally, but perhaps most important, they have been willing partners in the push to keep people interested and involved in the responsibilities of democracy.

I want to encourage the league, and to cooperate. I would ask my colleagues to join me in congratulating the League of Women Voters for their hard work and in wishing them well for many years to come.

INTRODUCTION OF H.R. 449, THE PRIMARY HEALTH CARE EDUCATION ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. TRAFICANT. Mr. Speaker, it's a well-known fact that America's growing emphasis on specialization in the physician work force has driven up the costs of health care and fragmented access to medical services. What is not widely known is that America will have a shortage of 35,000 primary care physicians by the year 2000 and a projected surplus of 115,000 specialists—Department of Health and Human Services. To reverse current trends in medical education and lower the rate of inflation on health care costs, I have introduced H.R. 449, the Primary Health Care Education Act.

In the past year, two separate Government-funded studies have produced substantial evidence that medical schools must respond now to compensate for our primary care needs of the 21st century. H.R. 449 is based on the findings and recommendations to the Congress found in both reports. These reports include: First, the General Accounting Office's [GAO] October 1994 report to congressional requesters entitled "Medical Education: Curriculum and Financing Strategies, Need to Encourage Primary Care," and second, the Council On Graduate Medical Education's [COGME] fourth report to Congress and the Department of Health and Human Services entitled "Recommendations to Improve Access to Health Care Through Physician Workforce Reform."

At this time, I would like to briefly summarize the GAO's findings. Medical career decisions are usually made at three specific times during a student's education: First, at the end of college when students typically apply to medical school, second, during the fourth year of medical school when students choose the area of medicine to pursue and enter residency training, and third, at the end of residency training when residents decide to enter practice or to train further for a subspecialty. H.R. 449 attempts to encourage primary care as a career choice at all points in a student's academic career.

The choice of career paths in medicine were found to be significantly influenced by the curriculum and training opportunities students receive during their medical education. Foremost among these factors was whether the medical school had a family practice department. Students attending schools with family practice departments were 57 percent more likely to pursue primary care than those attending schools without family practice departments. Second, the higher the ratio of funding of a family practice department in relation to the number of students, the higher the percentage of students choosing to enter primary care. Students attending medical schools with highly funded departments were 18 percent more likely to pursue primary care than students attending schools with lower funding. A third factor was whether a family practice clerkship was required before career decisions were made in the fourth year. Students attending schools which required a third-year clerkship were 18 percent more likely to purse primary care. Fourth, a significant correlation was found between residents who were exposed to primary care faculty, exposed to hospital rounds taught by primary care faculty, and exposed to rotations which required training in primary care—and residents who were not—in choosing to enter general practice.

Given the health care needs of the 21st century, COGME recommends we attain the following physician workforce goals by the year 2000. First year residency positions should be limited to the number of 1993 U.S. medical school graduates, plus 10 percent. At least 50 percent of residency graduates should enter practice as primary care physicians. And, steps should be taken to eliminate rural and inner-city primary care shortages.

To reverse the current trends toward specialization, the Traficant Primary Care Education Act directs the Secretary of Health and Human Services to give preference to medical schools which have established programs that first, emphasize training in primary care, and second, encourage students to choose primary care. Under H.R. 449, the Secretary

must consider the GAO's findings when establishing the conditions a medical school must meet to receive preference.

The Secretary, however, is by no means limited to the GAO's findings. H.R. 449 was designed to give the Department of Health and Human Services the authority to shift the current trends in medical education to meet existing and future needs. It does this by giving preference, or awarding grants and contracts to schools which have designed curriculum that has been proven to increase primary care. The Traficant bill, however, by no means dictates, to the administering agency or medical schools, the best way to achieve the desired results. The Traficant bill, in fact, follows the intent of language of the Public Health Service Amendments of 1992, which was passed only by this body. It is my hope that HHS, as the expert agency on this issue, in consultation with medical schools, GAO, and COGME, will attain the health care and physician work force needs of the 21st century.

If you support improved access to services and lower health care costs, I urge you to cosponsor H.R. 449, the Primary Care Education Act.

