SENATE—*Tuesday, April 4, 1995*

(Legislative day of Monday, March 27, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Let us pray:

Almighty God, Sovereign of this Nation, we praise You for Your providential care through the years of our blessed history as a people. Thank You that this Senate exemplifies that patriotism has not gone out of style. Our commitment to You is expressed in love and loyalty for our land. The sight of our flag still stirs our dedication, the national anthem fires our blood, and the Constitution keeps us rooted and grounded in truth. May we never forget the sacrifice of those who have fought and died for the American dream; may we never become so self-serving that we side-step the cost of courageous leadership.

Lord, empower the women and men of this Senate as they seek to keep their eyes on You and what ultimately is best for our Nation. Guide and direct the leadership of Senators DOLE and DASCHLE as they seek ways for both parties to work toward creative solutions to the crucial issues before them today.

Bless the President and First Lady of our land, the House of Representatives, the Justices, and all who seek Your guidance in the government of the cities and States across our country. God, bless America. We trust in You. Blessed be the name of the Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. THOMAS. Thank you, Mr. President.

SCHEDULE

Mr. THOMAS. Mr. President, this morning, the time for the two leaders has been reserved and there will be a period for morning business until the hour of 10:30, with Senators permitted to speak for up to 5 minutes each.

At 10:30, the Senate will resume consideration of H.R. 1158, the supplemental appropriations bill and the pending amendments thereto. Rollcall votes are, therefore, expected throughout the day today. Also, the Senate will stand in recess from 12:30 to 2:15 for the weekly policy luncheons to meet.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. FRIST). Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak for up to 5 minutes each.

Under the previous order, the Senator from Wyoming is recognized to speak for up to 30 minutes.

SPENDING AND REVENUES

Mr. THOMAS. Mr. President, let me say that the 30 minutes has been reserved for Members of the freshman class to take some time, and that will be divided among several of us.

We want to talk a little bit this morning about the future—the future for America, the future for Americans, and the future as it pertains to spending and spending limitations in this Government. More specifically, where will we be in the year 2000 if we continue to do as we have done over the past number of years? Where will we be at the beginning of the next millennium unless we make some changes in the direction that we are going?

The question before us, I think, as Americans and American taxpayers and American citizens, is, unless we make some changes, unless we set some priorities for ourselves now and do something about spending, will we have any options at the year 2000? Will we be able to set priorities for ourselves or, in fact, will our priorities be set by the bond market? Will our priorities be set simply by the financial condition of this country? So that is what we want to talk about.

There is nothing that can be more important to us than how we enter the new millennium with opportunities for people to be successful, with opportunities for people to earn a living for their families, and to have the American dream as we dreamed it in the past. And that is what we are talking about.

We are talking about spending and what has happened to spending over the last number of years and, frankly, the momentum to continue spending as it has been. And if that does continue, then by the year 2000, we will not have options. All of our money will be spent for Social Security, for interest on the debt, for defense.

One indication of where we have been is that the interest on the debt as part of our budget has soared from $14 billion a year 25 years ago—in 1970, $14 billion—to now $234 billion; on interest alone, $234 billion, which is more than the Government spent in 1970.

So this, it seems to me, is what we need to be prepared for. We need to take a look at where we are and where we are going. And we have a great opportunity to do that.

Unfortunately, the administration is resisting change and is seeking to extend the programs that we have had over the last 25 years, the last 30 years, seeking to extend and fund programs like the welfare program, which has been a failure. The poverty program has been a failure. There are more people in poverty now than there were when we began.

So the choice is basically to continue what we have been doing and resist change or to take the opportunity to take a look at the things we are doing and really examine them.

It seems to me it is an exciting opportunity in this Congress. It is an exciting opportunity for the House and the Senate to examine programs and say, "Here's what we have been doing. How does it work? How does it impact the people that need it?" To take a look at it and say, "Are there better ways to deliver services?"

No one is talking about discontinuing services. Nobody is talking about hungry children. The people who are for change, I submit, have equally as much compassion for people in need as those who resist change. We have a great opportunity to see: Is there a better way for us to deliver services?

What we really ought to do is measure what we have been doing against the principles that we all agree on, and that is that welfare programs and Social Security programs ought to be designed to help get people off welfare, to help people get back into the marketplace, to get back into an opportunity for self-esteem and self-sustenance, to reduce the dependency that has developed in this country and give people the opportunity to have jobs and be in the workplace; to provide incentives not only for people to work and to take care of themselves and their families, but incentives for business to invest to provide those jobs.

Now is a great opportunity for us to change some of the measurements of success, the measurement of welfare, not how many people you cover. The measurement of welfare is how many

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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people you help to get off of welfare. And that is what we are talking about here.

It is unfortunate, I think, that the White House has apparently determined their approach to the next election by fear tactics of saying each time we take a look at changing some program, that somehow everyone is going to be thrown out in the cold. That is not true. That is not true. We are looking for better ways to deliver services.

I think it would be a shame, Mr. President, to pass up the opportunity that we have now. Americans voted for change in 1994, not for reckless change, but for fundamental change. They voted for fiscal responsibility.

Let me show you this chart, just as an example of what we are doing. Everyone has to have a chart here. We do not want to be without a chart. In any event, this shows spending and revenues over time from 1974 to 1980 to the year 2000. Look at the difference. All of this will be taken up in three categories and there will not be an opportunity for educational grants, there will not be an opportunity for training for work because there will not be money for that.

Now we can make the changes. Now we can make changes to do it and that is what it is all about, Mr. President. That is why we are on the floor this morning.

I want to share this time with a number of Senators who have worked very hard in this area.

The Senator from Arizona worked in the House and has been the author of a number of bills to make some fundamental changes to move us in what I believe to be the right direction.

I yield to the Senator from Arizona for 6 minutes.

CONSEQUENCES OF LACK OF FISCAL DISCIPLINE

Mr. KYL. Mr. President, I thank my colleague for yielding. I think my colleague from Wyoming makes an excellent point that I would like to speak to, and that is the issue of the balanced budget, of getting rid of our Federal budget deficit and balancing the budget has more than an economic dimension to it. It is really a matter of the future of our children and grandchildren, it is a matter of right and wrong and what we ought to be doing as a society.

Bill Bennett, who is the former Secretary of Education, testified before the Senate Budget Committee recently, and he said this:

> We have created a nanny state that takes too much from us in order to do too much for us. This has created inefficiency, sapped individual responsibility and intruded on personal liberty.

Mr. President, that, as much as the economic consequences of our lack of fiscal discipline, is what this debate about balancing the Federal budget is all about. The bigger the Government gets, the more taxes it needs. The more revenue it takes, the less American families are able to provide for themselves, and that brings dependency on the Government. And the cycle continues: More spending, more taxes, a weaker economy, and ultimately more dependency on the Government.

The net result of that is a change in the personality of America, literally. Our welfare state has created a dependency by the people who have not found a way to get off welfare because of the kinds of incentives that have been built into the program over the years.

One of the things that the Republicans in the House and the Senate are trying to do is to change the welfare state to end this cycle of dependency. It is more than an economic matter. We are literally trying to give people a hand up rather than a handout to end the dependency, to enable them to provide for themselves.

The great debate in the House of Representatives in the next couple of days is whether we can modestly reduce some taxes at the same time that we are balancing the Federal budget. Of course, the answer is yes. If we have the discipline, we can both get to a balanced budget in 7 years and make some modest changes in the Tax Code. Here is the reason why we need to do it.

The chart behind us shows in the bars the level of Federal spending, and it shows a green line running in about 19, 19.5 percent of the gross national product which represents revenues from 1970 through the year 2030.

We have had several tax rate increases during that period of time. Has it produced more revenue? No. The economy adjusts. When tax rates go up, people adjust their behavior accordingly. Likewise, when we have reduced taxes, has it reduced revenues to the Federal Treasury? No. As a percent of the gross national product, as you can see on that green line, revenues remain constant. Now that is in a growing economy.

So despite the fact that the economy is growing larger, revenues to the Treasury are keeping up when you reduce taxes, and that is one of the reasons that we want to reduce the taxes, both on capital gains so that people can sell assets that they have been holding but do not want to pay 28 percent tax on the profit they make on that—profit which is largely generated by inflation, by the way, so it is not real profit at all—and why we are interested in the $500 tax credit for children. That helps to restore the balance in who does the spending.

One of our colleagues was here yesterday talking about cuts in education, and I made the point that we are not talking about cuts in spending on education. What we are talking about is who does the spending. Who do you think can do a better job of making decisions on how to spend money on our children, a Federal bureaucrat in Washington or the family of that child? We say leave the money with the family that earned it. They will make smarter decisions about what to spend on that child.

So, Mr. President, my point is this: There is more to this than just the pure economics of it, than the dollars and cents of it. That is critical. It is very important. But there is more to it than that. It is fundamentally what our society is all about. We are trying to reduce the power, the authority, the intrusiveness of the Federal Government into our lives.

We are trying to restore power to the States and local governments and to the families. One way we do that is by giving the Federal Government less money to spend and by limiting the growth in that spending to the revenues that we take in.

The other way we do it is by not just limiting how much money the Federal Government takes in, but by actually reducing it through selected tax cuts. I think it is very important, as the House of Representatives will do in the next 3 days, as they will pass these reductions in taxes, it is very important for the U.S. Senate to follow suit, to follow what the House of Representatives does. We do not necessarily have to cut exactly the same taxes and the same amount. But it is important that we begin to put this Government on a diet, and the way to do that is begin to ratchet down the amount of money that the Government takes from the workers of our Nation, from the families of our Nation, and leave that money with them to make the decisions on how best to spend it.

Mr. President, Members of the freshman Republican class are going to be conducting these conversations every week throughout this entire year, I suspect even beyond that, to try to make the point that we just heard from the voters out there, we heard what was on their minds. We listened, and I am still hearing the same thing: They want us to reduce the power and the size and the expense of the Federal Government. And we freshmen Republicans are committed to that.

Thank you, Mr. President.

Mr. THOMAS. Mr. President, the Senator from Minnesota brings that message from the recent election as well.

I yield 5 minutes to the Senator from Minnesota.

THE DEFICIT LOCKBOX

Mr. GRAMS. Mr. President, I rise today to dispell a misconception that has become popular in Washington—the idea that tax cuts cannot go hand in hand with deficit reduction.

There are some who suggest that the massive deficit we have today is due to the tax-cutting policies of the 1980's.

What they ignore is the fact that during the 1980's, the number of jobs increased, the amount of taxable income increased, and as a result, tax

revenues increased—all due to the Reagan tax cuts.

What did not happen were the spending cuts promised by Congress but never delivered.

In fact, spending during the 1980's increased significantly more than the increase in revenue, leading directly to the deficit we face today.

This year we are on the verge of making the same mistake, but in the opposite direction.

This time, Congress may pass spending cuts without providing the tax relief we promised the American people.

One of the worst ideas I have heard during the budget debate, and frankly, it came from a member of my own party, was the idea of a deficit lockbox to stall enactment of the $500 per-child tax credit.

Under the lockbox proposal, the tax cuts promised by Congress would be repealed if Congress fails to meet specific deficit targets.

In other words, if Congress were to act as irresponsibly in the future as it has in the past, Congress would not suffer the consequences, Washington would not suffer the consequences.

The taxpayer would.

Even now, our colleagues in the House have come up with a compromise to tie tax cuts to deficit reduction. If the deficit targets are not met, the tax cuts are not delivered. But is it not just like Congress to think that way?

If we were not in a collegial body, I would say the idea was just plain stupid. Instead, let me just label it misguided.

Mr. President, we cannot compromise the taxpayers of this country or the future of their children.

Instead of a deficit lockbox involving tax cuts, what we should have is the automatic spending reduction mechanism Senator COATS and I have proposed in our Families First bill.

Under our legislation, if Congress fails to keep the growth of spending capped at 2 percent each year, an automatic, across-the-board sequester, excluding Social Security, would take effect.

In other words, every spending program would be held to a growth rate of 2 percent.

That way, Congress would have to pay the price for its own failings. Congress would have to explain to the taxpayers why they couldn't make the tough choices to slow the rate of growth of spending in order to balance the budget.

It is clear, Mr. President, that deficit reduction must be a top priority of this Congress.

But it is also clear that tax relief is equally urgent. And while there are some in this Chamber who say the two cannot go hand in hand—I say the two must go hand in hand. We cannot allow the opponents of middle-class tax relief to pit one against the other.

Mr. President, I am reminded of the animal trainer who walks into the lion cage.

There is a lion to the left of him and a tiger to the right. Both are ready to devour him if he makes a wrong move.

Do you believe for one instant that the lion-tamer will be foolish enough to focus his attention on either animal, while completely ignoring the other?

Like the lion-tamer, Congress is facing a pair of equally dangerous beasts.

In one corner looms the Federal deficit, in the other sits the oppressive tax burden American families are being asked to bear.

We cannot ignore one at the expense of the other. They both need to be dealt with before they overpower us and eat this Nation alive.

The mandate of the November election is clear, and the people are demanding change.

Thank you, Mr. President. I yield the floor.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Tennessee.

NEED FOR A BALANCED BUDGET

Mr. FRIST. Mr. President, I rise today to continue the discussions of my distinguished Senators and fellow Republican freshmen from Minnesota, Arizona, and Wyoming.

Our discussion this morning is on the balancing of our Nation's budget. And, again, coming off the campaign trail, coming to this distinguished body, I believe that there is no more pressing issue than balancing the budget before this Congress. Along with my 10 other fellow Republican freshmen Senators and over 70 freshmen Republican Members of the House, I was elected with a simple mandate: to restore fiscal sanity to the Federal Government.

If this Congress today does not take steps to change the profligate spending habits of the Federal Government, the Members of this Congress, Republicans and Democrats alike, will be to blame for leaving an enormous mountain of debt to be paid by our children, the next generation, and future generations of Americans.

Mr. President, we simply cannot continue the current trend of Federal spending. Already the Federal debt is fast approaching $5 trillion. A family of four currently pays $440 per month in taxes just to pay the interest on our national debt. For the long term, the statistics are astounding. By the year 2000, just 5 years away, the Federal debt will exceed $6.7 trillion. This trend creates a debt of $25,000 for every man, woman, and child in America. That is a debt burden of $100,000 for every family in this country, a debt burden created by this body over the past several decades.

Speaker GINGRICH noted recently that a child born today will pay $187,000 in interest on the Federal debt during his or her lifetime, if current spending continues unchecked.

Mr. President, as shown in this chart behind me, all Federal revenues will be consumed by entitlement spending in less than 15 years. This is 1970, 1990, the year 2000, the year 2010, 15 years from now. The greenline here are total revenues brought in. Expenditures are the column, the red being entitlement spending, the yellow net interest and the blue discretionary spending, like defense, education, and infrastructure. By 2010, all revenues will be spent for entitlement spending, as well as net interest with no money left over for things like defense, education, support of our infrastructure unless we do something about it today.

Every group interested in deficit reduction today, from the Concord Coalition to the Kerrey-Danforth entitlement commission has recognized that the long-term health of the Federal budget depends on the ability of this Congress to restrain growth of Federal programs. In fact, the board of trustees of the Medicare trust fund will come out today with an annual report. It says that the Medicare Program is predicted to be bankrupt in 7 years. At the beginning of fiscal year 1997, the Medicare trust fund will begin to run a cash-flow deficit. Medicare is just one of the many Federal programs that must be restructured, be improved, restructured by allowing more choice for seniors in order to achieve long-term viability.

But, Mr. President, there are powerful interests that have already begun to resist even initial efforts to curb Federal spending. Defenders of the status quo would have us believe that there is no waste in Federal programs, that all of our Federal programs are run efficiently, that there is no room to trim back this mammoth Federal bureaucracy. Yet, a Florida task force recently uncovered more than $100 million in Medicare and Medicaid fraud and abuse, according to the Health Care Financing Administration.

Opponents of spending reform argue that we must spend more and not less, out of compassion. Mr. President, where is the compassion for the children of the next generation? The debate about Federal spending is more than a debate about cold budget numbers. It is a debate about restoring the American dream for future generations, making that American dream a reality for all Americans.

Mr. President, I wonder what the opponents of Federal spending reform will tell their grandchildren when they are paying lifetime income tax rates of 84 percent to pay off the debt we created, when they cannot afford college tuition or a mortgage on their first home. Will it past muster to say we just could not find a way to reduce the growth?

To reduce the growth, we are not talking about cutting spending in the sense that an American family today

thinks of cutting spending. People in Washington engage in what I call Congress-speak. In Congress-speak, cutting spending means letting a program grow at 4 instead of 5 percent. If you told an American family today that they could spend 4 percent more next year than this year, they would think they are doing pretty well. Not here. Not in Congress. The liberals in Congress shamelessly oppose such reforms, leaving the public to believe that Government services will be drastically reduced. In reality, all of the hue and cry is not about compassion for the poor or children, but instead about a desperate attempt to maintain the Federal bureaucracy.

Mr. President, by the outcry in Washington over even modest savings proposals, you would think the Federal Government is about to pack up and go home. Far from it. The Federal Government will spend approximately $9 trillion over the next 5 years. To get a balanced budget by the year 2002, we must save $385 billion in mandatory spending. Federal Reserve Chairman Alan Greenspan has called the task of balancing the Federal budget a modest restructuring. While the job of balancing the Federal budget will be difficult, by no means will it result in drastic reductions in Government services or benefits. I believe Americans are ready to tighten their belts, so long as our plan is fair and balanced.

Yes, it disturbs me that the President has not joined Republicans in the task of achieving a balanced Federal budget. As shown in this chart which depicts Federal budget deficits, the Clinton plan is in red versus the Republican budget here, which comes down to be balanced in the year 2002. We see that the Clinton budget throws up its hands and says that the budget cannot be balanced, keeping $200 billion deficits over the next 5 years. The Republican plan, in contrast, balances the budget in the year 2002.

The President's advisers are trying to put an effective spin on the fact that they have thrown up their hands on any attempt to balance this budget, and they say that the stable deficits over the next 5 years will remain at $200 billion with a deficit declining to 2.1 percent of the gross domestic product by the next century. But even those modest claims have been refuted.

The Congressional Budget Office took a look at the President's budget and found that the President had understated the deficit by approximately $209 billion over 5 years. The CBO also found the deficit as a percentage of gross domestic product, the administration's favorite measure will actually increase from 2.5 to 3.1 percent. The President has completely abdicated his duty to lead on fiscal issues.

Finally, Mr. President, let me say a word about economic growth. Not only do we have a moral obligation to reduce the Federal deficit, but from an economic perspective, we simply must reduce the amount of Government borrowing in order to free up capital for productive investment in the private sector.

No Government program can substitute for economic growth led by entrepreneurs, small businessowners, and other risk takers.

Our economy will make room for everyone, but we must unleash America's capital for investment and put a stop to massive Government borrowing.

In closing, we should remember what this debate is all about. It is about the moral imperative to pay off a debt we created. It is about the responsibility we have to the children of future generations. It is about increasing economic growth and access to capital. And it is about the strength of our system to survive.

If we cannot stand up to those who would oppose real reform, then our very democracy is threatened.

I thank the Chair, and I would like to yield to my distinguished colleague from Ohio.

Mr. DEWINE. Mr. President, let me first congratulate my colleague from Tennessee for his description of the problem that we face.

I think it is appropriate and significant that this week, the 11 new Members of this body are coming to the floor to talk about really the most important problem facing our country; that is, our inability to deal with our budget deficit.

This week, Mr. President, there is going to be a lot of discussion about the close of the first 100 days of this Congress. There will be talk about the Contract With America.

I think that, by and large, the American people are pleased with what they have seen. We have begun to make progress; we have a way to go. We have passed in this body the line-item veto. We failed by one vote to pass a balanced budget amendment, but I am hopeful, as I know many of my colleagues are and as the majority leader is, that we will get that one additional vote and that we will be able to come back on this floor and pass that balanced budget amendment.

We passed the unfunded mandate bill which, for the first time, will really hold Congress accountable for unfunded mandates that are passed down to the local communities with no money, but just telling the communities what to do.

With unfunded mandates, line-item veto, making Congress live by the same laws that everyone else has to live under, I think we have made progress. We have a way to go.

Quite frankly, Mr. President, I believe the tough votes are ahead of the Senate, not behind the Senate. I believe that this Congress really should be looked at in two different sections. The first part of the Congress deals with the items we have just talked about. Then we will move in—and frankly we have already begun to do this with different committees—the Budget Committee particularly—to the hardest and most difficult task that we have; that is, to do something that we have not done for a quarter of a century. That is to get ahold of Federal spending and bring it under control.

I think the American people should understand that this week, while the focus is on the first 100 days, we now must turn to where we go from here. Mr. President, it is not going to be easy.

Over the next few months, the U.S. Senate and this Congress is going to face some very, very tough choices. This Congress must do what prior Congresses have not done. We have to write a realistic budget for the U.S. Government. All Americans must be prepared for what lies ahead. Mr. President, this will not be pretty. It will not be easy.

Indeed, the votes we have cast so far in this body are very easy compared to what lies ahead. We have to begin, Mr. President, by being absolutely candid and honest with the American people about the tough choices that lie ahead.

We can no longer postpone the day of reckoning. The day of reckoning, Mr. President, is here. The current direction of U.S. budget policy is simply not sustainable.

Congress has already amassed a $4.7 trillion national debt that our children and grandchildren will have to pay. That is what the American people in the past election voted to change. The people of this country demand change because they know what is going to happen if we do not change.

Mr. President, we are already paying over $235 billion a year just in interest on the national debt. By the year 2003, just 8 years from now, spending on entitlements and interest alone will exceed 70 percent of the entire Federal budget.

If we take out defense, we leave just 15 percent of the budget for all the discretionary spending on our domestic needs. That is 15 percent of the whole budget—15 percent, Mr. President, for education; job training; for the Women, Infants, and Children Program; just 15 percent of all these domestic needs. That is, if we just stay on our present course.

It does not get any better after the year 2003. In fact, it gets worse. By the year 2012, just 17 years from today, there will be nothing left in the budget for these social needs—zero. No money for our children, no money for our future—everything consumed. Every last red cent of the Federal budget will go to entitlements and interest payments.

Mr. President, Congress' fiscal insanity has had a terrible human cost. The year 2012, the year the money is scheduled to run out if we do not change our

ways, is 1 year after my wife, Fran, and I expect our grandson, Albert, to graduate from high school, and 1 year after our daughter, Anna, should enter college.

Mr. President, if we do not succeed in writing a sensible budget, a budget that leads toward balance instead of further and further into bankruptcy, I shudder to think of the America we are going to leave these children.

Another way of looking at it, when my parents graduated from high school in the early 1940's, the debt attributable to each child graduating from high school that year was $360. By the time my wife, Fran, and I graduated, in the mid-1960's, that figure was up to $1,600 for each child. When our older children, Patrick, Jill, and Becky, graduated in the mid-to-late 1980's, that figure was up to $9,000. If we continue, Mr. President, to go the way we have been going, by the time our grandson, Albert, graduates from high school in the year 2012, that figure will be up to almost $25,000. That is $25,000 in debt, and no money at all to pay for urgent national needs.

Mr. President, this is much more than simply a budget question. It is much more than a question of accounting and bookkeeping. I believe, Mr. President, it is a fundamental moral question about the kind of people we are, the kind of Americans we are.

In conclusion, Mr. President, I contend that we do not have the right to leave our children a bankrupt America. They deserve a lot better. That is why we are here on the floor today.

It is our challenge over the coming weeks to create another picture of America, another picture of America in the year 2012, an America with a balanced budget, an America that is gradually paying off its debt and coming back to fiscal sanity, an America in which Albert, Anna, and other children of their generation are liberated from the crushing burden of debt and have, finally, the freedom to cope with the challenges of the 21st century. That is what, Mr. President, the coming debate is all about.

I yield the floor.

The PRESIDING OFFICER (Mr. FRIST). Under the previous order, the Senator from South Dakota or his designee is recognized to speak for up to 30 minutes.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I thank the Chair.

(The remarks of Mr. DORGAN pertaining to the introduction of S. 663 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. DEWINE). The Senator from North Dakota.

PUBLIC POLICY

Mr. DORGAN. Mr. President, I heard a discussion this morning about fiscal policy, about the future, about Federal deficits, about accountability, about jobs, about opportunity. All of those issues interest me and I think interest every Member of this Senate.

Our country is, I think, unique in that we have a democratic system in which we create some pretty aggressive battles between the parties and between the individuals in political parties, contesting ideas. Even as we contest those ideas, differences in approaches, and different ideas, we essentially have the same goals.

The Senator from Ohio, who is now the Presiding Officer, comes from a big State. I am from a small State. He is a Republican. I am a Democrat. I would guess, if we sat and discussed goals, he and I would have very few differences in the goals we have for our country. We want a country that expands and grows and provides opportunity. We want children to be well educated. We want our streets to be free of crime. We want our air to be air we breathe without getting sick. We want health care that is available to us at a decent price. The fact is, we would very quickly discover—as we do all across this country when we talk politics—that our goals are the same. But, our methods of achieving those goals take very different paths.

Since the first of this year, we have been undergoing some very interesting times. We have, I think, because the American people registered a significant protest in the last election. Since then, we have passed more legislation on more significant issues than Congress has passed during any similar time period in the past.

Now, how was that protest registered? What was the score in November 1994? The American people said by their vote: 20 percent of us who are eligible to vote, voted for the Republicans; 19 percent of us who are eligible to vote, voted for the Democrats; and 61 percent of us who are eligible to vote decided it does not matter. They said, "I am not going to vote."

So that is the score: 20 percent to 19 percent—but 61 percent said, "Count me out, I am not going to participate in that process."

As a result of the 20-to-19 victory, there is a great clamor about what in politics is called a mandate for the Republicans. Probably only in politics could you get a mandate from a 20-to-19 victory.

You see, they had printed something called a Contract With America. In fact, on the House side, Speaker GINGRICH—now Speaker GINGRICH, but then Congressman NEWT GINGRICH—lined all the Republicans up in front of the Capitol, had the television cameras there, and had them all sign this little contract called the Contract With America which proposed some very substantial changes.

Some of that Contract With America made eminent good sense. In fact, some of it embraced the very things we tried to pass in the previous session of Congress here in the U.S. Senate, that the Republicans filibustered and opposed. They prevented us from getting it passed.

That is fine. Times change and so do opinions, and so the contract embraced some of the very things that we supported and tried to get done.

Since that election and since this contract the Senate has passed some of those things that make good sense. I supported them, as did most of my colleagues on both sides of the political aisle.

Unfunded mandates: Let us decide to stop telling everybody else what they have to do while saying to them you pay for it. Mandates are easy. Unfunded mandates are even easier. But it is irresponsible, and we passed legislation that says let us be more responsible when we talk about mandates. Let us find out what it is going to cost somebody and maybe let us decide, if we are going to stick them with a mandate, we have a responsibility to pay the bill. We passed an unfunded mandates bill that made good sense.

Congressional accountability: In effect saying if you pass a bill in Congress you have a responsibility to live under that same law you passed. It made good sense. I supported that this year and I supported it in the previous Congress as well.

Regulatory 45-day veto? That made good sense. I supported that. It is saying let us stop these unintended consequences. When we pass a law that we think is going to be a good law and somebody puts out a half-goofy regulation, let us have the opportunity to veto the regulation if it does not work, if that is not what we meant. I voted for that as did almost all of my colleagues. It made good sense.

Line-item veto: That was more controversial, but I voted for it because Governors have it—almost all Governors have a line-item veto. I have thought for 10 years that a President ought to have a line-item veto.

That is a menu of things we have done that make good sense.

There are other things that have been done since the first of the year that make no sense at all. I want to talk about some of them as well. Because there is, it seems to me at least in some margins in this public policy debate, a mean-spiritedness, one in which people say, "Well, I won, and what I intend to do now is help my friends and I do not care about the rest."

Unfortunately, some of those who won have very wealthy and very powerful friends, and those friends are getting some very big help.

We also have in this country some very vulnerable people. We have homeless, we have poor, we have people who are down and out, people who are suffering, and we have a lot of children who count on us and look to us. The fact is too many of these constituencies have been given the cold shoulder in the last several months.

Let me start with a central question of deficits because the Senator from Ohio talked about that. I agree with him. I think the Federal budget deficit cripples this country's ability to grow, and we must deal with it. We had a proposal on the floor of the Senate to amend the Constitution to require a balanced budget. In fact, we had two votes on an amendment to the Constitution, one of which I voted for, one of which I voted against. I did not vote for the one that would loot the Social Security trust fund to provide the money to balance the budget because I do not believe that is honest budgeting.

But it is interesting. I noticed yesterday in a publication called The Congress Daily that a Member of the Senate, one of leaders in the Senate, said that there is a feeling among some Senate Republicans that we should not move toward a balanced budget in our budget resolution—which they are required to bring to the floor—because if we did, we would lose steam to move toward a balanced budget amendment in the Constitution.

In other words, if the Senate shows it can achieve a balanced budget without changing the Constitution, that would be a problem. I read this last evening, and I could not believe anybody could really say that. But that's what was said: "We should not try to balance the budget because, if we did, that would take the steam out of the initiative to change the Constitution."

Now, I ask you. What is the most important thing that we have facing us? Balancing the Federal budget or changing the Constitution? Balancing the Federal budget. We can do that without changing the Constitution.

The fact is, if we changed the Constitution 2 minutes from now, 3 minutes from now, we would not have made one penny's worth of difference in the deficit. We ought to, with every single budget resolution that comes to the floor of this Senate, grit our teeth and roll up our sleeves and start doing the heavy lifting that is required to balance the budget.

But this sort of nonsense, saying as some say, that maybe we should not move toward a balanced budget with our budget resolution because that will take the steam out of this effort to change the Constitution is just ridiculous. What on Earth can they be thinking of? How absurd a position.

Well, nothing surprises me much anymore.

But the cynicism expressed by those who would argue that we should not balance the budget because that will take the steam out of our effort to change the basic framework of our government, the Constitution, is both amazing and appalling to me. It really ranks very high up there on the scale of cynicism.

Our job is to do the work here, not to take the pose.

So, the first requirement and first job for us is to address this budget deficit honestly, because to do that then opens up opportunity in the future and economic growth. Failure to do that means that we consign this country to slow anemic economic growth, an economic future none of us want for our children.

Even as we do that, I want to say that the job requires spending cuts. Yes. It requires significant spending cuts.

I am always interested in seeing how people characterize spending cuts because there is some notion around here that one political party wants a lot of spending cuts and the other political party essentially does not want any spending cuts.

It is alleged that one side, the majority side, the Republican side, are tigers when it comes to cutting spending. The other side? Gee, they just want to spend more.

Nothing could be further from the truth. There is not a plugged nickel's worth of difference between Republicans and Democrats in terms of how much money they want to spend.

All you have to do is look at the record, and you can look at the record for 15 years. Oh, there is a substantial difference in what they want to spend money for, but there is not a plugged nickel's worth of difference in how much money they want to spend.

During the last 15 years, we have had mostly Republican Presidents. Congress has spent less than Presidents have requested in their budgets. Translated—Republican Presidents have requested more spending than Democratic Congresses up until this Congress have actually spent.

I see the ranking minority member of the Appropriations Committee is on the floor. I have heard him refer to this as well. The question is, "Who has the appetite to spend how much money?"

There is some notion that the Republicans always want to cut spending, that they are for less spending and the Democrats are for more spending. The record does not show that to be true.

Yes, there is a difference in how we want to spend money. The Republicans always want to pack more money into the defense pipeline. They say, "You cannot spend enough in defense for us."

In fact, at a time when we have this massive deficit, at a time when the Soviet Union has evaporated and gone, the Republicans are saying what we really need to do now is we need to start building star wars once again. If we can just resurrect star wars, somehow we will all sleep better. America will have a better future.

The fact is they will resurrect star wars and cut school lunches and say Democrats want to restore school lunches so they are big spenders. It does not wash. It does not work. The evidence does not demonstrate that what is being alleged on the floor of the Senate is true.

Both sides of the political aisle in the U.S. Senate by and large propose about the same measure of public spending. We simply disagree on what the money ought to be spent for. That is a legitimate disagreement. It is a legitimate disagreement, it seems to me, for one side to say we want to cut our revenue base in a way that provides the bulk of the benefits to those families who make over $100,000 a year; to say, "We want to increase spending for star wars because we think it is necessary for our Nation's defense." That is a legitimate thing to say and do. I do not happen to agree with it. But certainly it is an idea, a bad idea but an idea.

On the other hand, they would say to us, as we intend to cut taxes, the bulk of the benefit of which will go to wealthiest Americans, and as we intend to start building a new gold-plated weapons system—which, in my judgment, we do not need—they would say, let us now, in order to pay for all of this, cut funding for foster care—as they have done—let us decide that nutrition programs should go to the States in the form of block grants, and we will cut the block grants. Then we will let the States use 20 percent of the money we have now cut to do anything they want to do with, including creating pork projects or building roads, having nothing to do with nutrition.

Then they say, Well, let us cut adult literacy grants for the homeless. Let us decide to eliminate funding for summer youth programs. Let us decide to end the entitlement or the requirement that poor kids ought to get a hot lunch at school. Let us decide, they say, to cut 1995 funding for financial aid for needy students to attend college. Let us decide, they say, to cut legal services to the poor back to zero. Let us decide, they propose, to cut 1995 funding for the Healthy Start infant mortality initiative.

This is a country, incidentally, that ranks way down, when you rank from best to worst in countries on infant mortality.

They say, we do not have money here to fund that. Let us cut that because we want to go off and build star wars. We want to provide tax cuts, much of which will go to the wealthy. And of course, my favorite, Let us propose—while we are cutting all of these things that would try to give a decent opportunity to those who are down and out, to those who are disadvantaged, to

those who suffer, to those who are unfortunate enough to be young, the children in this country,—they say—We don't have enough money to respond to that, but maybe we should give them all a laptop computer.

"Let us give laptop computers to the poor. That will just sort of unleash a whole series of opportunities." They actually said that.

The second prize, it seems to me, goes to the folks who say we should get additional revenue for the Federal Government by charging an admission fee to tour the U.S. Capitol. I only come from a town of 300, but I suspect if you proposed in a town of 300 that you should charge somebody to tour a house they own they would laugh you out of town, saying you were not thinking straight.

My point this morning is if we are going to celebrate the first 100 days, we ought to be look at what is really going on.

When I started these remarks today, I said that I think there is merit in some of the proposals that have been passed by the Congress on a bipartisan basis during these first several months. I supported some of them because I thought they made a lot of sense.

Now, some of those proposals, the current majority party filibustered against in the last session of Congress and would not allow to be passed. But then came this Congress, and they said, "We want to pass them," and we joined them and said, "This makes sense. We supported this before and support it now." And we passed unfunded mandates, congressional accountability, regulatory veto. All of those make sense, and I supported them.

But there is much more to the story than just that.

The first 100 days, when it is celebrated this week, will be accompanied by a chart that shows the first 100 ways as well. The first 100 days and the first 100 ways in which the majority party in this Congress decided to use their power to help their friends, the wealthy and the big, powerful, economic interests in the country at the expense of a lot of vulnerable Americans.

Those are exactly the priorities they have exhibited.

Anybody who thinks that the priorities in this country should be to give a big tax break to very, very wealthy Americans so that we can justify taking a school lunch entitlement away from a poor kid, or to take opportunity away from America's children in dozens of ways—in nutrition programs, in education programs, and dozens of other ways—does not understand there is still a lot of fight left in a lot of us who care about what is right for this country.

This country, and this country's future rests on our ability and our willingness to invest in our children. It is that simple. A country that turns its back on its children and decides selfishly to provide more comfort to the already comfortable is a country that is not thinking ahead.

We have before us in the Senate now a amendment offered by Senator DASCHLE on the rescission package. This is a proposal that is the first of a series of proposals that we will offer in this Congress that represents our commitment to kids.

If this country cannot afford to decide to invest in its kids, to take care of its children, to care about its children; if we cannot do that in a whole range of areas, from school financial aid, to giving kids the opportunity to go to college if they do not have any money, to school hot lunches to allow poor kids the only hot meal they are going to eat during that entire day, to money that protects children against family abuse and violence; if we do not have the capability as a country to decide that these are our priorities, then this country, in my judgment, does not have its heart in the right place.

I think this country understands what the priority is. The priority is our children, because our children are our future. The amendment that has been offered by Senator DASCHLE in this Chamber to the underlying legislation talks about these programs: Women, Infants, and Children—the WIC program. Anyone who has seen anything or knows anything about the WIC program understands it is a program that works.

I almost hesitate to describe it again because almost everyone should know it. But here's how it works. A low-income mother who does not have resources and does not have money but is pregnant, is going to have a baby. She needs help feeding it, both before it is born and after.

WIC provides that help.

We understood a long time ago that if you provide the correct nutrients and provide nutritious help to that young mother, she is going to have a child that will not have to spend an extra 4, 5, or 10 days in the hospital because the baby was a low-birthweight baby because she was unable to provide needed nutrition to that fetus while she was carrying it in her.

We have discovered that for just a few dollars a month—for only a few months—we will save an enormous amount of money and provide an opportunity for that poor woman to have a healthy child.

That is a wonderful program. There is no waste. It is not money. It is certificates to buy juice and eggs and specific kinds of nutrients. It is one of the best programs the Federal Government has ever offered and it saves enormous amounts of money and is very helpful to children.

The Head Start Program. Gee, I do not think anybody who has toured a Head Start center can adequately debate any longer whether that program is helpful to children who come from families that are disadvantaged, low-income families. You see these young boys and girls at Head Start centers getting a head start in circumstances where they would otherwise be left behind. You see their mothers and their fathers there, some of them, getting an education, also at this Head Start center. They are learning about nutrition programs, about hygiene, about how to raise children. It is a wonderful program that produces enormous rewards.

We ought to understand by now what works and then invest in it, not cut it. We ought not cut the WIC Program—Women, Infants, and Children feeding program—or cut Head Start in order to fund a tax cut for some of the wealthiest Americans. We ought not to cut Head Start in order to fund the Star Wars Program. That does not make any sense to me.

I could go on, and there are about 10 or 15 similar initiatives that we have that I think represent the best in this country, an impulse and a determination to make life better for our children, to decide that you cannot move ahead as a society by leaving some else behind.

You just cannot do that. You have to care about people, especially the most vulnerable people.

I started by talking about how we in this Chamber share largely similar goals. I think that is true. I think most of us would agree that there is a requirement and an incentive in this country that must be exhibited to say to people, "You have a responsibility for yourselves as well."

"Yes, we are going to help. We will extend a helping hand when you are down and out, but you have a responsibility to pull yourself up and step up and stand up and create opportunity for yourself."

That is true. I understand all that.

But it is hard to say that to an 8-year-old kid. It is hard to look in the eye of a kid, as I did one day, a 9-year-old kid from New York City named David, who said to us that it hurts to be hungry. He said, "No kid like me should have to lay their head down on their desk at school because it hurts to be hungry." You cannot look a child like that in the eye and say it does not matter.

These programs do matter. The choices being made here during the first 100 days have real consequences in the lives of young children. And that is what this debate is about. It is about what are our responsibilities and how do we meet those responsibilities.

I start with the understanding that there is good will on all sides. I am not claiming one side is all wrong and one side is all right. In fact, I think a lot of new ideas that have been generated and developed will advance the interests of this country.

But there are also some timeless truths that we ought to understand.

New ideas will never replace the timeless truth that we have a responsibility for our children in this country.

Time and time again this year, some of us will come to this floor to talk about our commitment to children, our commitment to our kids, because that is a commitment to America's future. But it needs to be more than talk.

If we decide that we do not have adequate resources to invest in our children's lives, in our children's opportunities, in our children's potential, then this country will never achieve its full potential.

That is what the debate will be about on the Daschle amendment. It will be a debate that will recur and recur and recur throughout this year as those of us who believe kids are a priority come to the floor to fight for kids and for their future.

Mr. President, I yield the floor.

REGARDING IRAN

Mr. D'AMATO. Mr. President, I rise to briefly discuss Iran. While this administration contemplates its next move regarding Iran, the brutal terrorist regime in Iran is plotting its next move. Will it reinforce its troops on disputed islands in the Persian Gulf, or will it add to its weapons stocks in the region? Only the regime in Teheran knows.

What we do know, is that this band of terrorists is planning an offensive military buildup. It is planning for the projection of its aggressive actions even further in the region. This administration should take this to heart and not appease these terrorists like it did with the dictators in Pyongyang. What the administration should do is support my legislation banning all trade with Iran and place sanctions on those foreign corporations that continue to trade with Iran.

To this end, I ask unanimous consent to have printed in the RECORD, following the text of my remarks, the February 1995 edition of the Focus on Iran. This publication details current events in Iran, with this particular issue centering on Iran's ongoing efforts to obtain nuclear weapons.

This is a vitally important issue and this important brief will shed further insight into a dangerous regime bent on violence and aggression.

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

IRAN: NUCLEAR WEAPONS AND IRRESPONSIBLE LEADERSHIP

[From Focus on Iran, February 1995]

Within the past year, much attention was given to Iran's continuous military rebuilding effort since its disastrous and costly war with Iraq. In particular, there has been great emphasis on Iran as a potential regional military power, and more ominously, as a potential nuclear power. The realisation of Iran as both a regional and nuclear power would certainly cause concern to its neighbors. The international community—particularly the United States—is concerned with two developments. First is the growing conventional and nuclear capability of Iran, and second, the increasing authoritarianism of the Rafsanjani regime and its support for domestic and international terrorism.

It is a truism based on historical experience that the greater the absoluteness/authoritarianism of a regime, the less its confidence in dealing with the international community, and the more likely it would resort to force to solve problems. In this context, the current regime in Tehran could hardly be considered a responsible and reliable participant for ensuring regional peace, stability and security.