NUCLEAR WASTE POLICY REASSESSMENT ACT

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mrs. VUCANOVICH. Mr. Speaker, today I'm introducing the Nuclear Waste Policy Reassessment Act of 1995. Congress has shown little concern for the science of Yucca Mountain. Instead, the siting of the Nation's high-level nuclear waste repository has become nothing more than a political football.

My bill prohibits site characterization of Yucca Mountain for 3 years while the National Academy of Sciences conducts a study to determine if the current process of studying only Yucca Mountain makes scientific sense, or whether alternatives should be looked at. I believe that a body concerned with scientific objectivity cannot possibly endorse the further site characterization of Yucca Mountain and the current exclusion of other options.

During the suspension of work on the Yucca Mountain site the legislation provides for funding of dry cask storage at existing reactor sites. As the deadline approaches for the Federal Government to take possession of this waste, we must provide some type of storage; onsite storage appears to be the most workable solution.

In recognition of slippage in the deadlines for study and construction of a high-level nuclear waste facility, this legislation moves the deadline for opening any nuclear waste dump back to 2015.

I have been consistently opposed to siting the Nation's high-level nuclear waste repository in Nevada, and I will continue to fight Congress' abuse of Nevada with all means available. It's not fair for Congress to make Nevada into the nuclear dumping ground for the rest of the country. I hope my colleagues will support my efforts to see that science prevails over politics.

TRIBUTE TO MUSICIAN/COMPOSER GEORGE KATSAROS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. BILIRAKIS. Mr. Speaker, we owe a great debt of gratitude to those ancient Greeks who forged the notion of democracy and thus gave us a blueprint for our own democratic heritage. We owe another debt of gratitude to a man who has been called the greatest Greek folk song composer and singer of the 20th century. It is that man, my good friend George Katsaros, for whom I rise today to pay tribute.

Ironically, it was the promise of opportunity inherent in democracy that beckoned George to this country from the island of Amorgos in 1913 at the age of 25. Stepping off a steamship at New York Harbor with all his belongings in one hand and his guitar in the other, George Katsaros began a musical career that continues even today. Within hours of his arrival he was accompanying a Salvation Army street band and was invited to stay on. Now, more than 80 years later, his strong, nostalgic, mellow voice and unique style on the guitar have been heard in every corner of the world: in ballrooms, hotel clubs, coffeehouses, concert halls, steamships, private yachts—anywhere people gather to hear their memories and dreams and experiences put to music and sung from the heart.

Katsaros became so popular that in 1919 RCA Victor signed him as a recording artist. Contracts with Columbia and Decca followed, and soon many of his compositions became favorites in Greece and other places where Greek music is played. His popularity grew because people related to his songs about life in unfamiliar surroundings and in difficult times; songs about the comfort of family and friends; songs about the joy of hopes fulfilled.

Now, even in his twilight years, George Katsaros still composes and performs. At 106 years of age he is immaculately dressed, his back straight, his eyes bright with ideas yet to be expressed. Accolades, such as his 1990 State of Florida Folk Life Heritage Award, or his selection as grand marshall of the 1994 Tarpon Springs Christmas parade, don't lull him into inactivity; they inspire him to continue on.

Steve Frangos, in his 1992 study of the international Greek entertainment industry, noted that Katsaros merits recognition on a national level "for his singular contributions not only to the ongoing development of Greek music but as one of the finest proponents of traditional ethnic music ever to perform in America." I am proud to call him a fellow American and a friend.

EL REGRESO FOUNDATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Ms. VELÁZQUEZ. Mr. Speaker, on September 23, 1994, I attended the graduation ceremony for El Regreso Foundation, a bilingual drug and alcohol abuse treatment program in the Williamsburg, Brooklyn section of my district. The event was an incredibly moving experience filled with tears and applause. The feeling of hope overcoming pain and abuse permeated the evening's festivities.

Overcoming the greatest odds and barriers, these graduates literally received a new lease on life, a life formerly plagued with violence, crime, and drug use.

This graduation was a perfect example of the ability of our people to take hold of their lives and turn them around, to be able to look into their selves and recognize that they do not want to become another statistic.

Events such as this one at El Regreso, are an inspiration to us all. They are of extreme importance to communities such as Williamsburg, which struggle daily for sources of hope. And while the media bombards us daily with stories of violence, crime, and despair, these and other success stories go unnoticed.

Success stories such as the one of Carlos Pagan. He too overcame heavy drug use and a hard street life, to become the founder and executive director of El Regreso. He is now a source of inspiration to untold numbers of men and women who go through El Regreso's Program, and a bright beacon of light illuminating the dark waters of addiction.

In closing, I salute Carlos Pagan and the staff of El Regreso for reminding our community that the best weapons against poverty, discrimination, and even fear are not the escapes offered by powerful hallucigenics. The best weapons against these enemies are the potency of pride and the power of belief in themselves.

NATIONAL GAMBLING IMPACT AND POLICY COMMISSION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. WOLF. Mr. Speaker, today I am introducing legislation establishing the National Gambling Impact and Policy Commission. This blue ribbon panel will be composed of nine members—three appointed by the Speaker of the House of Representatives, three appointed by the majority leader of the Senate, and three appointed by the President of the United States. One of the appointees should be a State Governor.

America is on a gambling binge. The question facing this commission will be: are we trading long-term economic growth and prosperity for short-term gain? Gambling is one of the fastest growing industries in the Nation and is becoming America's pastime. In 1993, Americans made more trips to casinos than they did to major league ballparks. At the turn of the century, gambling was prohibited. Today, however, there are 37 State lotteries, casinos operate in 23 States, and 95 percent of all Americans are expected to live within a 3- or 4-hour drive of a casino by the year 2000. Only two States, Hawaii and Utah, forbid wagering.

Reports indicate that cash-strapped State and local governments will continue to authorize more gambling operations in the hope that

they will be an economic bonanza. Governments often fail to consider, though, that gambling can bring on economic problems to their jurisdictions that far outweigh any benefits. Negative impacts on State and local economies, small businesses, and families can no longer be ignored. Crime and social problems related to gambling could add to already overburdened criminal justice and social welfare systems. This is an issue of national economic importance, and I believe the new Congress should examine it closely over the coming months.

The Commission established by this legislation will conduct a comprehensive legal and factual study of gambling in the United States. I will outline some of the specific matters to be studied and some examples of why they should be studied.

The Commission should review the costs and effectiveness of State and Federal gambling regulatory policy, including whether Indian gaming should be regulated by States as well as the Federal Government. Indian gambling accounts for about 5 percent of all casino gambling and that figure is growing at an extraordinary rate. Unlike New Jersey and Nevada which has extremely costly, mature, and effective regulatory structures, the Federal effort to regulate Indian gaming to prevent the infiltration of organized crime is scanty at best. There are less than 30 staff persons to regulate Indian gaming operations throughout the country. The Commission should recommend whether or not Indian gaming should be regulated by the States.

The Commission should examine the economic impact of gambling on other businesses. As gambling proliferates, job-creating wealth is shifted from savings and investment to gambling which creates no useful product. Income spent on gambling is not spent on movies, clothes, recreation services, or other goods or services. Gambling cannibalizes other businesses such as restaurants. For example, the number of restaurants in Atlantic City declined from 243 in 1977, the year after casinos were legalized, to 146 in 1987.

The Commission should make a detailed assessment and review of the political contributions and influence of gambling promoters on the development of public policy regulating gambling. Proponents of gambling raised about $14 million in their losing battle to bring casino gambling to Florida. Millions in contributions are given to lawmakers yearly by gambling interests. In my own State of Virginia, 10 casino industry groups spent $317,000 lobbying Virginia's legislators to roll the dice and bet on casino or riverboat gambling. Gambling interest's role in the formation of public policy is important because a recent study notes that most economic impact statements about gambling overwhelmingly are written from the gambling proponents perspective.

The Commission should make a detailed assessment of the relationship between gambling and crime. In one report, the Florida Department of Law Enforcement opposed legalizing casino gambling because they indicated "casinos will result in more Floridians and visitors being robbed, raped, assaulted, and otherwise injured." Sometimes organized crime is associated with gambling because of the huge amounts of cash involved, making it an easy target of money launderers. Drug money, extortion money, and prostitution money are all laundered through such operations.