It is clearly recognized that all nations have fundamental rights to provide for their own national security interests and those of others through mutual security treaties such as NATO, the former Warsaw Treaty Organization and other regional security pacts. Moreover, Iran itself, prior to the revolution of 1979, was a member of the former Central Treaty Organization (CENTO) together with the United States, United Kingdom, Turkey and Pakistan. Subsequently, the former regime undertook mutual security agreements with the United States. All the preceding agreements, treaties, pacts, etc., alluded to above, were undertaken by governments on the basis of perceived defensive security needs, with no outward declaration of aggressive intent. This in contrast to the bellicose rhetoric and state-sponsored terrorist and subversive activities of Iran's present regime. It is no wonder that a more powerful and nuclear-armed Iran, controlled by the clerics, poses a great concern for future regional peace and security.

Traditionally, Iran's security defense policy has been dictated by its geostrategic situation: From World War II to 1979, for defense against threats from the north, Iran relied heavily on the US deterrence. After the clerics took over in 1979, and especially after the aborted rescue mission of the US hostages, Iran, although its foreign policy was nominally "neither East nor West", tacitly relied on the Soviet deterrence against possible US attack.

After the collapse of the Soviet Union, and the Iraqi invasion of Kuwait, and consequently, the defeat of Saddam Hussein, Iran decided to put its energy and resources to develop weapons of mass destruction, not for defensive purposes, but to give Iran leverage to lead the Muslim World. In November 1991, Mr. Mohajerani, Vice-President of Iran, referred to Iran's activity to develop nuclear weapons. He said Moslem nations including Iran must acquire nuclear capability that would make them strong. This idea was probably reinforced after the Iraqi defeat in the Persian Gulf War, by the Indian Defense Chief, who reportedly said in an interview that one of the results of the Gulf War was "* * * never challenge the US unless you have nuclear weapons".

THE POST WAR ARMS BUILD-UP

Since the end of the war with Iraq (in 1988), Iran has undertaken an extensive rebuilding and upgrading of its greatly depleted armed forces, as might be expected, especially since the threat from its recent adversary, Iraq, is real, even though seemingly lessened at present. It is noteworthy that much of Iran's arms purchases are best described as offensive in nature and not necessarily designed to counter what one might imagine to be its real concern, Iraq. For example, since 1988, the arms purchases include: 10 fast attack missile boats, 75 SCUD-C surface-to-surface missiles, an unknown number of Su-24 fighter/bombers, 12 Tu-22 (Backfire) bombers, 72 AS-16 (Kickback) air-to-ground missiles, and three Kilo-class ocean-going submarines (two already delivered and one to be delivered soon). In addition, there are on order other weapons systems with both offensive and defensive capabilities.

Of particular interest in the above listing is the SCUD-C procurement from North Korea, because of the potential offensive threat it poses to Iran's neighbors to the South. It must be noted that this missile system is capable of being fitted with both conventional as well as nuclear warheads. Furthermore, there is every likelihood that the clerical regime in Iran will purchase the NO-DONG-1 medium-range ballistic missile or its follow-on, within the next five years, also from North Korea. With a range of about 600-800 miles and improved accuracy, the NO-DONG missile would be a direct threat to Israel, more so than the SCUD-B system deployed by Iraq in the Persian Gulf War of 1991.

The acquisition of several ocean-going submarines and fast attack missile boats presents a realistic threat to Persian Gulf oil flow, in as much as these naval craft could easily block the Straits of Hormuz by a missile or underwater attack. In the hands of an unstable and irrational regime, they also pose a direct danger to the U.S. and Allied naval vessels needing to access the Persian Gulf in periods of crises.

The acquisition of the long range Tu-22 (Backfire) bomber has no other use than extending Iran's offensive "punch" far into the Indian Ocean (against the U.S. and Allied Navies) or to the entire Middle East and beyond; a capability far beyond the accepted defensive needs of the clerical regime.

THE NUCLEAR WEAPONS ISSUE

The "conventional" arms threat is multiplied many times over when nuclear weapons are added to the equation. Much has been written recently concerning the activities of the clerical regime in regards to its involvement in the development of nuclear weaponry. The question does not seem to be one of the probability of such a development, but one of timing. In a recent article in The New York Times (January 4, 1995), Chris Hedges wrote a detailed and well-crafted article indicating that in five years, Iran may be able to fabricate a nuclear weapon, with the fissionable materials supplied by its nuclear facilities at Bushehr. If we examine the "conventional" weapons already purchased or on order, it is apparent that most of these systems can be readily adapted and modified to carry and deliver nuclear weapons.

In order to place the potential "nuclear threat" in proper perspective, it must be recognized that we are dealing with a contingency that is at least two to five years in the future. It will depend on the clerical regime's ability to receive or develop the requisite technological capability, and produce sufficient nuclear fuel, at which time the threat does became apparent and a focal point of international concern.

Apropos the issue of Iran gaining technological competence in nuclear weapons fabrication, much has been written in various intelligence sources. It has been reported that Iran has acquired at least two nuclear weapons (one missile and one 152mm artillery round) from Kazakhstan. Some sources allege that Iran may also be receiving technological assistance from North Korea. In

any event, it makes little difference whether Iran currently has nuclear warheads; in time, it will develop the capability either by virtue of its native talents and/or with the help of "scientists of fortune" from the former Soviet Union and Eastern Europe.

THE ECONOMIC CONSEQUENCES OF NUCLEAR ACQUISITION

The more compelling question is not whether "Iran has the bomb", but rather, why it should want a massive offensive conventional and nuclear strike capability. Secondly, who or what are the ostensible targets requiring such national commitment of human, economic, and material resources, to say nothing of the political capital expended in the international community.

The "why" of the clerical regime's military build-up can be answered simply as a normal action in light of the recent war with Iraq. More importantly, however, the upgrading of offensive conventional and future nuclear strike capabilities must be seen in the light of the Mullahs' determination to ensure their survival in the seat of power in Tehran, and more ominously for the future, perhaps to further their political-religious goals elsewhere in the Middle East and North Africa.

The importance of Iran's current rearming and upgrading of fire-power can be measured in terms of its economic cost to the nation. The U.S. Arms Control and Disarmament Agency (ACDA) estimates that between 1987–91 the clerical regime ruling Iran spent an estimated US$8-billion in hard currency for weapons imports. At least a similar amount has been spent since 1991 for further purchases of weapons systems. This at a time when the country is experiencing significant economic distress as indicated by the fact that the per capita share of the GNP (i.e. the individual economic worth) has fallen to around $1,000.

From these bare economic facts, it is apparent that the clerical regime in Tehran is choosing "guns over butter", and, consequently, is perpetuating the economic misery of the Iranian population. Compounding this economic situation is the fact that Iran's external debt is at least US$40-billion, and given the relatively modest world prices for crude oil, Iran's main foreign currency earner, there is little hope for debt reduction in the foreseable future. What this simply means is that as the external debt burden grows, the clerics will find it more difficult to acquire credit for domestic needs such as imports of necessary goods and services that are urgently needed to stop the nation's rapidly declining living standards.

Moreover, the great economic burden of the massive arms build-up has serious long term implications for Iran's development of its industrial economic base, notably, the petro-chemical infrastructure. Authorities estimate that Iran needs US$5-billion for repairs, replacement parts and maintenance of its petroleum extraction and processing equipment and facilities, and an additional US$1-billion for the maintenance of attendant petro-chemical equipment. If this investment in the petroleum infrastructure is delayed or slowed down, it is likely that within 15 years, the entire infrastructure will collapse, bringing about economic catastrophe.

The salient question is at what cost to the welfare and well-being of the Iranian people, and at what cost to the goodwill and economic credibility within the international community is the clerical leadership willing to expend for illusionary and self-destructive goals of religious fanaticism and domestic and international terrorism.

THE LIKELY TARGETS OF THE CLERICS' NUCLEAR POLICY

The second salient question, given the above discussion regarding the excessive level of rearmament effort, is, who, what and where are the targets of the arms build-up. If one surveys the current Middle Eastern political, relgious and social environment, it becomes evident that there is an array of differences that are not in accord with the clerics' concept of religious "fundamentalism" and its attendant political and social ways of life. These range from Israel's inherent Judiac nature, Egptian, and Syrian political secularism, Saudi Arabia's Sunni sectarianism, the economic per capita wealth of the Persian Gulf States, the Turkish security links to the U.S., and the overall instability of the former Soviet Caucuses and Central Asian Republics and Afghanistan.

It is well within reason that the clerical leadership in Tehran may perceive some, if not all, of these differences as a threat to its "way of life" and ideology. Perhaps they also see them as targets of opportunity for some future date, when through armed threats and other coercive means, they look forward to imposing their hegemony, and forcing them to accede to their religious and political ideology.

The clerics' support of political terrorism in Lebanon, Egypt, Sudan, Algeria and elsewhere lends credence to their once far-fetched claim of converting the world of Islam to Khomeinism. In light of their actions and pronouncements, this indeed may be their first step on the road to achieving their avowed goals.

The nuclear strategic doctrine of the Islamic Republic was formulated by "The Strategic Islamic Research Center" headed by Hojatol Islam Khoeiniha. Following are the main conclusions and goals of the Center which were reached in a secret meeting in May 1991:

1. After the collapse of communism, Islam is the only force and Islamic Republic the only leader and supporter of the liberation of the oppressed masses.

2. Iran will naturally be on a collision course with the U.S., and must consider the U.S. a real threat to the Islamic world.

3. Iran needs to develop nuclear power and prestige.

The result of this meeting, which was never publicized, should not be taken lightly. Nuclear weapons can be either the guarantor of state, or a threat to the whole region and survival of the country itself. The difference lies in the responsibility, wisdom, and the sophistication of the leadership, and the nuclear strategy it adopts. In the hands of responsible leaders, one can assume that nuclear weapons would not be used unless absolute survival of the country was at stake. In the case of the current clerical leadership in Tehran, it could present a real threat.

Like the United States, Israel is seen as the "Satan: the extreme negation of all that is held religiously and politically sacred to the clerics in Tehran. Moreover, the Islamic shrines in Jerusalem must be "redeemed". The clerics' success in this effort would most certainly evoke the Moslem masses to respond to its cause and jihad: a tide which none of the Middle Eastern States could withstand.

It is the opinion of many specialists that Israel is the lynch-pin for Iranian religious/political hegemony in the Middle East. Others point to the clercs' claim of the right to administer the holy shrines in Mecca and Medina. Another important target is likely to be Egypt which is already facing very serious challenges to its political and economic infrastructure from radical Moslem fundamentalists. The long arm of Khomeinism is most definitely felt in Egypt through the clerics' financial, material and moral support for the Egyptian religious radicals. The fall of the Egyptian Government would be a world-wide political event, and would pose a grave threat to the security of Israel and Saudi Arabia, and, most likely, would destabilize Jordan and Lebanon. The military assets of Egypt in the hands of radical extremists is difficult to contemplate for the United States and its Allies; for Iran, it would be a bounty worth all its effort and cost.

COMMENTS ON IRANIAN LEADERSHIP

Finally, in our assessment, the current clerical leadership in Tehran seems to be totally incapable of comprehending the dangerous consequences of their course of action. The clerics seem oblivious to the historic lessons of this century. All those who overreached their power paid dearly. Irresponsible policies and actions by irrational and despotic leaders brought untold hardship and misery on the civilian population. The overreaching of military power by the clerics in Iran could bring about the destruction of the Iranian nation. It should be made clear that the imperatives of Iran's security needs are recognized, and the bravery and dedication of its Armed Forces in defending the nation is lauded. It is our belief that the course of military expansion exceeds the requirements for defense of the frontiers against any adversary for the foreseeable future. The course pursued can only lead to the destruction of the patriotic Armed Forces needlessly.

In order to prevent the dangers of irresponsible military expansion and adventurism, we categorically support the replacement of the current regime with one dedicated to democratic principles well-grounded in the realities of the international security environment and balance of power concept. Furthermore, we insist that a new regime must have the support, respect and confidence of the Iranian people as well as that of the international community.

First and foremost on its agenda must be the well-being of the people, and guarantees for individual freedom and human rights. Along with economic security, it must work to ensure their physical as well as national security. These can be achieved by reversing the current aggression-oriented arms build-up and support for terrorism. Instead, the new leadership must be dedicated to, and must take an active role in promoting regional and world peace.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, before contemplating today's bad news about the Federal debt, let us do that little pop quiz again: How many million dollars are in $1 trillion? When you arrive at an answer, bear in mind that it was Congress that ran up a debt now exceeding $4.8 trillion.

To be exact, as of the close of business Monday, April 3, the total Federal debt—down to the penny—stood at $4,873,480,746,464.74—meaning that every man, woman, and child in America now owes $18,499.82 computed on a per capita basis.

Mr. President, again to answer the pop quiz question, How many million in a trillion? There are a million million in a trillion; and you can thank the U.S. Congress for the existing Federal debt exceeding $4.8 trillion.

TRIBUTE TO DICK REINERS

Mr. DASCHLE. Mr. President, today I want to take a moment to commemorate the long and distinguished life of my dear friend, Richard H. Reiners, an outstanding American, who passed away earlier this year.

Dick Reiners was born September 24, 1907, on a small farm east of Lennox, SD, and passed away on January 15, 1995, at his rural home north of Worthing, SD. Throughout his life he was dedicated to his family, his community, and the land on which he lived.

As a father and husband, Dick epitomized the term, family values. He was faithful, honest, and loyal, and he passed those values onto his children and grandchildren.

As a member of the community, Dick was constantly active in improving the quality of people's lives. He served on numerous boards, including his church, his children's school district, the Farmers Home Administration, and the South Dakota Farmers Union. He was also actively involved in politics and labored tirelessly for the people he believed in.

As a farmer, Dick held a reverence for the land and its capacity for production. He was a hard worker and an eternal optimist.

Dick spoke his mind. He never gave up. He was always a kind and thoughtful man.

During my travels as a U.S. Senator, I am constantly humbled by the people of my State—people like Dick Reiners and the basic principles by which they live their lives: a love of family, an obligation to community service, and a strong commitment to an honest day's work. Those who knew Dick Reiners learned much from him, and I am honored to say that he was my friend. He will not be forgotten.

CENTENNIAL OF THE BIRTH OF CHRISTIAN A. HERTER

Mr. KENNEDY. Mr. President, March 28, 1995, marked the 100th anniversary of the birth of Christian A. Herter, one of Massachusetts' and the Nation's most respected leaders and public officials in this century.

After a distinguished early career in the Foreign Service, Chris Herter returned to Massachusetts and was elected to the State legislature in 1930 at the age of 35. In the next 6 year, he rose to become speaker of the house, and 4 years later, he was elected to the House of Representatives, where he played an influential role in making the Marshall plan a reality.

In 1952, the same year President Kennedy was elected to the U.S. Senate, Chris Herter was elected Governor of Massachusetts. After serving two terms, he accepted the position of Under Secretary of State under John Foster Dulles in the Eisenhower administration, and succeeded Dulles as Secretary of State in 1959. President Kennedy thought so highly of him that he appointed him to be U.S. Special Trade Representative in 1961, and the GATT Agreement still stands as one of his greatest monuments.

Christian Herter was admired and respected by leaders and citizens alike in Massachusetts, America, and throughout the world. On this occasion of the centennial of his birth, Emanuel Goldberg, who served on his staff as Governor, has written an eloquent tribute to this extraordinary son of Massachusetts, and I ask unanimous consent that it may be printed in the RECORD.

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

CENTENNIAL OF CHRIS HERTER

(By Emanuel Goldberg)

He was one of the Commonwealth's most highly regarded and distinguished public servants, on a tri-level of state, national and international affairs, yet if you questioned people today—senior citizens possibly excepted—I doubt if one in 10 could lucidly recall Christian A. Herter of Millis and Manchester.

Last March 28, 1995 was the 100th anniversary of Chris Herter's birth, actually in Paris where his artist parents lived abroad. Twice he became not only a serious presidential prospect when "Dump Nixon" drives were surfacing but, in Massachusetts, served as Governor and Speaker of the House and, in Washington, as an outstanding Congressman, Secretary of State in the Eisenhower administration and the first U.S. Trade Negotiator for both Presidents Kennedy and Johnson. There is a state scholarship fund in his name—rarely publicized because his family rejected a brick and mortar memorial and preferred practical direct help to needy students. Thanks to former MDC Commissioner John W. Sears, there is also a public park, near Harvard Stadium (Herter's alma mater), named for him. Also an academic chair in international relations at Brandeis and Herter Hall at U. Mass-Amherst.

The 1952 gubernatorial election was memorable when underdog Herter in a close election, defeated by 14,500 votes the powerful Democratic incumbent Paul A. Dever. The major campaign issue revolved about Dever's outgoing public works commissioner, Bill Callahan, whose heralded highway program was attacked by Republicans as the most costly in the nation, as well as two and a half times more than the next highest state.

The Herter program for Massachusetts was highly and quickly successful because in just one year after taking office, the new administration got through most of its legislative program and also a 25 percent tax reduction in earned income. TIME put Herter on its magazine cover; also labeled him "to millions, a hero" (1/18/54). That year he was the only U.S. governor to produce such dramatic tax savings.

In the late 1940's, while a Congressman, Herter chaired a 19-member delegation that toured 18 foreign countries to lay the foundations for the Marshall Plan. He later won the 1948 Collier's Magazine award as the outstanding Congressman for that historic undertaking. Ironically, then Congressman Richard M. Nixon served on Herter's diligent and highly productive committee. The generous Collier's prize money was later donated by Herter to Washington's Johns Hopkins School for Advanced International Studies, an institution he was a prime mover in founding.

The awkward 6'5" angularity of Chris Herter caused his military rejection in 1917 (he later suffered from severe arthritis) but catapulted him at once into public service. He served President Wilson at the Versailles Peace Conference, in 1918–1919, as Secretary of the American Peace Commission. Following an attaché post in Germany's American Embassy, he found himself, at age 22, operating the American legation in Brussels.

Thence commenced a close association with Herbert Hoover—Herter becoming at first the future President's principal assistant as executive secretary of the Europe Relief Council and later, when Hoover was named U.S. Secretary of Commerce in 1921, his personal assistant.

On a personal level, the jovial, modest Herter, who frequently assuaged his arthritic back pain with bufferin and a cigarette, nevertheless was a fisherman, boatsman, gentleman farmer, breeder of golden retrievers and an expert bridge player. He was one of the Boston Red Sox's greatest fans and reveled in the Governor's prerogative of throwing out the first baseball of the season. One scheduled April opening day, when it actually snowed in Boston, causing the game to be cancelled, this frustrated Governor intentionally messed up a preplanned photo assignment by heaving a huge snowball at (and hitting) this writer, who was supposedly supervising a substitute news picture. My recollection is that simultaneously a distinguished, newly-formed Educational TV Commission was just entering the Governor's office—and its VIP members were quite perplexed to encounter an embarrassed, snow-covered young assistant and a hilariously-roaring chief executive.

Actually, Herter was very considerate about his staff's welfare. He was capable, even when busy, of phoning the switchboard operator to inquire about her cold. On one occasion, long after he'd left the Governor's office. Herter traveled from Washington to help a former staff state trooper, who'd encounterd some job difficulty in Boston.

Testament to his wide popularity on both sides of the political aisle, when the Undersecretary Chris Herter was nominated by President Eisenhower to succeed John Foster Dulles as U.S. Secretary of State, the Senate on April 21, 1959, approved the appointment in 4 hours and 13 minutes. The Senate had suspended its usual confirmation rule of requiring a minimum of seven days.

Family-wise, Herter's father, Albert, an internationally renowned artist, created the huge murals now hanging in the Massachusetts House of Representatives. His older brother, Everit, was killed by German shrapnel in World War I. He married the former Mary Caroline Pratt, granddaughter of one of Standard Oil's founders, for whom a memorial garden as been affectionately dedicated in the MDC's Herter Park.

Chris and "Mac" Herter had four children; Chirstian A. Herter Jr., now teaching at the Hopkins School, who also once served in the Massachusetts legislature; Dr. Frederic P. Herter, a prominent physician at New York's

Columbia-Presbyterian Hospital (medicine has also been a long family tradition for an uncle, also named Christian Herter, founded the College of Physicians and Surgeons in New York, while a young student named Jonas Salk was helped through his doctoral training via a Herter scholarship); E. Miles Herter of Manchester, prominent for years in the Boston financial community, and Mrs. Joseph (Adele) Seronde, wife of a pathologist and a widely admired artist now residing in Arizona. She, collaborating with Kathy Kane, was responsible for bringing "Summerthing" to Boston and also originating the outdoor murals that are now emulated throughout the nation.

Chris Herter, boots on at 71, was victim of a heart attack on December 30, 1966, while still U.S. Trade Negotiator. Ironically, a day before his passing, Herter, an ardent proponent of free trade, was cheered by news that Britain was lifting tariff restrictions among the European Free Trade Association.

Though William F. Buckley, Jr. and Chris Herter (a GOP Young Turk type) were probably at opposite ends of the Republican spectrum, I know of no-one who more precisely summarized Herter's essence than this noted conservative. In a private letter, Bill Buckley commented that Herter was "a reminder of how civilized the world used to be."

There is a gap: no scholar has yet written a definitive biography about Chris Herter's multi-faceted contribution to history and the public welfare. His gigantic stature, both in size and character, will always remind us that moral and intellectual integrity can flower even in American politics.

PINEY WOODS OPRY IN ABITA SPRINGS, LA, RECEIVES ARTS ENDOWMENT GRANT

Mr. KENNEDY. Mr. President, there have been many articles and commentaries about the National Endowment for the Arts in recent months. Opponents have complained that the Endowment supports elitist institutions and elite audiences. But a recent story on the CBS Evening News describes a different and more accurate example of the Endowment's role—a grant made to Piney Woods Opry in Abita Springs, LA.

This grant from the NEA, totalling $14,900, enabled the Opry to present performances of local musical folklore from the Depression era. The performances entertain the citizens of Abita Springs, and they will preserve this important part of America's musical heritage.

This success story, and thousands of others like it across the country, reveal the true mission of the Arts Endowment. Large corporations and wealthy donors are unlikely to fund these programs, but the Arts Endowment does. Mary Howell of Piney Woods Opry explained why:

When you ask why should the taxpayers want to support this kind of thing . . . Because it's about us. It's about every one of us.

I urge my colleagues to support the National Endowment for the Arts, and I ask unanimous consent that a transcript of this segment from the CBS Evening News may be printed in the RECORD.

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

[Transcript from the CBS Evening News, Mar. 31, 1995]

POSSIBLE BUDGET CUTS TO NATIONAL ENDOWMENT FOR THE ARTS CAUSE CONCERN FOR PINEY WOODS OPRY

CONNIE CHUNG, co-anchor. In the huge federal budget, $170 million may not seem like much, but that's the 1995 budget for the National Endowment for the Arts. Some members of Congress think it should be zero. They call it a taxpayer subsidy for wacky or tacky artists who play to a cultural elite. Is that really where the money goes? John Blackstone has one case in point for tonight's Eye on America.

JOHN BLACKSTONE reporting. There was a time when Saturdays across much of rural America sounded the way they still sound in Abita Springs, Louisiana.

Unidentified ANNOUNCER: From the town hall in beautiful Abita Springs, the Piney Woods Opry.

BLACKSTONE. Piney Woods Opry never fails to draw an overflow crowd, though the songs and the sentiment are distinctly out of fashion.

(Excerpt from Opry performance)

BLACKSTONE. The musicians, often in their 60s and 70s, are among the last practitioners of a disappearing musical style.

Mr. BOB LAMBERT (Evening Star String Band): This is a true American music, and I think somewhere along the line, they're going to appreciate it again.

BLACKSTONE: The local congressman was invited here tonight, but he didn't come. He's a busy man these days, the new Republican chairman of the budget-cutting House Appropriations Committee, and one of the budgets he's busy cutting could have an impact right here.

Representative BOB LIVINGSTON (Republican, Louisiana): All we're trying to do is trying to bring common sense and sanity to the United States federal budget.

BLACKSTONE: Congressman Bob Livingston is bringing down the budget ax on federal funding for the arts, particularly the National Endowment for the Arts.

Rep. LIVINGSTON: We're going to be making drastic cuts, because we're going to be looking toward a balanced budget by the year 2002, and NEA has to prove that, you know, it is affordable.

BLACKSTONE: But ironically, Livingston is calling for cuts just as the Piney Woods Opry, right in his own district, is due to receive its first grant from the NEA, $14,900.

Mr. LAMBERT: I don't want to get into politics but for the little bit that we have got, I don't think anybody could be complaining about that.

BLACKSTONE: Among the new Republican majority in Congress, money for the arts is called welfare of the cultural elite. Is this the cultural elite we're going to be seeing?

Mayor BRYAN GOWLAND (Abita Springs, Louisiana): Why, I wouldn't call it the cultural elite. I don't know.

BLACKSTONE: Many of the folks who show up at the Piney Woods Opry remember the hard times and honest music of rural America.

Mr. LAMBERT: You know, I—I—I grew up in the Depression, and I—I—I know what hard times is all about.

BLACKSTONE: Admission to the Opry is just $3 at the door. Producers say the music isn't commercial enough to charge much more. Without financial help to keep the show running and the recorders turning, they say these songs will soon be gone, along with those who play them.

Ms. MARY HOWELL (Co-producer, Piney Woods Opry): We could lose our history. And it seems to me that that's when you ask why should the taxpayers want to support this kind of thing? I think that's why, because it's about us. It's about every one of us.

BLACKSTONE: Lauren Kilgore sings the songs her father taught her.

Ms. LAUREN KILGORE (Singer): (Singing) Grandpa, everything is changing fast.

BLACKSTONE: While the budget cutters sharpen their ax, the folks at the Piney Woods Opry say the value of this music can't be measured in dollars . . .

Ms. KILGORE: (Singing) . . . families rarely bow their heads to pray and daddies really never go away.

BLACKSTONE: . . . it can only be felt. In Abita Springs, John Blackstone for Eye on America.

IN HONOR OF HOWELL HEFLIN

Mr. AKAKA. Mr. President, I rise today to add my voice to those of my distinguished colleagues in the Senate to pay tribute to our colleague, Senator HOWELL HEFLIN of Alabama who announced his intention to retire from the Senate at the end of this Congress. I too will miss him, not only as a U.S. Senator, but as a very dear friend.

The Senate will not be the same without HOWELL HEFLIN. He brought the highest dignity, integrity, and diligence to this body along with his unique sense of humor.

Mr. President, he is a big man with a big heart; his life is marked with patriotism and service to mankind; clearly HOWELL HEFLIN has led an unselfish life dedicated to leading and helping people. He was twice wounded in World War II as a marine captain while leading his troops in battle on Guam. He was awarded two Purple Hearts and the Silver Star for bravery. As a young trial lawyer in Alabama, he was known as one of the best. His reputation as an excellent lawyer led to his eventual election as chief justice of the Alabama Supreme Court. It just made sense that the "Judge" would eventually become a member of this distinguished body.

As a Member of the Senate, HOWELL HEFLIN brought great wisdom, and he used this wisdom for 13 years as a member of the Senate Ethics Committee and for two periods he served as its chairman. He has always fought for what was right for the country and for his constituents in Alabama. Mr. President, people may not agree with HOWELL HEFLIN's decisions all the time but they did respect them.

Mr. President, I could speak at length about HOWELL HEFLIN's many accomplishments. But for myself, I will always cherish the close friendship we have enjoyed over the years.

Mr. President, the Senate will never be the same without HOWELL HEFLIN. The people of Alabama and the people

of this country have benefited from the service of the "Judge," one of the most outstanding Members to have served in this body. I look forward to working with him in the remaining months of the 104th Congress. My wife Millie and I wish both his lovely wife "Mike" and Judge HOWELL all of God's blessings. Mahalo for being such a good and faithful servant. Well done, Judge.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 1158, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Hatfield amendment No. 420, in the nature of a substitute.

D'Amato amendment No. 427 (to amendment No. 420), to require Congressional approval of aggregate annual assistance to any foreign entity using the exchange stabilization fund established under section 5302 of title 31, United States Code, in an amount that exceeds $5 billion.

Murkowski/D'Amato amendment No. 441 (to amendment No. 427), of a perfecting nature.

Daschle amendment No. 445 (to amendment No. 420), in the nature of a substitute.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, it is my understanding that the distinguished Senator from Oregon, [Mr. HATFIELD], the chairman of the Appropriations Committee, wishes to be on the floor when the debate starts and that he wishes a quorum call. I understand he is on his way.

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. 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.

Mr. BYRD. Mr. President, although there are a number of rescissions proposed in the amendment by Mr. DOLE with which I agree, I am unable to vote for the amendment because of its rescissions of appropriations for the Nation's physical infrastructure, its proposed $100 million cuts in IRS personnel, and its additional rescission of funding for the Corporation for Public Broadcasting.

The Dole amendment would cut $323.7 million from appropriations for highway construction. Of this amount, $280 million would be cut on a pro rata basis from every State's allocation of Federal-aid highway funds. These Federal highway funds are used by the States for highway and bridge construction, as well as for reconstruction and repair. Federal highway spending is one of the most productive areas of Federal investment in the creation of new, well-paying jobs. The Dole amendment, by reducing highway spending by more than $320 million, would cause a loss of up to 20,000 highway construction jobs.

Mr. President, while it is true that we have a horrific national debt and we must continue to cut Federal deficits, as the pending bill would do, we must simultaneously address our investment deficit in critical areas such as our Nation's highways and bridges.

And I made this point at the budget summit in 1990, at which time I said we have not only a trade deficit, we have not only a fiscal deficit, but we also have an investment deficit.

For a moment, I would like to recount some of the maladies we will pass to the next generation for our failure to invest in our transportation infrastructure. So we still have an investment deficit. According to the Department of Transportation, there are currently more than 234,000 miles of the nearly 1.2 million miles of paved, nonlocal roads which were in such bad condition that they require capital improvements either immediately or within the next 5 years. The Nation's backlog in the rehabilitation and maintenance of our Nation's bridges currently stands at $78 billion. According to the Federal Highway Administration 118,000 of the Nation's 575,000 bridges—around one out of five—are structurally deficient. While most are not in danger of collapse, they are required to restrict heavier trucks from using them—an action that has an immediate adverse impact on the Nation's economy. Another 14 percent of the Nation's bridges are functionally obsolete, meaning they do not have the lane and shoulder widths or vertical clearance to handle the traffic they bear.

No area of infrastructure investment is as critical as our Nation's highway system. The system carries nearly 80 percent of U.S. interstate commerce and more than 80 percent of intercity passenger and tourist traffic. I, therefore, strongly oppose the rescission of highway funds contained in the amendment by the majority leader.

I am also seriously concerned about the proposed $100 million cut in the Internal Revenue Service Compliance Initiative. This initiative is designed to generate $9.2 billion in additional revenue over its 5-year life.

The Internal Revenue Service advises that it would not be able to accommodate a $100 million reduction in personnel funding between now and September 30, without furloughing all 70,000 compliance personnel for up to 10 days. A furlough of this magnitude would cost the Government approximately $500 million in lost tax collections in addition to substantial losses in revenue from the 5-year initiative. All of these losses in tax revenues would have the effect of increasing the deficit.

I am gravely concerned about the continued plundering of one of this Nation's cultural lifelines—the Corporation for Public Broadcasting.

The majority leader's amendment would cut an additional $86 million below the committee-passed rescission of $55 million for public broadcasting. This is not thoughtful budget trimming. This is carnival-cut politics. It is flash-and-glitter knife tossing. Its intent is to give the illusion that there is some threat to a real target—the massive budget deficit—while, in a great and noisy show, it is merely popping balloons around the edges.

But, in the case of the Corporation for Public Broadcasting, we are not merely popping bright balloons.

This knife has sailed into the heart of the crowd. It is hurtling toward children and adults whose lives are bettered by the exposure to the quality educational and cultural programming of public broadcasting.

In many communities throughout the Nation, public broadcasting provides the only glimpse some citizens will ever have of faraway destinations, ancient civilizations, and the words of the great masters. It beams into the homes of children their first lessons, in many instances, concerning the alphabet, their first lessons about science and math, and of geography and English literature.

Many in my own State of West Virginia, without local access to college-level classes, rely on public broadcasting for the courses they need to earn a college degree.

It is shameful and arrogant for some to sit here in the grandeur of the Nation's Capitol surrounded by museums housing the works of great artists, with close-by theaters offering the plays of Shakespeare, opera, ballet, and the music of great orchestras and thoughtlessly snip away at the only access many of our constituents have to these treasures.

So as we debate ways to address the Federal fiscal deficit, many of my colleagues have spoken tirelessly of the debt that we leave to our grandchildren, I am equally concerned with the state of the Nation that we leave behind to our grandchildren—the quality and value of our national assets—the ability of those national assets to

provide the capability for sustained economic growth. The true challenge facing this Congress is how to address the Federal fiscal deficit and our Nation's infrastructure and education deficits simultaneously. The Dole amendment addresses only half of this equation, namely, the fiscal deficit. It, in fact, exacerbates our infrastructure and education deficits. In my view, it makes no sense to rob Peter in order to get the funds to pay Paul.

So I urge when the time comes that the amendment be defeated.

I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first, I would like to thank my distinguished colleague from West Virginia for his remarks and, in particular, I want to pick up on one point that he made which has to do with the investment deficit. I really do believe the Senator from West Virginia is correct, that sometimes, unless you invest, decline begets decline. I think it is myopic and shortsighted not to make an investment in education and children and in our infrastructure. Sometimes you make an investment in the short run and are much better off in the long run. I think that is what my colleague from West Virginia is really trying to say today.

Mr. President, first of all, let me just simply take issue with the majority leader's substitute which is now before us and then talk a little bit about some of the rescissions that are also before us.

The Dole substitute, as I understand it, contains all of the rescissions in the committee bill—in education, Head Start, in WIC, in child care. I want to talk about some of those rescissions. But above and beyond those rescissions, there are yet others. I would like to highlight a couple of areas where I do take very serious exception.

I visited in Appleton, MN—southwest Minnesota—with Pioneer Public Television. I can assure you that Pioneer Public Television is not a sandbox for the rich. I can tell you that the people in greater Minnesota, in rural Minnesota, are very connected to Pioneer Public TV, and they are connected to public television, for a number of reasons.

First and foremost, they appreciate the focus on children's programming. I have to say to the Chair, whom I know has a strong and sincere concern about children, that as I look at what is on commercial TV in the name of children's programming, with precious few exceptions, I do not find anything there very positive and enriching. Public television has done a truly magnificent job of presenting those of us who are parents and grandparents with some wonderful children's programming.

Second of all, Pioneer Public Television in southwest Minnesota is a real tool for education and empowerment for people in the community. It broadcasts programs that provide people with the kind of information that we encourage citizens to have to be more fully involved in their communities on the economic, political, and cultural issues.

So I find the additional cuts proposed in this substitute for the Corporation for Public Broadcasting to be egregious.

I also have to say KTCA channel 2—and also channel 17—in Minnesota has really been a flagship public television.

Public television provides some superb public affairs programming. I do think people yearn for something more than the 10-second sound bites. I think they really do yearn for some substantive and thoughtful discussion of public issues. The effort to attack part of the cultural institution in this country, namely, public television or public radio, is a huge mistake. It takes us backwards.

I am concerned about other proposed cuts as well. I heard some of my colleagues talk about AmeriCorps last night, so I will not, except to say that I was lucky enough to be at the founding gathering of AmeriCorps for the volunteers in Minnesota. I think there must have been about 300 young people. It was truly inspiring—the diversity of the young men and women that were there, the idealism, and their commitment to community. This is a program which encourages the very best ideals of this country, serving community, and providing young people, many of whom were from backgrounds that would not have enabled them to afford higher education, with some financial assistance to do so.

Mr. President, there is a strong record of service to community already in this AmeriCorps program. I find it difficult to understand the effort to attack such a program. I find it difficult to understand why some of my colleagues spend so much time attacking a program which has barely begun which, calls upon young people, to be their own best selves. I think people yearn for models of community involvement. I think people yearn for alternatives to cynicism, and I think the AmeriCorps is an alternative to cynicism. Again, I find the Dole substitute very troubling on this count.

Finally, there may be discussion of this section of the amendment later, but I am concerned about cuts to legal services. I have done a lot of work with low- and moderate-income people over the years, with many citizens in Minnesota. Whether or not it is protection vis-a-vis their rights as tenants or consumers—or on other issues—the Legal Services Program is the way in which we make sure our civil legal system is open and serves all citizens, regardless of income. It is a program that has never operated on a very large budget.

This program provides dedicated legal services lawyers who do not make much money, but who make sure that those citizens who do not have the economic means to purchase or to have good legal representation are able to receive it.

It has strong backing from the bar association in Minnesota; strong backing from the bar association nationally. Instead, we should be making cuts in programs like star wars, or programs that have to do with a variety of different tax dodges and loopholes and deductions which go to people who, in fact, do not need representation. But this focus on legal services makes very little sense.

Mr. President, let me now turn to the initial rescission bill that we have in the Senate. I, first of all, would like to congratulate my colleague from Oregon, Senator HATFIELD, because I think that some of the work that he has done is extremely important. I fully appreciate his commitment and certainly his ability as a Senator.

Mr. President, I would like to talk about a few programs where there are slated cuts in this rescission package which are simply a profound mistake for the country.

I start out with the call for $35 million to be removed from the WIC Program. That is for this year, fiscal year 1995.

This was a program that was authorized in the Congress in 1972 under the leadership of such able Senators as Senator Robert DOLE, now the majority leader, and Senator Hubert Humphrey.

I have said it on the floor before: Senator Humphrey's framework is a legacy that is very important to me. And the late Hubert Humphrey from Minnesota said that the test of a government and the test of a society is how we treat people in the dawn of life, our children; how we treat people in the twilight of their lives, the elderly; and how we treat people who are in the shadow of their lives, those that are sick, disabled, and needy. I think that is a pretty powerful framework for examining our actions.

Mr. President, the WIC Program has been astonishingly successful. It works. The Women, Infants; and Children Program is an investment we make to make sure that women, while pregnant, receive adequate nutrition and newborn infants also receive adequate nutrition.

Mr. President, I have had an amendment on the floor of the Senate over and over again, which was finally accepted a few days ago, that we would not take any action that would increase hunger and homelessness among children. It strikes me that proposed cuts in the Women, Infants, and Children Program, which has been a huge

success, which decreases the number of low-birth-weight babies and the chances of infant mortality, goes precisely in the opposite direction.

Mr. President, according to a GAO report, the Women, Infants, and Children Program averted 13,755 very low-weight births in 1990. Assuming that all the funds would be used, if the $35 million—this is the rescission cut—is distributed evenly throughout all of the categories (women, infants, and children)—then 138 very low-birth-weight babies will not be averted because of this rescission cut.

Mr. President, the problem is that low birth weight greatly increases the chance of infant mortality and, in addition, a variety of different conditions, from high rates of cerebral palsy, mental retardation, serious congenital anomalies, and so forth.

Let me just ask the question, if we go on record saying we will not take any action that will increase hunger or homelessness among children—and the Senate is now on record—why do we have proposed cuts in the Women, Infants, and Children Program when we know that the WIC Program speaks precisely to this problem in the Nation? Again, if you want to make sure that a child, at birth, has the same chance as every other child, the one thing you certainly do not want to do is cut into a program that makes sure that that expectant mother has a diet rich in minerals and protein. You want to make sure that you do not have rescissions in programs that will lead to more severely low-birth-weight infants, with the possibility of greater infant mortality as well a whole set of huge medical problems for those children. This is a program that reaches down to the poorest of the poor. This is a program that provides invaluable nutritional assistance for expectant women, children, and newborn infants. Mr. President, it strikes me that these cuts simply go against the very best of what we are about in this Nation.

In my home State of Minnesota, in 1993, over 3,000 people were on the waiting list for WIC benefits.

Mr. President, we have all heard the statistics before. You invest $1 in WIC and you save yourselves $3 that you would be paying over the first 18 years in additional medical assistance. So we have waiting lists, we have children in need, women and children. I believe the WIC Program right now only serves about 60 percent of those that are eligible for such assistance. Yet in the initial rescission package we have cuts in the WIC Program.

Mr. President, this debate really is about priorities. I simply have to argue that what we see in this package, in the Dole substitute, with cuts on top of cuts, is very distorted priorities. Yesterday, Senator KENNEDY was on the floor talking about this expatriate tax dodge and I joined in. We were talking about a tax dodge that goes to individuals or families with, roughly speaking, over $5 million of net worth. We were talking of revenue losses to the tune of several billion dollars over the next 5 years.

At the same time we have that kind of tax dodge, at the same time we are talking about spending more money on star wars, at the same time we continue to talk about more money for military weapons, in preparation for war with the Soviet Union which no longer exists, weapons which are not essential to our having a strong defense, we have all of these loopholes and deductions. Yet when we look to where the deficit reduction is going to come from, all of the tax dodges, and loopholes and star wars weapons are left untouched, because in this rescission package, we are talking about cutting into the WIC Program.

I believe there is a contradiction between the Senate going on record that we will not do anything to increase more hunger or homelessness among children and talking about cuts in the WIC Program.

Mr. President, I want to focus on one other rescission and then I will yield the floor. There are many I could talk about. But I would like to talk about the rescission package which includes an $8.4 million cut in the child care development block grant. Yet again, Mr. President, we have children bearing the brunt of a budget cut. This cut is painful to participants in a program with long waiting lists. No accusations of mismanagement. This is a program which subsidizes child care for the working poor. This child care increases the ability of low-income families to become or remain independent and to assure minimal uniform health and safety standards in the child care settings these children are in.

Mr. President, it makes no sense to have cuts in a child care program. Cutting child care will hurt children. Mr. President, if parents cannot afford quality child care and we are talking about low- and moderate-income families, many of them hard-working families who are trying to, on the one hand, work and also afford child care, if they cannot afford quality child care, then we know what happens. Either you have very haphazard arrangements, because parents have no other choice, in which case, all too often their children may be placed in dangerous situations. Some reports have come out which should be extremely upsetting to all of us, which have pointed out that the conditions of child care, both home based and center based, in this country are all too often very dangerous, really quite deplorable. It is not a good picture.

So if you are going to make it impossible for families to afford child care, either the children become latchkey children and nobody is taking care of them because they are home alone, or they are going to be receiving child care; but it will not live up to the standards that all of us would apply to our own and any other children.