Gambling may on occasion breed political corruption. Seventeen South Carolina legislators were convicted of taking bribes to legalize horse and dog track racing. Six Arizona legislators pleaded guilty in 1990 for accepting bribes on a bill to legalize casino gambling. Seven Kentucky legislators pleaded guilty of bribery for the same. In 1990, a former West Virginia Governor pleaded guilty to taking a bribe from racing interests. In 1994, a West Virginia lottery director was sentenced to Federal prison for rigging a video lottery contract.

Because of crime associated with casino gambling, regulatory agencies in New Jersey spend over $59 million annually to monitor the city's casinos. In 1992, the Wall Street Journal reported that since 1976, Atlantic City's police budget has tripled to $24 million while the local population has decreased 20 percent. During the first 3 years of casino gambling, Atlantic City went from 50th in the Nation in per capital crime to 1st. Overall, from 1977 to 1990, the crime rate in that city rose by an incredible 230 percent. Organized criminal activity is so pervasive that the American Insurance Institute estimates that 40 percent of all white-collar crime is gambling related.

The Commission should also study the impact of pathological, or problem gambling on individuals, families, social institutions, criminal activity, and the economy. Gambling social costs include direct regulatory costs, lost productivity costs, direct crime costs, as well as harder-to-price costs such as suicide, and family disintegration. Various studies indicate that the mean gambling-related debt of people in compulsive gambling therapy ranged from about $53,000 to $92,000. Compulsive gamblers in New Jersey were accumulating an estimated $514 million in yearly debt.

Pathological gamblers engage in forgery, theft, embezzlement, drug dealing, and property crimes to pay off gambling debts. They are responsible for an estimated $1.3 billion worth of insurance-related fraud per year which is borne by the rest of us in the form of increased premiums, deductibles, or copayments.

Teenage gambling is another daunting social problem. In 1991 New Jersey casino security ejected 21,838 persons under the age of 21 from casinos, and prevented another 196,707 from entering. The New Jersey Casino Control Commission regularly reports 25,000 or more teenagers being stopped at the door or ejected from the floors of Atlantic City's casinos. One can only guess at how many teenagers do get in, gamble, and are served drinks. Today, research indicates that as many as 7 percent of teenagers may be addicted to gambling.

The Commission should review the demographics of gamblers because studies indicate a disproportionate number of gamblers are low-income people.

Mr. Speaker, while I am personally opposed to legalized gambling in Virginia, I am not taking a position on whether other States should or should not permit gambling. The purpose of this legislation is to bring together all the relevant data so that Governors, State legislators, and citizens can have the facts they need to make informed decisions. I invite any interested Members to join me as cosponsors of this important legislation.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Gambling Impact and Policy Commission Act".

SEC. 2. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the National Gambling Impact and Policy Commission (in this Act referred to as the "Commission").

SEC. 3. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 9 members appointed from persons specially qualified by training and experience, of which one should be a Governor of a State, to perform the duties of the Commission as follows:

(1) three appointed by the Speaker of the House of Representatives;

(2) three appointed by the majority leader of the Senate; and

(3) three appointed by the President of the United States.

(b) DESIGNATION OF THE CHAIRMAN.—The Speaker of the House of Representatives and majority leader of the Senate shall designate a Chairman and Vice Chairman from among the members of the Commission.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—No later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting as directed by the President.

(e) MEETINGS.—After the initial meeting, the Commission shall meet at the call of the Chairman.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

SEC. 4. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—It shall be the duty of the Commission to conduct a comprehensive legal and factual study of gambling in the United States and existing Federal, State, and local policy and practices with respect to the legalization or prohibition of gambling activities and to formulate and propose such changes in those policies and practices as the Commission shall deem appropriate.

(2) MATTERS STUDIED.—The matters studied by the Commission shall include—

(A) the economic impact of gambling on the United States, States, political subdivisions of States, and Native American tribes;

(B) the economic impact of gambling on other businesses;

(C) an assessment and review of the political contributions and influence of gambling businesses and promoters on the development of public policy regulating gambling;

(D) an assessment of the relationship between gambling and crime;

(E) an assessment of the impact of pathological, or problem gambling on individuals, families, social institutions, criminal activity and the economy;

(F) a review of the demographics of gamblers;

(G) a review of the effectiveness of existing practices in law enforcement, judicial administration, and corrections to combat and deter illegal gambling and illegal activities related to gambling;

(H) a review of the costs and effectiveness of State and Federal gambling regulatory policy, including whether Indian gaming should be regulated by States instead of the Federal Government; and

(I) such other relevant issues and topics as considered appropriate by the Chairman of the Commission.

(b) REPORT.—No later than three years after the Commission first meets, the Commission shall submit a report to the President and the Congress which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

SEC. 5. POWERS OF THE COMMISSION.

(a) HEARINGS AND SUBPOENAS.—

(1) The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, receive such evidence, and require by subpoena the attendance and testimony of such witnesses and the production of such materials as the Commission considers advisable to carry out the purposes of this Act.

(2) ATTENDANCE OF WITNESSES.—The attendance of witnesses and the production of evidence may be required from any place within the United States.

(3) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under paragraph (1), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(4) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(5) SERVICE OF PROCESS.—All process of any court to which application is to be made under paragraph (3) may be served in the judicial district in which the person required to be served resides or may be found.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this Act. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The executive director shall be compensated at the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman of the Commission may fix the compensation of other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the date on which the Commission submits its report under section 4.

TRIBUTE TO THE HERITAGE SCHOOL OF NEWNAN, GA, ON THE OCCASION OF ITS 25TH ANNIVERSARY

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. COLLINS of Georgia. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding educational institution located in Georgia's Third Congressional District. On November 22, the Heritage School of Newnan, GA, celebrated its 25th anniversary.

The Heritage School was founded in 1970 to create an outstanding educational alternative for the families of Newnan and the surrounding areas. Renowned for its emphasis on family involvement in the educational process, the Heritage School prospers through intense communication between teachers, students, and parents. In fact, the parent conferences at the Heritage School are led by the students. This highly innovative method allows students to analyze their scholastic progress, outline areas needing improvement, and share with both parent and teacher the steps that will be used to achieve the goal.

Stressing personal growth as well as academic excellence is evident in the Heritage School's Bigs/Littles program. This program is designed to foster social and academic relationships between the students ranging from age 3 to 18. The Bigs/Littles program provides younger students an opportunity to have older, more experienced students as role models. In turn, older students have a sense of duty to look after the well-being of their little friends. The Bigs/Littles program at the Heritage School fosters respect, trust, and friendship throughout the students' lives.

The Heritage School prepares students for success in college and life by encouraging and demanding academic excellence. The fact that 98 percent of the Heritage School graduates attend college, and 92 percent of those graduate from college with their entering class, illustrates the success of this educational institution.

The success of the Heritage School is deeply rooted in its three-part educational philosophy. First, students must become involved and develop a strong desire to participate in their own education and in the life of their school. Then, students need to experience genuine success in an academic area or activity. Finally, students are encouraged to strive toward excellence, develop the ability to tap their deepest personal resources, and interact meaningfully with others.

Mr. Speaker, at a time when the education of America's youth is under constant attack, I am honored to have an institution in my district that continually produces outstanding young individuals. I ask my colleagues to join me today in recognizing the achievements of the Heritage School on its 25th anniversary and encourage this institution to continue to uphold what has become the standard for academic excellence in Georgia.

MAZAIKA VERSUS BANK ONE COLUMBUS, N.A.

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. NEY. Mr. Speaker, for the information of my colleagues I am entering into the RECORD the following letter to Mr. Leach, chairman of the House Banking and Financial Services Committee regarding the *Mazaika* v. *Bank One Columbus, N.A.*, No. 00231 (PA Superior Court 1994) decision:

HOUSE OF REPRESENTATIVES,
January 10, 1995.