Mr. President, I do not think there is one Senator, Democrat or Republican, here in this Chamber who would desire for his or her child or grandchild anything less than good developmental child care. To have these cuts in child care programs when there are long waiting lists in the State, when it is a program that works well, when it is the key to independence is shortsighted. I will tell you right now it is also the key to welfare reform.

I think it is a huge mistake.

I would say to my colleagues, if we do not invest in children when they are young, if we do not provide a nurturing environment, if those children are not given encouragement, if those children are just receiving custodial care, if those children are in arrangements that sometimes are dangerous, then we have not served the children of this country well.

Now, Mr. President, understand that we have a whole decade plus of history of abandonment of children in this country, if we just look at the state of children in America. We have been trying, slowly but surely, within tight budgets to invest a little bit more by way of resources in decent child care. Now we have these proposed cuts.

Mr. President, Florida has about 19,000 on its working poor waiting list. Minnesota has a waiting list of 7,000. The State of Washington, 3,000. In Minneapolis alone, there is a waiting list of 2,100 families. In rural Minnesota, in proportion to need, there is even a greater waiting list.

So, Mr. President, I believe that these cuts—and it is why indeed I support the Daschle amendment—are unacceptable. They are unacceptable.

Once again, who pays the price? Children do. Why are we targeting children? Why are we making cuts in an affordable child care program, which already is severely underfunded, which we know will have the predicted results of: First, parents not being able to provide their children with decent child care; and second, families not being able to become independent.

As a matter of fact, quite often what happens with welfare families, if we are talking about welfare families, but when we talk about child care, we are also talking about working families, as well—in the case of welfare families, about 75 percent of welfare mothers within 2 years, right now, go to work, but many of them go back to welfare.

There are several reasons for that. One of those reasons is that, in the absence of affordable child care, and then quite often losing their health care coverage, their families are worse off by the mothers going to work. We cannot have welfare reform unless there is

affordable child care. We cannot expect families to become more independent unless we have affordable child care.

Here we have a proposed cut, Mr. President, which is an $8.4 million cut in the child care development block grants. Mr. President, I just do not understand. It seems to me that we would want to spend a lot less money on star wars in space, and we would want to spend a little more money taking care of our children right here on Earth.

In that sense, I find this to be a distorted priority. I think the Daschle amendment is hugely important. For that reason, I support it.

I think the Dole substitute, which is, as I said, in addition to all the rescissions that were in the committee bill in education—and I have not talked about some of the chapter I cuts; I have not talked about the Safe Schools Program, as well, in child care, in Head Start, in WIC, in addition to even more cuts—strikes me as being harsh, strikes me as being a distorted priority.

Mr. President, this leads me to my last point. What we are doing here on the floor of the U.S. Senate, in this rescissions package made far worse with the Dole substitute, is looking at this year's budget, but unfortunately this is exactly what some of my colleagues intend to do as they budget this out over the next several years: We are going to make cuts based upon the path of least political resistance.

I have said this over and over again. That is why I brought this amendment out on children. I could see it happening. We are going to make cuts based upon the path of least political resistance. We are going to avoid the heavy hitters. That is why so far there has not been any discussion of reductions in subsidies for oil companies, or subsidies for tobacco companies or coal companies or pharmaceutical companies or insurance companies, and on and on and on. They are not asked to tighten their belts.

When it comes to child care; the Women, Infants, and Children Program; education; Head Start, we are more than willing to move forward with cuts in programs that already do not even serve nearly as many children as need such assistance so they will have the same chances that we all want for our children.

Mr. President, in this context of who has the power and who does not, in this context of who decides who benefits and who is asked to sacrifice, I do not see a standard of fairness operative here.

AMENDMENT NO. 450

Mr. WELLSTONE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. CAMPBELL). The clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 450.

The amendment is as follows:

At an appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Senate that before the Senate is required to vote on the question of whether the WIC Program and other nutrition programs should be converted to block grant programs to be administered by the States, a full and complete investigation should be conducted by the Senate Committee on Agriculture to determine whether, and if so, to what extent, such a proposed substantial change in national policy is the result of the improper influence of the food industry and lobbyists acting on the industry's behalf."

Mr. WELLSTONE. Mr. President, I want to ask the Chair, would it be in order to read excerpts from a newspaper article which refers to the other body and to Members of the other body?

The PRESIDING OFFICER. The Chair would inform the Senator, under the precedents, as it is, it is improper for a Senator to make reference to or reflect on the Members of the House, to refer to a Member of the House by name, to criticize the action of the Speaker, or to refer to debate of a Member of the House in terms that are imputative of unworthy motives.

Mr. WELLSTONE. Just so I can be clear on the ruling, if I were to read from an article and without using the names of any Members—would that be in order?

The PRESIDING OFFICER. In the opinion of the Chair, that would be in order.

Mr. WELLSTONE. That would be in order. Let me, then, give my colleagues a little background for the "why" of this amendment.

I refer to a piece today in the Washington Post that I believe is one of the best investigative pieces I have seen in a good many years. I speak as a political scientist.

Mr. President, would it be in order for me to insert this article in the RECORD?

The PRESIDING OFFICER. In the opinion of the Chair, it would be in order.

Mr. WELLSTONE. I thank the Chair.

Mr. President, this is an article by Michael Weisskopf and David Maraniss, and it deals with our nutrition programs. I refer my colleagues to this article. It appears in today's Washington Post, and I would just like to read from excerpts that I think will give my colleagues the background for this amendment.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

[From the Washington Post, Apr. 4, 1995]

INSIDE THE REVOLUTION: A MODERATE'S DILEMMA: FOOD PROGRAM DEFENDER BECOMES A DISMANTLER

(By David Maraniss and Michael Weisskopf)

The congressional office of Bill Goodling, Room 2263 of the Rayburn building, is a quaint and cozy place straight out of the 1950s, with the ambiance of a small-town Pennsylvania school principal's den. Portraits of Ike at Gettysburg grace the front wall. In the far right corner stands a century-old upright piano, a clangingly out-of-time instrument that nonetheless brings the congressman great comfort when he pounds out Methodist church hymns alone at midnight. Behind his desk sit rows of potted African violets, which the grandfatherly Goodling fondly refers to as his children.

This old-fashioned hideway is hardly the first spot one would look in search of leading characters in the House Republican revolution, with its New Age rhetoric and antigovernment fervor. Yet William F. Goodling somehow reached center stage in one of the most compelling productions of The First 100 Days, a drama that tested his political soul as he struggled, at the twilight of an obscure career, to attain and hold power in an institution dominated by young partisans pushing him from the right.

Since he entered Congress in 1975 after a career as an educator in the heart of Pennsylvania Dutch country, Goodling had earned a reputation on the House Education and Labor Committee as a moderate who worked in bipartisan fashion to protect the federal role in food and nutrition programs for needy children, infants and pregnant mothers. It was a natural extension of his paternalistic personality: taking care of his children, just as he had as father, public school teacher and administrator and cultivator of African violets.

When the Republicans took power this year, he suddenly became chairman of a committee that had been repopulated with antigovernment conservatives and went by a newfangled Third Wave name, Economic and Educational Opportunities. His first assignment from Speaker Newt Gingrich (Ga.) and Majority Leader Richard K. Armey (Tex.) was to carry out one of the most controversial missions in the "Contract With America." They directed him to dismantle and send back to the states the very nutritional programs that he had long championed.

Goodling's personal dilemma—how to respond to the pressures of the conservative leadership without repudiating his past legislative career—illuminated a larger morality play in the House: the struggle of the Republican majority to maintain the populist appeal of antigovernment rhetoric without appearing to acquiesce to special interests.

On one side, pushing hard for more power and freedom, were the nation's newly ascendant Republican governors, who visited Washington so often to lobby for block grants that they virtually set up a shadow White House two blocks from Goodling's congressional office. On another side were major cereal companies, infant formula manufacturers, agribusinesses and fast-food giants for whom the federal retreat from the nutrition field presented an opportunity for new markets and less government regulation. And finally there were the most vulnerable members of society, whose needs historically had been met by a bipartisan coalition in Congress under the precept that hunger in America was a nationwide crisis too dire to be left to the states and was, as President Richard M. Nixon had declared in a seminal speech 26 years ago, a federal responsibility.

PROFIT AND IDEOLOGY

At first, Dale Kildee could not imagine that his friendly adversary bill Goodling was changing. This must be a technical error, the veteran Democratic congressman from Michigan later remembered thinking to himself when he entered the Opportunities Committee room one day late in February for the vote to send the nutrition programs back, to the states.

The bill as the Republicans had drafted it left out any requirement that states use competitive bidding procedures when buying infant formula from the major companies supplying the Special Supplemental Food Program for Women, Infants, and Children (WIC)—a nutritional program assisting 7 million people that had an effective record combating infant mortality and premature births.

In the early days of the WIC program, infant formula was bought at market prices. Since the federal government began requiring competitive bidding six years ago, the prices had dropped dramatically, saving more than $1 billion last year alone and nearly $4 billion over the last five years. All of those savings were put back into the program, meaning that more needy infants and pregnant women could be served.

When he noticed that competitive bidding had been left out of the Republican bill this year, Kildee assumed that it was an unintentional omission, so he drafted an amendment restoring it. He took the amendment to Chairman Goodling confident that it would be accepted quickly. But Goodling's reaction was cool and distant. Go "work out" with Hoekstra, he told Kildee, referring to Peter Hoekstra, a second-term congressman from western Michigan, one of the youthful free-enterprise Republicans on the committee who was gaining stature as a confidant of Speaker Gingrich.

Nothing was to be worked out. Hoekstra had a strong distrust of the federal government and was one of the staunchest proponents of devolving power back to the states. "Philosophically," he said, "it was a no-brainer" that Congress should eliminate federal mandates whenever possible—even the competitive bidding requirements that had saved money.

Hoekstra's philosophical commitment in this case coincided with the desires of one of the major corporations in his congressional district—Gerber Products, a Fremont-based company that is the nation's largest manufacturer of baby foods and is WIC's leading supplier of infant cereals. Unlike in the infant formula field, competitive bidding is not required of infant cereal suppliers, but the government seemed to be moving in the direction and Gerber wanted to maintain the status quo. The company lobbied hard against competitive bidding requirements in the infant cereal industry and had consulted with Hoekstra in the drafting of the legislation.

When Kildee's amendment came to a vote in committee, it was defeated on a near party-line vote, with only one Republican supporting it, Marge Roukema, a veteran moderate from New Jersey. Roukema said later that she was not even aware that competitive bidding was omitted from the Republican bill until the deliberations that day.

In the committee room after the vote, Roukema asked several Republican members seated near her why they had done what they had done. Their responses, she said, were shrugs of the shoulders and the words, "We trust the governors."

BIG WINNERS

Only a few blocks from the land of Opportunities sits a venerable Republican redoubt called the Capitol Hill Club, where members of Congress mix easily with important visitors from back home and corporate lobbyists. It was there, beneath crystal chandeliers and oil paintings of GOP stalwarts, that key committee members met with the big winners in the transfer of money back to the states, Republican governors such as John Engler of Michigan, Tommy G. Thompson of Wisconsin, Pete Wilson of California and William F. Weld of Massachusetts.

The governors, said Opportunities Committee member Steve Gunderson, a moderate Republican from Wisconsin, had become the loudest constituents. "We can't give them more money," Gunderson said. "So we had to give them something else."

The state executives did not get everything they had demanded. Their bid for a single enormous block grant for all the programs was rebuffed by Goodling and Rep. Rady "Duke" Cunningham (R-Calif.), the nutrition subcommittee chairman, who thought they could define the terms of the transfer better with two separate block grants. But the governors did receive more power and flexibility to run the school lunch and WIC programs. For years, some governors and corporate interests had bristled at regulations that they considered too intrusive—from dictating the amount of sugar allowed in WIC foods to when and where soft drinks could be sold in public schools.

Michigan's Engler was among the loudest critics of federal rules and regulations, which he derided at a committee hearing as a "crazy quilt." There were, as in the case of fellow Michigander Hoekstra and the Gerber connection, narrower economic consequences of devolution important to engler as well, in this case involving another major manufacturing constituent—the Kellogg Co.

The cereal giant from Battle Creek has fought for years to modify a federal limit on sugar content that excludes Raisin Bran, one of its top-selling products, from the nutrition program for needy pregnant women and their young children. Purchased separately, raisins and bran both fall within the sugar standard, but combined in Raisin Bran they represent twice the amount that government nutritionists consider healthy in a single serving.

Until the Republican revolution in Washington, Kellogg's efforts to revise the standard and compete in the $285 million-a-year market for WIC adult cereals had proved futile—"like hitting a brick wall," in the words of company vice-president James Stewart. This year Kellogg saw an opportunity to accomplish on the state level what it could not do with the federal government. The firm employed John Ford, son of the former committee chairman, retired Democratic Congressman William D. Ford of Michigan, to head its lobbying effort. Kellogg also enlisted the support of Gov. Engler and his staff, who pressed the committee to keep the block grants silent on the question of nutritional standards.

Not even the harshest critics of block grants predict an abandonment of sound nutrition by the states. But the devolution process will create a long-sought opening for many food industries to carve out larger niches in the annual $8.5 billion school lunch and WIC programs. Financially strapped state governments and part-time legislatures, many nutritionists believe, are ill-equipped to make sound public health judgments and can be more easily swayed by corporate lobbyists.

The return of nutrition programs to the states would lift federal controls on the lunchtime sale of junk food in school cafeterias—a prospect that several corporate food giants are already anticipating. Coca-Cola Co., which last year fought off a legislative effort to extend the junk food ban to all high school grounds, is now showing signs of interest. Last month, as the devolution legislation was moving through the House, the company's law librarian called the national association of school cafeteria personnel for a breakdown of state laws on soft drink sales in schools.

Also at stake in the transfer of power to states is one of the cornerstones of the war on hunger, a 1946 requirement that school lunches provide one-third of the recommended dietary allowance of protein, vitamins and minerals. The dietary guideline is intended to assure at least one healthy serving a day of milk, vegetables, grain, fruit and meat for the 25 million children in the program. Federal agriculture officials were planning this summer to add limits on fat, saturated fat and sodium for school lunches.

With standards defined by states, food companies and agricultural interests with special regional standing would have more power, some nutritionists contend. "You could find a battle going on in a state legislature over what drinks to serve at school lunch," said Lynn Parker, a child nutritionist for the Food Research and Action Center. "In a dairy state, it might go one way. If soda interests are strong, it could go another way. Whatever way it goes, it may not be fought out on the grounds of what's best for the kids."

Goodling and his Republican colleagues on the Opportunities Committee express confidence that the states will demonstrate sound nutrition and financial practices in dealing with the programs. Their critics are less certain, and cite the recent history of the WIC program as evidence.

The infant formula industry, dominated by Mead Johnson & Co. and Ross Products Division of Abbott Laboratories, had raised prices a dozen times from 1981 to 1989, gobbling up more and more of the funds allocated for cereals, milk, eggs, cheese, juice and other foods in the program. After competitive bidding was imposed nationwide, with Goodling's support, prices dropped enough to feed another 1.5 million needy women and infants.

In defending the decision to drop competitive bidding language from the devolution legislation this year, Goodling said governors would be "idiots" not to impose it themselves. But as a recent case in California shows, states are not always as cost-conscious or resistant to industry pressures. When California's competitively awarded contract with Ross expired last December, it sought to extend the deal without rebidding it. The Agriculture Department said no, forcing a new round of solicitations and a new low bid—half the price of the old deal. The state ended up saving $22 million a year.

If ever there was a case of narrow corporate interests over broad societal interests, this is it," said Robert Greenstein, head of the Center on Budget and Policy Priorities.

THE TRANSFORMATION

By the time he reached Washington two decades ago, Bill Goodling already had a reputation for compassion and a deep interest in children and nutrition. As superintendent of the Spring Grove school district, he ate lunch every day in the cafeteria with his students. When the truck from Harrisburg

pulled up with vegetables and meats from the federal commodities program, he helped carry the food down to the freezer in the basement of the administration building. When the mother of one of his students dies, he taught the young man how to cook dinner for himself and his father.

Goodling's own father, George Goodling, ran an apple orchard on the old Susquehanna Road and served in Congress for six terms. When he retired, Bill Goodling replaced him. The small-town educator transferred his interests to the broader stage of the Education and Labor Committee. He became known as one of the staunchest defenders of the nutrition and school lunch programs on the GOP side of the aisle. In 1982, he was the chief Republican cosponsor of a resolution opposing a Reagan administration proposal to send nutrition programs back to the states through block grants.

Three years later, when conservative Republicans in the House were considering ways to trim the budget and broached the possibility of cutting back on the national school lunch program, Goodling swiftly killed the idea before it advanced beyond the discussion stage. According to Tom Humbert, then a budget aid to then-Rep. Jack Kemp (R) of New York, Goodling called him one day. "Please come and see me," Goodling said. Humbert soon appeared in Goodling's office, where he found the congressman tending his African violets. "Mr. Humbert," Goodling said, "I hear that you are considering cutting the school lunch program. That would be a very bad idea!"

This same Tom Humbert, who came from Goodling's home district, returned to York County in 1992 and ran against the incumbent in a heated three-way general election contest—a race that Humbert and others see as the beginning of Goodling's political transformation. Humbert ran as an independent, challenging Goodling from the right. He and the Democratic candidate Paul Kilker, both blasted Goodling for his role in the House Bank scandal—it came out that year that Goodling had hundreds of overdrafts.

In Goodling's moment of need, he received a visit and timely endorsement from an unlikely friend—the leader of House conservatives, Newt Gingrich. That visit formed a bond between Goodling and Gingrich that grew stronger: Goodling supported Gingrich in his rise to power, and Gingrich elevated Goodling to the chairmanship after the revolution. Former aides on the committee's minority staff say they detected a noticeable shift in their boss's politics as he linked his fortunes to Gingrich. Even his moderate colleague on the committee, Steve Gunderson, said he noticed Goodling moving to the right last year. Gunderson attributed it to positioning by new members of Goodling's staff who wanted to be in favor with Gingrich.

The word inside the committee and around the nutrition community was that Goodling was instructed by the leadership to "carry the water" for the committee's portion of the Contract With America, as one former aide put it.

By the time he took over the committee this year, Goodling had little choice in any case. The panel, once a haven for moderates, had been transformed into a strong-hold of free-enterprise true believers, many recruited by their intellectual leader, Richard Armey of Texas, who served on the panel before becoming majority leader. The sense of these committee conservatives, as expressed by Rep. Cass Ballenger (R), a garrulous good old boy from North Carolina was "to get rid of Washington whenever and wherever we can."

Ballenger had a personal interest in trying to remove the federal bureaucracy from the school lunch program. He and his wife founded the Community Ridge Day Care Center in his home town of Hickory, a federally subsidized program that serves school breakfasts and lunches. The paperwork for reimbursements, Ballenger said, now goes through Raleigh, then Atlanta and finally Washington, a process that means Ballenger's center "has to underwrite" the meals for a month. He will get his money quicker, the congressman said, with the federal government out of the way.

The Opportunities panel, by Ballenger's account, is now attracting what he proudly calls free-enterprise "wild men" and "nuts" who have various similar frustrations with the federal bureaucracy. They were in such a mood of cutting and slashing, Ballenger declared, that they would "kill motherhood tomorrow if it was necessary."

Goodling would not go that far. He and Duke Cunningham, who was once a teacher and coach himself, as well as a fighter pilot who was the real-life model for Tom Cruise's character in "Top Gun," managed to prevent efforts by committee conservatives to curb the school lunch program more drastically. Hoeksta and Ballenger wanted to limit the increase in the block grants to half the 4.5 percent that eventually was allowed. Goodling and Cunningham also rebuffed an attempt by governors and conservative committee members to lump all the program in one block grant. "I said, 'No way, Jose' to that one," Goodling boasted.

Compared to projections for family and school nutrition programs under current law, the two block grants shaped by Goodling's committee and passed by the House represent a reduction of $6.6 billion over five years, according to the Agriculture Department. But Goodling said that the states deserved the opportunity to run the programs—"We can't dictate everything," he said—and that the reduced bureaucracy would lead to savings that could be passed along to those who need the programs.

The sight of Bill Goodling leading the way for the end of federal involvement in the anti-hunger programs surprised some longtime colleagues. It seemed as though to some extent he was being forced to eat something that he did not find entirely palatable. His training as an educator might have helped there, too. Once, while eating lunch with first-graders at one of the Spring Grove elementary schools, Goodling found himself staring down at a steaming heap of cooked spinach. He hated cooked spinach. But there was a little boy staring at him, and he felt that he had no choice but to "push this slimy stuff down my throat to show that I'm eating everything that's on the plate."

(About This Series: Propelled by a wave of populist discontent with Congress and the Democrats, the new Republican congressional majority now confronts the reality of power. The struggle to fulfill the demands of the Republican mandate while also responding to the special interest groups traditionally allied with the party will be examined in a series of occasional articles in the months ahead.)

Mr. WELLSTONE. Mr. President, this is under a section titled "Profit and Ideology," and I will have to be careful to make sure I leave out all names.

The bill as the Republicans had drafted it left out any requirement that States use competitive bidding procedures when buying infant formula from the major companies supplying the Special Supplemental Food Program for Women, Infants and Children (WIC)—a nutritional program assisting 7 million people that had an effective record combating infant mortality and premature births.