Congressman JIM LEACH,
Chairman, House Banking and Financial Services Committee, Rayburn House Office Building, Washington, DC.

DEAR JIM: Last month, the Pennsylvania Superior Court issued a decision interpreting important provisions of the Riegle-Neal Interstate Banking and Branching Act of 1994—provisions that our colleagues worked on together during the 103rd Congress.

The case that we are referring to, as you know, is the *Mazaika* v. *Bank One Columbus,*

N.A. No. 00231 (PA Superior Court 1994) decision. In a 6 to 3 decision, the Pennsylvania Superior Court determined that a national bank located in Ohio was not authorized by Section 85 of the National Bank Act to collect certain credit-card charges from Pennsylvania residents. This holding conflicts with the conclusions reached by many other courts across the country and the clear legislative intent. These other courts have held, based on decisions of the United States Supreme Court and other authorities (including opinions by the federal bank regulators), that a national bank may collect credit card charges from borrowers, no matter where they live, as long as the charges are legal in the national bank's home state.

We believe that the *Mazaika* court made two fundamental errors in its interpretation of the Riegle-Neal Interstate Banking and Branching Act of 1994. The court found that the "applicable law" provision in the interstate law applied, even though that provision is applicable only when a bank actually has branches in a second state. This provision has no bearing on or relevance to the facts in the *Mazaika* case because, in that case, no branching by the Ohio bank into Pennsylvania is involved.

The *Mazaika* court also ignored the provision in the interstate law that actually is relevant, the "savings clause" in Section 111 of the Interstate law. The savings clause ensured that a bank's ability to collect all lending charges was not affected by other provisions of the interstate law (such as the applicable law provision). The savings clause preserves the pre-existing lending authority of banks to collect all lending charges in accordance with home state law, without regard to the changes in branching authority made by the interstate law.

It is always frustrating when courts fail to interpret correctly the plain meaning of the laws we enact. This is particularly troubling in this case. We therefore would appreciate your assistance in clarifying the legislative intent regarding this matter.

Very truly yours,

DEBORAH PRYCE.
ROBERT NEY.

WELCOME TO HON. FRANKLIN A. SONN, AMBASSADOR FROM SOUTH AFRICA

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. CARDIN. Mr. Speaker, I rise today to welcome the Honorable Franklin A. Sonn as the new Ambassador from South Africa to the United States. On Thursday, January 12, 1995, Ambassador Sonn, in his first major U.S. speech, will address the Beth Tfiloh Congregation in Baltimore.

Ambassador Sonn, a leading South African educator and businessman who was appointed by President Nelson Mandela, is interested in promoting greater opportunities for partnerships between the United States and South Africa. I believe it is vital that the United States continue to offer economic development opportunities for South African and United States businesses. Without economic stability, President Mandela will have great difficulty in accomplishing his goal of building a new future for all South Africans.

South Africa and President Mandela have made enormous strides in focusing on human rights issues and the economic needs of South Africans. Ambassador Sonn will discuss President Mandela's plans for a new South Africa, including housing, education, economic development, and racial harmony.

This address is being coordinated by the International Commission of Community and Volunteer Services of B'nai B'rith in cooperation with the black and Jewish organization the BLEWS.

I hope that my colleagues also join my fellow Baltimoreans and me in welcoming Ambassador Sonn and in extending best wishes to him as he begins his assignment in the United States.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 12, 1995, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 18

9:30 a.m.
Rules and Administration
To hold hearings on proposed committee resolutions requesting funds for operating expenses for 1995 and 1996.
SR-301

JANUARY 19

9:30 a.m.
Rules and Administration
To continue hearings on proposed committee resolutions requesting funds for operating expenses for 1995 and 1996.
SR-301

JANUARY 25

9:30 a.m.
Rules and Administration
Business meeting, to mark up proposed legislation authorizing biennial expenditures by standing, select, and special committees of the Senate, and to consider other pending legislative and administrative business.
SR-301

POSTPONEMENTS

JANUARY 19

9:30 a.m.
Indian Affairs
To hold oversight hearings to review structure and funding issues of the Bureau of Indian Affairs.
SR-485