In the early days of the WIC program, infant formula was bought at market prices. Since the Federal Government began requiring competitive bidding 6 years ago, the prices had dropped dramatically, saving more than $1 billion last year alone and nearly $4 billion over the last 5 years. All of those savings were put back into the program, meaning that more needy infants and pregnant women could be served.

"When he noticed that competitive bidding had been left out of the Republican bill this year," and there is a blank, a colleague "assumed that it was an unintentional omission, so he drafted an amendment restoring it. He took the amendment * * *" and hoped that it would be accepted quickly, but that did not happen. Nothing was worked out.

The philosophical commitment to not have competitive bidding—and I am now just kind of paraphrasing here, not using names—"coincided with the desires of one of the major corporations—Gerber Products." This is a "company that is the Nation's largest manufacturer of baby foods and is WIC's leading supplier of infant cereals. Unlike in the infant formula field, competitive bidding is not required of infant cereal suppliers, but the Government seemed to be moving in the direction and Gerber wanted to maintain the status quo. The company lobbied hard against competitive bidding requirements in the infant cereal industry," and was successful.

Part 1. So you have Gerber and the whole question of whether there is going to be competitive bidding. I thought we were trying to be efficient, which would save money that can be plowed back into serving the poorest children in America. But apparently that did not happen, and I will have the amendment read again so my colleagues will know what we will have an up-or-down vote on.

Then, part 2:

The cereal giant from Battle Creek has fought for years to modify a federal limit on sugar content that excludes Raisin Bran, one of its top-selling products, from the nutrition program for needy pregnant women and their young children. Purchased separately, raisins and bran both fall within the sugar standard, but combined in Raisin Bran they represent twice the amount that government nutritionists consider healthy in a single serving.

Until the Republican revolution in Washington, Kellogg's efforts to revise the standard and compete in the $285 million-a-year market for WIC adult cereals had proved futile—"like hitting a brick wall," in the words of [the] company vice president. . . . This year Kellogg saw an opportunity to accomplish on the state level what it could not do with the federal government. The firm employed—

Someone who did the effective lobbying, and the whole effort was,

. . . to keep the block grants silent on the question of nutritional standards.

The final part.

So now we are talking about Kellogg and sugar content.

The return of nutrition programs to the states would lift federal controls on the lunchtime sale of junk food in school cafeterias—a prospect that several corporate food giants are already anticipating. Coca-Cola Co., which last year fought off a legislative effort to extend the junk food ban to all high school grounds, is now showing signs of interest. Last month, as the devolution legislation was moving through the House, the company's law librarian called the national association of school cafeteria personnel for a breakdown of state laws on soft drink sales in schools.

* * * * *

"If ever there was a case of narrow corporate interests over broad societal interests, this is it," said Robert Greenstein, head of the Center on Budget and Policy Priorities.

So, Mr. President, we have Gerber lobbying against competitive bidding on baby food. I thought we were interested in competitive bidding, efficiency. But no, there is no competitive bidding. Then we have Kellogg: We do not want any standards on sugar content having to do with what our children are eating, though there is not a nutritionist in the United States of America who would not tell you that is important. Then finally you have Coca-Cola eying junk food.

Mr. President, let me simply read this amendment again to the underlying bill, I certainly hope and I plan to have an up-or-down vote on this.

It is the Sense of the Senate that before the Senate is required to vote on the question of whether the WIC program and other nutrition programs should be converted to block grant programs to be administered by the states, a full and complete investigation should be conducted by the Senate Committee on Agriculture to determine whether, and if so, to what extent, such a proposed substantial change in national policy is the result of the improper influence of the food industry and lobbyist acting on the industry's behalf.

Mr. President, I send this amendment to the desk and speak on this amendment because I was talking about distorted priorities earlier, and that was in the context of some the rescissions in the Dole substitute on top of what is already before us. I was arguing why the path of least resistance? Why is everybody so excited about star wars in space but unwilling to invest resources to feed children right here on Earth?

Now we have a different kind of priority. We have a situation where you have your big lobbyists, large corporations, well represented: We do not want competitive bids on formula, although competitive bids held the price down and would enable us to feed more hungry children. We do not want to have any standards in relation to sugar content, or worrying about that, so we try to make sure the Federal Government does not set any kind of standards here. Then of course you have these companies eyeing the junk food market in our School Lunch Program. All of them are apparently very well represented.

Do you know what, Mr. President? I did not see mentioned anywhere in this lengthy piece in the Washington Post today of any of the women and men who are involved in these nutrition programs, who devote their lives to serving children—their voice, apparently, was not heard at all.

Mr. President, I did not in this article read a word about any of the child advocates or, for that matter, any children who figured into this discussion at all. But, instead, what we have here is, unfortunately, an example of the tremendous influence of the food industry and lobbyists acting on behalf of the food industry on legislation, while children, those concerned with the needs of children, with the concerns and circumstances of children's lives, are left out of the loop. That is the "why" of this amendment. I ask the clerk to read this amendment one more time, if I could.

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

The bill clerk read as follows:

At an appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Senate that before the Senate is required to vote on the question of whether the WIC program and other nutrition programs should be converted to block grant programs to be administered by the states, a full and complete investigation should be conducted by the Senate Committee on Agriculture to determine whether, and if so, to what extent, such a proposed substantial change in national policy is the result of the improper influence of the food industry and lobbyists acting on the industry's behalf."

Mr. WELLSTONE. Mr. President, I thank the Chair. I would simply say——

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

Mr. ASHCROFT. I object.

The PRESIDING OFFICER. There is objection.

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

Mr. EXON. Reserving the right to object, and I am not certain I will object——

The PRESIDING OFFICER. The Chair informs the Senator that he does not have the right to reserve the right to object.

Mr. EXON. Reserving the right to object——

The PRESIDING OFFICER. The Senator can object.

Mr. EXON. Reserving the right to object, if I could get the clarification of the procedures that we are undertaking, the Senator from Nebraska sought recognition a few moments ago.

The PRESIDING OFFICER. The Chair would inform the Senator that he may not reserve the right to object.

Mr. EXON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOLE. Speed up the call, and we will have a vote.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk resumed the call of the roll.

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

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 451 TO AMENDMENT NO. 450

Mr. DOLE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself and Mr. MCCONNELL, proposes an amendment numbered 451 to amendment No. 450.

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

The PRESIDING OFFICER. The Chair will inform the Senator from Minnesota he does not have the right to do that when the clerk is reporting the amendment.

The bill clerk continued with the reading of the amendment.

Mr. DOLE. 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:

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

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans to Jordan issued by the Export-Import Bank or by the Agency for International Development or by the Department of Defense, or for the cost of modifying: (1) concessional loans authorized under Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and (2) credits owed by Jordan to the Commodity Credit Corporation, as a result of the Corporation's status as a guarantor of credits in connection with export sales to Jordan; as authorized under subsection (a) under the heading, "Debt Relief for Jordan", in Title VI of Public Law 103-306, $275,000,000, to remain available until September 30, 1996: Provided, That not more than $50,000,000 of

the funds appropriated by this paragraph may be obligated prior to October 1, 1995.

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

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I have the floor.

Mr. President, last time I checked there were 70 amendments on that side pending. This may clarify the question of the Senator from Nebraska. We had 28. This is Tuesday. We hope to recess on Friday. And everybody is just dreaming up little amendments to try to make a few political points. I have talked with the White House this morning. If they do not want this bill, that is fine with me. But what we hope to do is to take Jordan aid off the first supplemental and add it to this bill. Then maybe that will get White House attention.

This is a Jordan aid amendment that has wide support. It is supported by the President. Many of us met with King Hussein this year. It has broad bipartisan support. All I do in my amendment, in lieu of the matter proposed by the Senator from Minnesota, I insert the following. And if we are going to proceed with this bill, then we will have a vote on this amendment. Maybe then the White House will become interested in this bill because now I do not think the White House cares, and I do not see any reason to continue this spectacle on the Senate floor, have everybody offering some little amendment to score some political points. We will move on to something else.

So I have asked Mr. Panetta, the White House Chief of Staff, to let me know after he has a discussion with the Democratic leader, Senator DASCHLE, and then after lunch we decide whether we pull the bill down or whether we proceed to vote on this amendment and on the Daschle amendment and on the amendment offered by Senator ASHCROFT of Missouri. But if there is no interest in passing this supplemental bill—there does not appear to be any in the White House—then it would be my intent to just take the bill down. Then we are not going to send the other supplemental to the White House either. If they do not want to be involved in this process, that is up to them. But they cannot have it both ways.

So the amendment is simply the Jordan amendment, which we have discussed and which has been a matter of intense interest to the Senator from Kentucky, Mr. MCCONNELL, and this amendment is offered by me on Senator MCCONNELL's behalf.

I would be happy to yield to the Senator from Nebraska for an additional question.

Mr. EXON. Will the Senator from Kansas yield without losing his right to the floor for a question?

Mr. DOLE. I am happy to.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. I would say to the majority leader and other Senators on both sides of the aisle that it is not the intention of this Senator to cause any unnecessary delay. I think every Senator should be protected with his or her right to offer any amendments that they think are in order. I do happen to think this is an important piece of legislation.

I have an amendment that I talked about on Friday morning with regard to eliminating the mandates on the States with regard to funding of rape and incest that I talked about and ever since that time there seemed to be one roadblock or another to bringing this up. I had stood aside and said I just want to place this in the flow of business somewhere along the line. So I would certainly ask the majority leader to recognize the rights of the Senator from Nebraska, with the other amendments that the Senator said were being considered, as to whether or not the Senator was going to pull down the bill.

I hope that maybe we could get together with some kind of a unanimous-consent agreement to protect the rights of every Member of this body and still expedite the process, which I assume is what the Senator, the majority leader would like to have. In other words, there may be some filibuster, minifilibuster, call it what you want. I have no objection to that. I would think though that if we are going to be able to have the recess we had scheduled for this weekend, we are all going to have to recognize there is going to have to be some give and take somewhere along the line on this. And if there are reasons why filibusters are going to be mounted, maybe we could reach a time agreement to expedite the cloture process after a reasonable time of debate and not have the 3-day rule.

Basically, if we get into a 3-day rule with regard to a filibuster, it is pretty clear that we are not going to be able to finish this bill by the end of the week. And I share some of the concerns that the majority leader has, while I will fight, as I always have, for the rights of Senators on both sides of the aisle to offer amendments as they are entitled to under the rules.

I am just wondering. My question of the majority leader is, has there been a meeting recently between the majority leader and the minority leader with regard to the proposition of trying to come to some finite number of amendments, agree to a time limit on those; that if filibusters come up, we possibly could have an agreement that we would have expedited procedures where cloture could be recognized the same day, it could be considered the same day as a cloture motion would be filed, something to move this process along?

Primarily, I think it is important that we do the business of the Senate, work our will and then let the rules apply as to whether or not we are going to pass this piece of legislation.

I recognize the frustration of the majority leader, although I question whether it is wise to have foreign aid funds be added to this measure on top of all of the other consternation that obviously and justifiably surrounds this very important piece of legislation. But we have to move ahead.

My question is: Has there been a recent meeting between the two leaders to see if something could not be worked out to scale down the number of amendments and at least get some unanimous consent agreements as to how much time we are going to spend on each amendment?

Mr. DOLE. I thank the Senator from Nebraska.

I would say we have been meeting at a staff level. Both Senator DASCHLE and I have talked about it on the Senate floor. He indicated he might be able to whittle down the 70 amendments.

Well, it is Tuesday. I am certain we could whittle down the 28 amendments. Maybe we will get it down to 50 amendments. If you took an hour or more on each one, plus rollcalls, it is not going to happen. It seems to me that rather than just let everybody bring up amendments here, posturing, doing whatever they are doing, it is best just to pull the bill down and have those debates at some other time.

I know the Senator from Nebraska has an amendment. I know he is serious about it. It is a serious amendment. I would just guarantee him, if we reach an agreement, that amendment will be in the mix unless the Senator decides otherwise.

Mr. EXON. I thank the leader.

Mr. WELLSTONE. Will the majority leader yield for a brief comment, without his losing the floor—just a very brief comment?

Mr. DOLE. Mr. President, let me explain the Jordan amendment. It is $275 million debt relief for Jordan, $50 million in fiscal 1995, $225 million in fiscal 1996. And it is an effort by this administration, supported by bipartisan supporters on each side of the aisle, to support the peace process.

The Senator from Kentucky has just arrived on the floor and can explain it in greater detail. But the purpose of it and the reason for it is the fact that Jordan has made peace with Israel. We hope there would be an overall peace in the Mideast at the earliest possible time. I know the White House supports the amendment. I hope they would support it on this bill and then help us bring this bill to a conclusion. It does not take any rocket scientist to figure out we are not going to deal with 100 amendments if we are going to have sense-of-the-Senate amendments on everything. We had one from the Senator

from Massachusetts, taking a couple hours on Friday, several hours yesterday, on a sense-of-the-Senate amendment that does not mean anything.

Now we have another one by the Senator from Minnesota on the WIC Program. And we will probably have a lot of sense-of-the-Senate amendments. Maybe that means something somewhere, but I fail to see where.

If we really want to get this bill done, if we are really concerned about reducing the debt, we ought to be voting to do it. This is $13.5 billion in rescissions, a fairly substantial package, talking about real spending restraint.

If the White House does not want to pass it, if they do not want any spending restraint—which, apparently, they do not—that is certainly the prerogative of the President.

I assume we will be hearing from the Chief of Staff momentarily. In the meantime, I would ask the cosponsor of this amendment if I have forgotten anything in the process.

Mr. McCONNELL. Will the leader yield?

Mr. DOLE. I yield, without losing my right to the floor.

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

Mr. McCONNELL. Mr. President, I just want to commend the distinguished leader for offering the Jordanian debt relief amendment. This is exactly the same amendment which I offered earlier this year to the defense bill.

Essentially what the leader's amendment would do, it would provide $50 million in debt relief, which would be obligated in fiscal year 1995, and $225 million for 1996.

The point is, this is the final installment in the agreement that we have with the Jordanians. The King was in town, as we all know, last week. Many of us met with him. He is making a good-faith effort to turn his country around and to be an important part of this growing peace movement in the Middle East.

I think this is an extremely important measure. I commend the majority leader for offering it to this bill. Maybe it will make this bill a little sweeter for those who seem not to want it to go anywhere. I, obviously, hope this will be approved at the appropriate time.

I thank the leader.

Mr. DOLE. I thank the Senator from Kentucky.

How much time does the Senator from Minnesota need?

Mr. WELLSTONE. I say to the majority leader—and I thank him for his graciousness—I would need no more than 3 or 4 minutes, just a brief comment in response to where we are, without the Senator losing his right to the floor.

Mr. DOLE. Would the Senator want 5 minutes?

Mr. WELLSTONE. Five minutes would be fine.

Does the Senator from Connecticut want any time?

Mr. DODD. Five or 10 minutes.

Mr. DOLE. Mr. President, I ask unanimous consent, after the Senator from Minnesota proceeds for 5 minutes and the Senator from Connecticut for 10 minutes, that we stand in recess under the previous order until 2:15.

Does the Senator from Kentucky want any more time?

Mr. McCONNELL. No. I would just make the point that this is completely paid for. This Jordanian debt relief is totally paid for.

Mr. DOLE. Let me add, I failed to recognize that, with the adoption of the Shelby amendment, it actually raised the rescission package to $15 billion, not $13.5 billion. So I was in error.

Is there objection to my request?

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Not at all.

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

The Senator from Minnesota is recognized for 5 minutes, and the Senator from Connecticut will be recognized for 10 minutes.

Mr. WELLSTONE. I thank the Chair.

Mr. President, just so my colleagues understand and the majority leader understands, I understand that Senators have a right to second-degree amendments and I am pleased for us to have this debate, and there will be a vote. But I will bring this amendment back to the floor after the vote on the second-degree amendment.

I do not understand why my colleagues have any fear of an up-or-down vote on this amendment. I say to you, Mr. President, it is very relevant and timely. We are talking about the WIC Program. We are talking about nutrition programs.

At the same time, we see the power of the food industry. We do not have competitive bidding on infant formula which would save money, money that could be used to feed more children.

We are talking about an effort to strip away, I fear, some nutrition standards. We are talking about an effort to move in by the junk food market. And so my amendment is hardly, Mr. President, for show. It is very serious.

It reads:

> It is the sense of the Senate that before the Senate is required to vote on the question of whether the WIC Program and other nutrition programs should be converted to block grant programs to be administered by the States, a full and complete investigation should be conducted by the Senate Committee on Agriculture to determine whether, and if so, to what extent, such a proposed substantial change in national policy is the result of the improper influence of the food industry and lobbyists acting on the industry's behalf.

Mr. President, this is not filibuster. I am quite willing to agree to a time limit. I just want an up-or-down vote on this amendment.

Here we have these proposed cuts in nutrition programs, talking about block-granting, and, in addition, unfortunately, we have evidence of an industry and lobbyists having, I think, too much influence in developing some of this legislation as it moves along in the Congress.

I am just simply saying: What happened to competitive bidding? What about nutrition standards for children?

We should investigate before we move forward. I think the operative language is to investigate "to what extent, such a proposed substantial change in national policy as the result of the improper influence of the food industry and lobbyists acting on the industry's behalf."

Mr. President we ought to have an up-or-down vote.

So I say to the majority leader, I understand the second-degree amendment. We will have that debate. But then I will come back with this amendment, and we will have an up-or-down vote on this amendment. And I will keep bringing this amendment to the floor until we do have that up-or-down vote.

Mr. President, this amendment is germane to the debate of rescissions and cuts in nutrition programs. It is relevant to the debate abcut whether we go in the direction of block grants. It is very relevant to what is happening in the 104th Congress.

I think the Senate sends a very positive message to the people of the country that we certainly want to make sure that the final nutrition legislation that we pass, I say to my colleague from Connecticut, has, first and foremost, the interests of children, not the interests of the food industry. That is what this amendment speaks to. Nobody should be afraid of this amendment. Everybody should want to vote for it up or down, and I would assume that we would have 100 votes in favor of it.

I yield the floor.

The PRESIDING OFFICER (Mr. THOMPSON). Under the unanimous-consent agreement, the Senator from Connecticut now has 10 minutes.

Mr. DODD. Thank you, Mr. President.

Mr. President, I would like to return, if I could, to the basic thrust of the legislation before us, and that is the rescission bill.

You are going to almost have to hire a mountain guide to find your way through the legislative process that is unfolding here, with various amendments that are now being offered to the underlying bill and to the substitutes that have been suggested.

Let me, if I can, get back to the core set of issues here. What is primarily before us is the rescission bill that cuts into the heart of an awful lot of critically important programs that affect the most vulnerable of people in our society. It seems to me that we ought to

try and keep our eye on that debate. Adding elements here that deal with Jordan and other issues, no matter how laudable and appropriate at some point for us to debate and discuss, I think it becomes rather obvious, patently obvious, to anyone who is following this debate that these are efforts to try and distract the attention from the central question.

Certainly this body ought to vote on whether or not you think the cuts in nutrition programs and Head Start and drug free schools ought to take place or not—we should not have to dwell interminably on those questions—and cast your votes yes or no. If you think that these cuts are ones that ought to be made, then you vote for them. If you do not, then you vote otherwise.

But I do not think we assist by doing this, since this is almost a self-imposed filibuster by the majority on these issues.

Mr. President, I want to, first of all, begin by commending the majority to this extent; and that is, the bill, the rescission bill, is a lot better than what existed in the House. No question, this is an improvement over what was coming over from the House.

But it is still a far cry from what I think most people in this country understand are valuable investments to the future of this Nation.

I was responsible for Head Start, Mr. President, 2 years ago, to bring the reauthorization bill of Head Start to the floor of the U.S. Senate. It was a comprehensive bill that called for many substantive changes in how Head Start was functioning, but it also called for full funding of Head Start.

Frankly and very honestly, I prepared myself to come to the floor for an extensive debate—it was a fairly controversial bill, the Head Start Program—and to extend full funding and to make other changes, many of which had been suggested, I might point out, by the distinguished Senator from Kansas, now the chairperson of the Senate Labor and Human Resources Committee, Senator KASSEBAUM.

In any event, I came over with leaflets, folders, and binders to defend this reauthorization bill. I was on the floor all of about 20 or 30 minutes. There was not a single voice raised in opposition to the bill. It was unanimously adopted by this Chamber.

It is ironic—maybe that is not the best word to be using here—that we find just a matter of months later a cut coming into the Head Start Program, again, a program that has never been the subject of much partisan debate and division over the many years that the program has existed because it works. It does the job that we need to be doing to try to see to it that the young children of this country get a good start in their educational life.

It has been a program that has worked tremendously well. Regretfully, we are only getting 1 in 4 of the eligible children with it. So there it was the collective judgment that it made sense for us to try to reach as many of those eligible children as possible.

So the reauthorization bill did that, unanimously adopted, not a single amendment offered on the floor. We had extensive hearings in the Labor and Human Resources Committee and worked out, I think, a good bill. I think the best evidence of the fact it was a good bill is that there was not a dissenting voice, and not a dissenting vote on that measure.

Now we come back this year and find out all of a sudden not only are we not going to fund to the extent possible all eligible children in this country, but we are actually going to go after the resources that are only reaching 1 in 4 of the children in this Nation.

There are a lot of messages and people have offered a lot of interpretations as to what happened on November 8 in the election, but I think it is a total misreading of those electoral results to assume that the people who voted for the new majority anticipated that some of the very first actions we would be taking would be to go after the most vulnerable citizens in our society. The list goes on at some length in this $13 billion rescission package that really does cut into the investment programs that are critically important for America's children and America's families.

I mentioned Head Start. There are also the nutrition programs and child care development. Again, here we are going to be debating shortly, I hope, welfare reform for the country. I do not know of anyone—in fact, I want to begin by commending my colleague from Connecticut, Congresswoman NANCY JOHNSON, who is a leading Republican Member of the House. To her great credit, she was able to restore some of the funding for the child care block grant. She could only go so far, quite frankly, with her amendment to beef up the funding in that area in the House package, but we are still terribly short of the child care needs in this Nation.

There are some 10 States that have waiting lists of over 10,000 people for existing child care slots before we move people from welfare to work. In Florida, I think the number is 23,000 on the waiting list. In Georgia, it is in the neighborhood, I think, of 15,000, to cite two States that come to mind immediately.

As we now try to move people from welfare to work, we have to try to come up with a decent approach to how we care for these children. And yet, in this rescission package, we find again several millions of dollars in cuts in the block grant going back to the States, despite the fact there are already literally hundreds of thousands of people on waiting lists. As we move people from welfare to work, then obviously there is a heightened degree of demand for those slots and additional slots. Again, without even expanding the present need out there, we are cutting into the present need as we move people in that direction.

The WIC Program—Women, Infants, and Children—again, this is a program for which I do not know of dissenters, never heard of them here, because there is the general conclusion that investment in these nutrition programs in the earliest stages of a child's life—in fact, earlier for pregnant women—have made tremendous gains for us, not only ethically and morally, but fiscally in this country. We know today that a dollar invested in the proper care of a pregnant woman and an infant saves $4 later in health care costs. Those numbers are not being made up. Those are the facts. Why in the world would we be making a significant cut in the Women, Infants, and Children Program, recognizing that it is going to cost us that much more down the road if we do not make those kinds of investments?

I might point out, I joined last year with 70 of our colleagues—70—70 percent of this body joined as cosponsors for full funding of this program. Now we find, again, not only are we not reaching the full funding, we are cutting into the dollars that are necessary just to maintain the program at its present level.

In education, again—I hardly think it needs repeating out here—the investment in the educational needs of our children are just going to be greater year after year. Here we had the Speaker of the House offer a suggestion that there ought to be a tax break given to people who make a donation of a computer to children. People laughed at it. They said, "That's a silly idea." I do not think the Speaker was silly at all. You might argue about whether or not a tax-cut approach is the best way to go, but his instincts were absolutely correct.

Today, if you are not computer literate coming out of an educational system, you are so disadvantaged, and I am not talking about jobs with investment banking firms or insurance companies or defense contractors. Even the most basic simple functions today require a literacy in computer technology. And here we are making a $100 million cut in a program to provide computers for children in our school systems.

I do not understand what the thinking process is if we expect to grow economically. The best deficit reducer is a growing economy, people at work. That is the best way to cut into this deficit.

If we deny these young people the tools they are going to have to have to get the best possible paying jobs in the future, then we are going to see the obvious effects.

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In Goals 2000, again, we had increases for disadvantaged children, Mr. President. To see 70,000 disadvantaged special-needs children being dropped off the list of getting help because of a $73 million cut in this $13 billion package, again, I do not understand the importance of that.

In a sense, maybe this one particular issue has more poignancy for me. I have a sister, Mr. President, who is legally blind, who has been a teacher for 25 or 30 years. In growing up, my parents were fortunate enough to have the resources to make the investments so that my sister could get all the benefits of someone who was disabled.

As a result of that, today she has made a significant contribution. She has taught in the largest inner-city elementary school in the State of Connecticut, helped provide the Montessori system of teaching in this country, has two master's degrees, has been a highly productive citizen, and has made a significant contribution. What would my sister's life be like today had she not grown up in a family that had the resources to make those kinds of investments for her? Would she be as productive? And what will happen to these children today that we are cutting out of these title I programs? What happens to them?

Again, I thought most people in this country understood the value of investing in these kids so they maximize their potential, become self-sufficient, become productive citizens to the maximum extent possible, and here we are now going to eliminate some 70,000 of these children and their families from that kind of assistance and support.

Again, I do not think that is what the message was. I think people understand that those kinds of investments truly do make a difference in the wealth of the Nation.

Let me if I can, Mr. President, move, because I know the time is moving fast here, to the national service issue.

Again, there is a significant cut here. I want to thank the distinguished Senator from Missouri, Senator BOND, and others, because they did a lot better than what was in the House bill.

I think it is important that people understand we are talking about a difference here between what was in the House and what is in the Senate package. Mr. President, I think this national service idea, the one that enjoyed such broad-based support only a year or so ago, deserves the strong backing of our colleagues.

Again, let me cite a personal story if I can. Mr. President, 35 years ago another American President challenged a generation by serving in something called the Peace Corps. When I was finishing up my college, I heard that challenge and it excited me. And I served for 2 years as a Peace Corps volunteer in Latin America, in the Domincan Republic.

I think it was a tremendously valuable experience. The total cost for my 2 years was about $5,000. That was about $100 a month I got paid as a volunteer, and whatever benefits they provided. I think the total amount was about that.

This program here is a national service program, but not to serve overseas. This American President said, "I think voluntarism and serving one's country has tremendous value, and I am going to link it with educational benefits. How about serving here at home, instead of going overseas." Lord knows, we could use the investment.

It was exciting and generating a lot of enthusiasm, particularly among younger Americans, to answer the call. Presently 20,000 young Americans have answered the call to serve their country. That is a remarkable, remarkable return on such a call.

In the Peace Corps days, we did not get anything like that, in the number of people stepping forward to volunteer. Here, 20,000 Americans already, in a little over a year, have stepped forward to volunteer, to try and make this a stronger and better country and reduce costs.

They have taught or tutored some 9,000 preschool children. Mr. President, 9,000 preschool children have benefited as a result of the AmeriCorps Program. They have established after-school and summer tutoring for more than 4,000 young children. That is just in the first year or so of this program. They have organized, and supervised community service projects for more than that 4,400 children, cleaning up neighborhoods, delivering food to the elderly.

In return for their service, of course, these members earn an educational award worth about $4,700 to pay for college courses. What better tradeoff could we be getting, than asking Americans to step in and help out in needed communities, help needy citizens in our country, in return for which they get assistance to go on to higher education. Again, all of us recognizing, I think, the value of trying to defer those costs.

Mr. President, the Daschle amendment includes funding for these programs, restoring them, in the areas of nutrition, education, and AmeriCorps, the volunteer program, that are critically important for disadvantaged children. These are small investments to be making, and yet the return to our country is invaluable.

There are many people who remember the GI bill and VA mortgages. In early 1950 dollars those were expensive programs, they were not cheap. Yet, I do not know of anyone who would say it was a bad investment to make when we asked the taxpayers of this country to invest in the education needs of another generation of Americans. That is what we are doing here.

To come out on the very first efforts, the very first targets, the very first constituencies that are being asked to bite the bullet are the ones that we will be counting on in the future to make this a stronger, a healthier, more vibrant country in the 21st century.

Mr. President, I would hope that the Daschle amendment would be supported. I would hope that we could get an up-and-down vote on these matters, and not cloud and obfuscate the debate by engaging in procedural tactics here that avoid debate and discussion in votes on the issues that are the substance of the underlying bill.

It seems to me no one is well served by that tactic. It only indicates to many Members that there is somehow some fear about having the kind of votes on these issues that this Chamber ought to, if we are going to accept the kind of cuts that have been proposed.

Mr. President, I hope we can get back to this debate, that we can consider the Daschle amendment, and not see matters be brought up that properly belong on a foreign relations bill and not on a rescission bill dealing with the economic needs of our Nation.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:15 p.m., recessed until 2:23 p.m.; whereupon, the Senate reassembled when called to order by the Vice President.

The VICE PRESIDENT. Senators will please take their seats, clear the aisles, and cease audible conversation.

Mr. DOLE addressed the Chair.

The VICE PRESIDENT. The majority leader.

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

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 451, AS MODIFIED, TO AMENDMENT NO. 450

Mr. DOLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending question is the Dole amendment No. 451 to the Wellstone amendment.

Mr. DOLE. Mr. President, I send a modification of that amendment to the desk.

The PRESIDING OFFICER. The Senator has a right to modify the amendment. It is so modified.

The amendment (No. 451), as modified, is as follows:

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

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans to Jordan issued by the Export-Import Bank or by the Agency for International Development or by the Department of Defense, or for the cost of modifying: (1) concessional loans authorized under Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and (2) credits owned by Jordan to the Commodity Credit Corporation, as a result of the Corporation's status as a guarantor of credits in connection with export sales to Jordan; as authorized under subsection (a) under the heading, "Debt Relief for Jordan", in Title VI of Public Law 103-306, $275,000,000, to remain available until September 30, 1996: Provided, That not more than $50,000,000 of the funds appropriated by this paragraph may be obligated prior to October 1, 1995: *Provided*, That the language under this heading in title V of this Act shall have no force and effect.

MORNING BUSINESS

Mr. DOLE. Mr. President, I have been asked if we might have a 10-minute period for morning business. I ask there be a period of 10 minutes for morning business, 5 minutes to be used by the Senator from Maine and 5 minutes by my colleague from California.

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

Mr. KERRY. Mr. President, will the majority leader yield for a question?

Mr. DOLE. Yes.

Mr. KERRY. I ask him what his intention would be after the morning business. Would we go back to the amendment?

Mr. DOLE. I will have a discussion with the distinguished Democratic leader during the 10 minutes to see.

Mr. KERRY. I thank the Senator.

Mr. DOLE. Does the Senator need morning business time?

Mr. KERRY. No. Mr. President, I had wanted to address the bill itself.

The PRESIDING OFFICER. Who seeks recognition?

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Mr. COHEN pertaining to the introduction of S. 664 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Thank you very much, Mr. President.

UCLA'S VICTORY

Mrs. FEINSTEIN. Mr. President, I rise today to honor a great team, a great school, and a great State. It is fair to say that California has had its share of troubles, but it is also fair to say that we have had our share of victories.

We had a great victory last night, when the UCLA Bruins defeated the University of Arkansas Razorbacks for the NCAA Men's Basketball Championship.

The victory was all the more impressive because they did it without the play of Tyus Edney, their little floor general.

In his absence, the rest of the team stepped up to the challenge. They broke the aggressive defense of the Razorbacks, which has been described as 40 minutes of Hell.

They won with a combination of youthful enthusiasm, guts, teamwork, and stamina. And they won under the watchful gaze of the Wizard of Westwood—the legendary retired coach, John Wooden.

UCLA pulled down 50 rebounds, 21 of them at the offensive end.

Ed O'Bannon, the senior who battled back from knee injury, played the entire game last night and was named Most Outstanding Player.

Toby Bailey, the freshman phenomenon from Los Angeles, had 26 points. It was a masterful performance against a great opponent.

This is the 11th championship by UCLA, and the first for Coach Jim Harrick. John Wooden won a remarkable 10 tournaments in 12 years between 1964 and 1975. Now, for the first time in 20 years they will be able to hang a national championship banner at Pauley Pavilion.

Being the Senator from California, it is with great pride that I point out that four out of five starting players are from California: Tyus Edney from Long Beach, the sensational brothers Charles and Ed O'Bannon from Lakewood, and freshman Toby Bailey from LA.

Other Californians on the team are J.R. Henderson, Bob Myers, Kris Johnson, and Kevin Dempsey. I am proud to say that not only is it a California school, it is a California team. Other players contributing to last night's victory were sophomore Cameron Dollar and senior George Zidek, an Academic All-American. The players on this team are worthy successors of the greats of a generation ago: Alcinder, Goodrich, Johnson, Walton, and Hazzard.

I would like to extend my sincere condolences to President Clinton and the Razorbacks. Obviously, they made a good show. But this win is particularly significant because California has been through a period of fire, flood, earthquake, and major grief. And when teams like the San Francisco '49ers win a Super Bowl and the UCLA Bruins win the NCAA Championship, it brings people together and it shows the spark and spirit of what made this State so great in the first place.

It was a special win. My sincere congratulations to UCLA. I know I am joined by my colleague, Senator BARBARA BOXER, and by every Member of this Senate in saying it was a job truly well done.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Massachusetts.

ORDER OF PROCEDURE

Mr. KERRY. Mr. President, it is my understanding that the leaders wanted to confer. I do not know if that conference has taken place and a decision made. I did have an amendment I was prepared to offer.

Mr. LOTT. Mr. President, I request of the Senator that he withhold. I believe our leaders are both conferring and prefer not to go forward at this point until they can have that meeting.

Mr. KERRY. Mr. President, if I may then, I ask unanimous consent that I be permitted to speak as if in morning business for a period of time.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Reserving the right to object, the leader did get 10 minutes time in morning business.

Mr. KERRY. If I could have 10 minutes, Mr. President, I would appreciate it.

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

The Senator from Massachusetts.

THE DOLE AMENDMENT

Mr. KERRY. Mr. President, I am not going to talk about the amendment that I do want to offer at the appropriate time, providing we continue with this bill. But I would like to talk for a moment about an item that is in the underlying bill. I understand the underlying bill is the House bill which has been amended by the committee amendment, by the Daschle amendment, and by the Dole amendment. So there is a complicated stream here, but I am addressing my comments to the underlying bill and to the Dole amendment itself.

One of the things that we have heard the most discussion about in Washington, indeed in the country, is the problem of violence in our streets and the problem of our young people. I do not think there is a Republican or a Democrat who has not run for office talking about values and the importance of trying to transfer values to the young people of this country.

The real test of this country, certainly of the U.S. Senate and the House, will be our ability to keep faith

with the American people and translate the rhetoric into some kind of substantive approach.

Now I do not come to the floor with the notion that the Government has all the answers. I think we have been sobered up and learned a lot in the last years. And I do not come to the floor with the notion that the only way to try to deal with the values issue is to have a Government incentive or a Government program, but we have to be honest. At the same time as we admit that reality, we ought to also admit that there are programs that make a difference; that there are certain things that the private sector will not do for itself; that there are certain kinds of initiatives that only get started by virtue of the leverage provided by the public sector which empowers the private sector or nonprofits to be able to make a difference in the lives of other human beings.

One of the cuts that takes place in the underlying Dole amendment, which I must say, I do not know if it is intentional. I do not know if the Senator from Kansas, who I know to be somebody genuinely concerned about these matters, is aware that this slipped in there or is in there. But the effect of the Dole amendment is to cut one of the most significant programs of accomplishment in this country and it runs completely counter to the talk of returning responsibility to the local level, because this amendment takes resources directly out of the communities and out of the private entities, the self-started entities of communities, and strips them of their ability to make a difference in the lives of our kids.

Mr. President, the amendment that I am referring to, or a portion of the Dole amendment, takes $38 million from one of the most successful programs of community investment that we have in this country, a program called Youth Build.

Last night, I had the privilege of being in Boston attending the only dinner of its kind in the country about Youth Build. Youth Build is a program that began 5 years ago. It began in Boston, but it is now in 40 cities in America. There are 105 units around this country that seek funding from HUD for Youth Build. Mr. President, there are only two staff people at HUD managing this program—two staff people. So this is not a bureaucratic boondoggle. This program provides money directly to local communities. It does not go to the State. It is not chewed up in the administrative process. It goes directly to local communities. There is no bureaucracy here. There is no waste here.

There is a tremendous record of success. Last night, I saw a film about graduates of this program. One of these graduates was not too long ago in prison. Another graduate was a member of a gang. Another graduate was a drug addict. Today, they are employed in the private sector. They are leaders in the community; they are in college; they are managers of our Boston Harbor project; they are involved in engineering; they are in carpenters unions; they are apprentices. For the first time in their lives, they are making it, and they are making it because this program reached out into the community to these kids and took kids who had dropped out of school, who have no family connections, and gave them a purpose in life and a skill.

What Youth Build does is take these kids and puts them into 1 week of high-school equivalency and 1 week on a site in an old abandoned home donated by the city, labor donated by the architects of the city, the carpenters union donating the skill, and all of those are married in a synergy that brings those kids into the first-time environment they have ever had that gives them a sense of purpose, a sense of responsibility and accountability, not just to society around them but to themselves—each and every one of them.

That is values. That is values transfer. Mr. President, it just does not make sense to take the few hundred bucks per person that you are stripping away and leave them with the possibility of our spending $30,000 to $50,000 a year to house them in a prison somewhere down the line.

In Boston alone, there are 10 kids applying for this program for every 1 that gets into it. Mr. President, I do not hear people running around the Nation saying this is where the waste is. I do not hear people saying cut those programs that put kids into a useful environment. I do not see some great hue and cry in the country saying, "We're going to throw you all out of office if you don't cut the money for Youth Build." But we are cutting it, and the question has to be asked, why? What is the rationale?

We all understand we have to cut somewhere, but does it make sense to be cutting this program and then turn around and spend a huge amount of money on the Market Promotion Program, for instance, where we give money to McDonalds and a whole bunch of big companies to sell their goods abroad, companies that can afford to advertise on there own?

Mr. President, we have some $85 million, I think it is, in the Market Promotion Program. The Market Promotion Program gives Tyson Foods $937,000; International Foods, $179,000; Gold's Gym, $226,000; Mott's International; Pepperidge Farm; Tropicana; Entenmanns; Tootsie Roll; Beer Nuts; Ocean Spray; Friendly's; Gortons; Perdue; Giant Food; General Mills; Pillsbury; Ralston Purina; M&M Mars; Campbell Soup; Haagen-Dazs; R.W. Frookie; Snapple; Chichita; Borden; Hershey; Brach's Candy; Miller beer—they all get money, but Youth Build is not going to get money.

It does not make sense, Mr. President. I think what the American people said last November is, "We want you to express some common sense on our behalf," and, for the life of me, I do not understand why we would want to be cutting a program like Youth Build which has been proven to work.

Last night, I listened to a young man by the name of Robert Clark. Robert Clark was in prison. Robert Clark is now a full-time student at a well-known university on the east coast of the United States. He is doing well. He has testified before committees in the Congress. He has done an extraordinary job of explaining to people the connection between a program like Youth Build and his capacity to rejoin society as a productive member. It just seems to me that if you are going to talk about investing in the future of this country, we ought to remember what makes a difference, Mr. President.

Robert Kennedy spoke of this in 1968 in a high school in Scottsbluff, NE, and he talked about the sense of community that we ought to be celebrating in a choice like this with respect to Youth Build. He said:

> At every critical mark in our history, Americans have looked beyond the narrow borders of personal concern, remembering the bonds that tied them to their fellow citizens. These efforts were not acts of charity. They sprang from the recognition of a root fact of American life that we all share in each other's fortunes, that where one of us prospers, all of us prosper, and where one of us falters, so do we all.

He said in 1968, and we ought to think about it again as we make these choices in 1995, that:

> It is this sense, more than any failure of good will or policy, that we have missed in America.

Mr. President, in the course of exercising choices in this legislation, it seems we are perhaps about to again miss that in America, and I hope we will not. I hope we will recognize that perhaps this is an oversight, and we should make a different judgment.

I yield the floor.

Mr. LOTT. I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

Mr. NUNN. Mr. President, I rise today to urge the Senate to support an

effort to restore funding to the Corporation for National and Community Service. The case for national service depends on understanding that it uniquely offers a triple investment in the future productive capacity of our people and our communities: First, the service performed; second, the service experienced; and third, the postservice educational benefit.

I know the word "investment" has been abused and debated on the Senate floor over the years. For some, it is just a code word for Government spending. We must not, however, become so cynical that we do not see a real investment when a payoff is staring us in the face.

The first component of benefit of this investment is the word in the name of the organization—service. Critics have tried to attack national service in a number of ways.

During the debate on the authorizing legislation, we heard cries about how many more Pell grants we could fund with the money, or how many more job training programs we could fund with the same money. Though these criticisms make valid points as far as they go, they lose sight of the crucial fact that national service does not exist to provide student aid or job training. The most important benefit of this program is the service provided by AmeriCorps members.

Mr. President, I visited a number of these AmeriCorps projects, and before that, the national service projects that were the pilot projects authorized before this program. I have seen young people in a small town of Vidalia, GA, helping teach Spanish to young students that did not understand basic Spanish. Most importantly, these students were filling a huge void where there were no Spanish teachers in the community by helping immigrants learn to speak English, because they had no way of learning without someone who could converse with them.

I have seen young people also in the same community and in Thomson, GA, helping in nursing homes in crucial kinds of occupations with our elderly citizens. I have seen them in homes for the elderly. I have seen them helping the elderly stay in their own homes, which is most important in terms of both their quality of life and in terms of actually saving taxpayers' dollars.

I have seen them in tutoring and mentoring positions for young kindergarten, first, second and third graders in inner-city schools. And I have seen them in connection with Habitat for Humanity building new homes for needy families and have begun construction on many other homes.

I have seen them in many other occupations, as have others who have observed this program throughout the United States.

The second kind of benefit national service provides is the personal and civic development of the participants. In recent years, too many Americans have forgotten the relationship between rights and responsibilities. We often see reports in the news media about various groups or individuals proclaiming that this Government service or that protection is a right. We are all so often reminded of the rights all Americans should enjoy that we lose sight too often of the other side of the same coin: The responsibilities that we share in order to make the rights possible.

Just as we have rights to freedom, to life, liberty and the pursuit of happiness, those sacred rights carry with them equally sacred responsibilities.

National service is reconnecting the relationship between the two fundamental tenets—rights and responsibilities—of our democracy for thousands of young people. This program provides young people with opportunities to fulfill that obligation to give something back to their country and to their communities.

The third kind of benefit which is derived from the national service program is the postservice educational benefit. As most of my colleagues will agree, education is the best indicator we have of upward mobility. Not only does the participant increase his or her potential to get a high-paying job and become a contributing taxpaying member of the community, the community also benefits from citizens who run businesses, citizens who pay taxes, citizens who participate in civic organizations, and citizens who contribute to the community.

This sort of educational assistance becomes even more important in a time when our more traditional forms of educational financial assistance are facing severe funding restrictions and reductions.

I hope all of my colleagues understand this is not a program which fills members' time doing calisthenics or singing "Kum Bah Yah" around the campfire. They perform hard work desperately needed by local citizens, governments and businesses that is not being performed by others in the community.

They get their hands dirty. They are tired at the end of the day. They occasionally pound a thumb with a hammer in the building occupations which many of them are doing.

The bottom line is that the work they do is needed by our communities. Along the way, they acquire real world skills and maturity that will make them better citizens and help the country.

For Congress to decimate this program at a time when it has only begun, before any organized results can be compiled, would be to sell this program, and I believe our young people, and our Nation short.

There is a good analogy, Mr. President, to be found between national service and our Nation's Armed Forces. We do not maintain Armed Forces in order to provide valuable skills and develop good character in young men and women. Rather, Armed Forces personnel develop skills and character in the military as they carry out their primary mission of providing for our Nation's security. The same is true of national service. Members perform crucial important services in their communities, and along the way they gain important life skills.

Additionally, we often hear from some critics who attack national service as coerced voluntarism—as if the provision of a stipend for living expenses somehow cheapens the service performed or stains the motives of the participant.

I note the critics seldom raise the same objections to our Nation's All-Volunteer military force. I believe these points are made very clear in a recent op-ed by Charlie Moskos, a respected sociologist at Northwestern University, and I ask unanimous consent that this op-ed piece be reprinted in the RECORD.

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

[From the Chicago Tribune, Mar. 14, 1995]

BUILDING A CONSTITUENCY FOR NATIONAL SERVICE

(By Charles Moskos)

My first and only meeting with Newt Gingrich was in the spring of 1981. The second-term congressman already had a reputation for new ideas and he wanted to talk about national service for young people. He certainly seemed supportive of the concept. Yet, Speaker Gingrich is now quoted as "totally, unequivocally opposed to national service." He lambasted the newly established AmeriCorps as "coerced voluntarism" and "gimmickry."

The quick explanation for this turn-around is that the Republican leader is making points against one of the most significant accomplishments of the Clinton administration. With a GOP majority on Capitol Hill, national service is targeted for elimination in the next budget authorization. Gingrich's present hostility to national service also has an upside, however. Now is the time to refocus public attention on the philosophy and program of AmeriCorps. To bring Gingrich back on board, supporters of national service should be responsive rather than confrontational.

First, clarify the terminology. AmeriCorps members are not "volunteers." They receive a minimum-wage stipend and a modest education benefit—$4,725—for each year of service completed. AmeriCorps participants should be called corps members, servers or enrollees.

Gingrich's designation of "coerced volunteerism" is an oxymoron that misses the point. Does he object when we call our military an "All-Volunteer Force" where soldiers earn a decent salary? Or that a member of the Peace Corps is officially called a "Peace Corps Volunteer" when paid a stipend equivalent to that of an AmeriCorps server? And, while on the subject, let us not forget volunteerism does not always come free, either. In its first year of operation, the

volunteerism-boosting Points of Light Foundation, a George Bush pet project, granted $4 million to service organizations while spending $22 million on promotions and administrative expenses.

AmeriCorps was set up to be run mainly through local agencies and non-profit organizations. But national service faces a core paradox. Everyone is for local control and decentralization, but only federally-run and centralized organizations have name recognition and credibility. The blunt fact is that not many Americans have never heard of AmeriCorps and even fewer know what it is doing. Contrast this with Franklin Roosevelt's Civilian Conservation Corps, John Kennedy's Peace Corps and even Lyndon Johnson's VISTA. National service is, after all, national.

Even though the membership of AmeriCorps in its first year, 20,000, is greater than that of the Peace Corps at any time, its visibility does not faintly approach the Peace Corps. More striking, the glow of the highly centralized and Army-run CCC remains strong in the national consciousness, even though it expired a half century ago. Yet, the National Youth Administration, the larger but decentralized contemporary of the CCC, is all but forgotten.

Two changes are needed if AmeriCorps is to capture the public imagination. At the federal level, the National Civilian Community Corps, presently a minor component of AmeriCorps, must become a modern version of the CCC, one of the most successful programs of the New Deal era.

At the local level, AmeriCorps must focus its mission. Currently, it does too many things leaving a diffuse image. An impressive example of what national service can do comes from Germany. Conscientious objectors to the draft perform alternative service. One key duty—meals on wheels, transportation to shopping and medical facilities—allows the elderly to continue to live in their own homes. Savings are tremendous. The value of each server is estimated at more than $25,000 per year above costs. These "civilian servers" are now so highly valued that they are used as an argument to maintain military conscription.

Whether federally or locally organized, the emphasis in national service must always be on the service delivered, not on the good done for the server. AmeriCorps tends to get mushy—or, as Gingrich puts it, "gimmicky"—on this score. Proponents of AmeriCorps too often stress how community service benefits the young person, rather than what the server is exactly doing. Young people doing calisthenics in youth corps T-shirts is not the way to guild a constituency for national service.

We do not have armed forces to mature young men and women. But the military performs these functions well precisely because it is not defined as remedial organization. The same must be the case for civilian service. We should remember that when FDR introduced the CCC, he stressed the concrete works that would be accomplished not the self-improvement of the corps members. The standard for AmeriCorps should be simple: If the server disappeared would anybody miss her or him?

Another trouble spot must be pointed out—a skewed political base. Support for youth corps is by no means to come across that way. After all, it was the centrist Democratic Leadership Council that initiated the contemporary move to national service. Conservative icon William F. Buckley Jr. has long been an eloquent advocate for the cause. Liberal proponents of AmeriCorps must practice diversity when they seek counsel on national service. Bipartisan input is a prerequisite of bipartisan support.

One more thing liberals ought to raise with Newt Gingrich. Without AmeriCorps who will staff all those orphanages coming on line?

Mr. NUNN. We call the military services now a volunteer force, but they are paid substantially more, even at entry levels, than any of the young people in national service. I think that is appropriate.

The educational benefits are also higher, substantially higher, than the national service educational benefits. If we add educational benefit to the total pay package, there is no real comparison between the pay and benefits of the military, which is much higher than national service, and that is the way it should be, because military personnel are also in harm's way on many occasions.

It is a different occupation, but the thing that is very similar is that they are both called voluntary and they both are voluntary. No one is compelled to take either occupation or either program.

I think we should be very careful in saying on the one hand that national service is not voluntary because these young people are being paid, and the military is voluntary because they are also being paid and they are also in many of the occupations, getting special bonuses. They are still volunteers.

Considering all the benefits national service provides, at the community level, it is difficult to see why some of our colleagues object to it. Indeed, given the debates we have heard on unfunded mandates legislation and the, I think, justifiable move for continued devolution of responsibilities from the Federal to State and local governments in this body, I would hope that our colleagues would agree that national service represents the type of government we ought to support.

National service is not a Federal mandate for any specific type of service. That is left up to the communities, and the communities decide whether they want to participate at all. National service gives communities and service organizations the chance to voluntarily identify and perform the kind of service which best meets the local need, with the Federal Government providing most, but not all, of the funding.

At the same time, it allows young people to serve their communities and to address real problems without Federal micromanagement.

Finally, Mr. President, I would make the point that the proposed rescission of national service funds is, to say the least, premature. The first full funding year is only half complete and the data on the programs' accomplishments is only available in anecdotal form.

We need analysis on the program. Rather than making a decision to cut this program based on incomplete information now available to the appropriations process, we should save this debate on the scope and the direction of the program for the authorizing committee next year, when more complete information is available.

I am confident that the program, if given a chance to do so, will admirably prove its worth. At least we should give it a chance.

Mr. President, I urge my colleagues to restore funding of the national service program. I urge them not to fail the students and the young people who are learning maturity and life skills through their service in the program. Most important, I urge them not to fail the communities, the churches, the schools, the businesses, and the individuals who benefit from the hard work of our young people. I thank the Chair.

I yield the floor.

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. SANTORUM. 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. SANTORUM. Mr. President, I ask to speak 5 minutes as in morning business.

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

Mr. SANTORUM. Thank you, Mr. President. I wanted to respond to the Senator from Georgia, who I have the utmost amount of respect for, and respect his views on the national service plan. I just happen to disagree with them. I wanted to comment on a couple of the points he made.

I have heard often this analogy that national service corps members are volunteers as much as people who are in our military are volunteers because we have an all-volunteer force. The reason we call it an all volunteer force, it is the only area that I am aware of where we have the Government authority that can force people to do something they would not otherwise do. Force people to work. In other words, work in the military.

The Government, through our authority as a Government, can if we so choose, force people, conscript people into the military.

As I am sure the Senator from Georgia knows, there is a whole body of employment laws out there that says an employer cannot force an employee to perform for the employer. If I am an employer outside of the government, outside of the military—not just outside of the government, outside the military—I cannot force someone to go to work for me. If a person wants to leave my employment, I cannot force them to stay.

So the reason it is called a volunteer army is because the military has the

authority to make a person work for them even if they do not want to.

To suggest that AmeriCorps and national service is volunteer, based on that motto, makes me a volunteer. No one forced me to run for the U.S. Senate. So I guess I volunteered for it. So I guess people could call me a volunteer. The young lady standing in front of me who is taking down my words, is, in fact, a volunteer. No one made her take this job. She took it because she volunteered for it.

So we are all volunteers. Well, that is nice. That is sort of fuzzy and makes the waters a little murky. If we are all volunteers, then—none of us are volunteers, really. And that is really the point. This is no more a volunteer than any other job in any other agency of the Federal Government.

In fact, I believe the Senator from Missouri who came up here yesterday, Senator BOND, had a chart that showed that about 10 percent, or 15 percent of AmeriCorps employees work for the Federal Government, work for the Department of the Interior, the Department of Justice, the Department of Veterans Affairs, the Department of Energy, the Department of Agriculture, the National Endowment for the Arts. A lot of them are, in fact, plain old Government employees, paid for through this AmeriCorps Program.

I just hope we get the rhetoric right here. This is not voluntarism. There really is not any other example that would suggest that someone who is making what an AmeriCorps volunteer makes is a volunteer.

Senator GRASSLEY was on the floor yesterday talking about employees from ACORN, which is a housing organization, funded with $1 million for AmeriCorps. The average cost for each AmeriCorps volunteer is $41,000. That is what each ACORN volunteer is paid in compensation packages, from the Federal Government.

The Legal Services Corporation has a $1 million AmeriCorps grant. These volunteers make $48,000 a year. Now, it is hard to sell, at least to me and I think a lot of Americans, that people making that amount of money are truly volunteers.

What the Senator from Georgia did say that I agree with is that there are worthwhile projects going on within AmeriCorps. I do not think there is any question there certainly is a need to help children learn how to read or help people who need some assistance. The AmeriCorps program does fill in some gaps and holes and can be very helpful.

What I have suggested in the past, and I suggest to the Senator from Georgia, is that there will be a bill coming to the floor of the Senate this year, and it is a welfare reform bill that is going to have work programs in place for people who truly are in need of the work experience, the training, the education. Those people are the folks we should be targeting these kinds of projects on, these kinds of duties that can be done by people who truly need them.

The problem with AmeriCorps is you do not have to be poor to be in AmeriCorps. You do not have to be young. You always hear people defending AmeriCorps, saying, "All these young people, we need to help them." You can be in AmeriCorps if you are 60 years of age. You can be in AmeriCorps if you are a millionaire. There is no age limitation up to 60; there is no limitation on income. In fact, 25 percent of the people already in AmeriCorps have family incomes of $50,000 or more.

So when you hear of all these wonderful images of poor young children out there doing these things and this is what these programs are for, that is just a few examples. That is not the norm. What we should do is take this idea of community service, which is a very beneficial one, and focus it on the people who need it the most and create those work programs for the people who are already receiving the Government benefit, and that is people on welfare who desperately need, desperately need the opportunities that these kinds of worthwhile jobs—and many of them are worthwhile jobs—would have.

So I am not against community service. I do not think anybody who stands up here says we are against community service. We believe community service is a laudable thing. We also believe it should still be a volunteer thing, not a paid position.

I think it undermines the whole volunteer spirit in America if you take a selected class of people and say these people are somehow better volunteers, and therefore should be paid, than those who are not.

So again, I commend the Senator from Georgia for his idealism, but I think we can better focus it on the people who are in need, the people who already receive Government assistance, the people who need the opportunity to move forward as opposed to folks who are being targeted for the AmeriCorps Program today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Madam President, the leaders of both parties have been meeting and working on an agreement and I believe we are about ready to make some requests here. I understand perhaps we will be ready to go with that in just a moment. So in order to facilitate the distinguished Democratic leader, if I could at this point observe the absence of a quorum so we could get this unanimous-consent agreement put in.

Mr. EXON. Will the Senator yield for a question?

Mr. LOTT. I will be glad to yield for a question. We want to get this unanimous-consent request as quickly as possible, but I will be glad to yield to the Senator.

Mr. EXON. Do I understand from the Senator from Mississippi that finally, at long last, the two leaders are working and are, according to the information that he has, about to come on the floor to outline some unanimous-consent type of agreement that will move the process ahead?

Mr. LOTT. I believe that has been occurring. I know the leaders met within the last few minutes and they are looking over an agreement which we hope to be able to announce momentarily. I see the distinguished Democratic leader is here, so maybe we are ready. We are not quite ready yet?

Mr. EXON. I was about ready to try to get the amendment before us set aside for the purpose of calling up an amendment that I first presented at the desk way back last week, sometime Friday. I had it ready Wednesday, almost a week ago, and have been trying to accommodate everybody else. But there does not seem to be much accommodation.

But I guess I can wait for another 10 minutes to see whether or not we can bring some reality out of the morass that we seem to be in from the standpoint of procedure in the Senate as of now.

Mr. LOTT. I believe the Senate is underway and I thank the distinguished Senator from Nebraska for his patience.

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

The PRESIDING OFFICER (Mrs. SNOWE). Without objection, it is so ordered.

SELF-FUNDING FOR PUBLIC BROADCASTING

Mr. PRESSLER. Madam President, I rise to speak on a portion of this consideration regarding the Corporation for Public Broadcasting. It has been my concern for some time that we could make the Corporation for Public Broadcasting self-funding, or, if I may use the term, privatized, although I think self-funding would be better.

Presently the Corporation for Public Broadcasting is a private corporation with Federal funding. At the end of their programming each day you see it says, "The Corporation for Public Broadcasting funded by the Federal Government"—a private corporation funded by the American people.

I am of the opinion that through a program that I recently presented in the Washington Post, the corporation can become private, can become self-funding, and it is not necessarily by increasing advertising. It is rather by digitizing, compressing its programming, and making it available for sale

to such outlets as Arts and Entertainment, to the Learning Channel, to the History Channel, and to the hundreds of new video dial tone channels that are springing up across the country from the regional telephone companies.

Also, the Corporation for Public Broadcasting and its public broadcasting entities could get a great deal larger percentage of the things that appear on the free public platform. They have already voted to start getting a larger percentage of that.

For example, whether it is Barney, or whether it is Bill Moyers' Journal, or whatever else, if there is money made from the sale of tapes of that show and paraphernalia, I think the taxpayers ought to be entitled to 20 percent or 30 percent of it—or maybe more—whatever they can negotiate in a business-like way.

In addition, public broadcasting will be digitizing and compressing parts of its spectrum, and they can rent part of that spectrum or sell it or use it in some way, and they can have far more money than they have now.

So my point is, Madam President, that the Corporation for Public Broadcasting and the other public broadcasting entities are sitting on a treasure trove that they can utilize. The taxpayers of this country do not have to subsidize them. They can do just as well. They can provide more money to rural radio and TV and more money to children's programming than they are now.

If this body wishes, when it comes to zeroing out and to replacing over a 3-year period or 2-year period their moneys, they can place a requirement for certain rural programming and for children's programming—just as when Conrail was privatized on this Senate floor and we placed certain covenants or requirements on Conrail to provide certain local service, just as we require airlines to provide certain safety for the public, just as we require that other private companies meet service requirements, such as the regional telephone companies who have a universal fund to provide long-distance services in rural areas and small towns. All of this can be done.

Vice President GORE talked about reinventing and privatizing. I think and have thought that the Corporation for Public Broadcasting, the Public Broadcasting Service, and National Public Radio can do so.

Madam President, the defenders of the status quo have waged a nationwide campaign that is very misleading. They say that Senator PRESSLER and others are out to kill Big Bird or out to kill rural radio. Is it not strange that they do not talk about cutting anything inside the beltway? When we look at the National Public Radio building and its equipment; at the Corporation for Public Broadcasting and its salaries; at the nonprofit organizations that have sprung up alongside that receive their grants and which in turn pay salaries two and three times higher than Senators make—we should remember that this is taxpayers' money.

So I join in this effort that is on the Senate floor, and also I am working with the Budget Committee to have a 3-year plan to phase out the Federal subsidy.

Earlier this year, Madam President, there was some controversy about a questionnaire that I sent to the Corporation for Public Broadcasting. As chairman of the oversight committee, I asked a lot of questions about where and how the money moved. In my State of South Dakota, we get $1.7 million from Washington, DC, but instantly have to send over $1 million back for programming. My State and small rural States should be able to shop around. Maybe they would want to buy some digitized compressed programming from Arts and Entertainment, or from Nickelodeon. This children's programming is marketed to France, incidentally, and dubbed. It is about the only cultural import the French welcome, educational children's programming made privately.

The point of the whole matter is that there are plenty of opportunities for public broadcasting to make money, and it is most unfortunate that they are not carrying that out. But they put forth the argument that we are trying to take away children's programming and rural radio. That is not true.

In my State, our State legislature voted down a resolution urging that more Federal moneys be sought for the Corporation for Public Broadcasting because people understand that there is a very misleading campaign underway here. My State is one of those that has the most rural radio perhaps of all.

Let me say, Madam President, that I have contributed every year to public broadcasting, long before this debate. I contributed again this year because I think it has its place. But those small States are not getting their fair share under the present formulas that are used. And far more of the moneys go to grants to their favorite foundations and nonprofit groups here inside the beltway that pay salaries up to $750,000 a year as Senator DOLE published on this Senate floor, and other salaries of $450,000, and so forth. Those are taxpayers' dollars, incidentally.

So the next time someone comes up to me and says, "Ah, you are against rural radio," I would say to them that one salary here paid at the favorite foundations of the Corporation for Public Broadcasting is greater than my whole State gets in a year's time.

So let us put things into perspective. The Corporation for Public Broadcasting and its related entities here inside the beltway have become a bloated bureaucracy, and reform is needed.

They are making some reforms now, and I commend them for those reforms. One of the reforms was that they voted to start getting a percentage of those items that appear and make profits on the free public platform that is provided. Another reform that they are making, I believe, is that they are starting to learn to partner with the information superhighway to compress and digitize their programming and sell it, or swap it, and that is something that I have advocated for a long time. So I think what will come out of this is a better Corporation for Public Broadcasting, a better public TV and radio in this country.

So far as the questions that I submitted, they are the same questions that every broadcaster in this country must answer every year regarding minority hiring, but public broadcasting somehow feels they are exempt from it. They have the stories written in the paper that I asked about the ethnicity and race of employees. That is what every broadcaster in this country must answer every year, and every small businessman who has contracts with the Federal Government can be called upon to produce at any time. And they also, if questioned, have to say who the minorities are. It is alleged, though I cannot prove it or disprove it, that they do not meet their minority hiring requirements with permanent employees. They do it with part-time employees. A small businessman in my State can be prosecuted for doing that, but they think they are exempt from responding to the committee that has oversight, apparently. So I find that the attitude there is very unusual.

Now, I have another interesting thing that I learned, which is that the reporters who wrote about this for the New York Times and the Washington Post, coincidentally, are paid to appear on public television, although they did not say that in their stories. It is hard to get a story correct. I do want to commend the Post though. They did allow me to publish an op-ed that laid out my point of view after I met with the board of editors of the Washington Post.

I think what we have is a very arrogant system, from a management point of view, that has been built up in the Corporation for Public Broadcasting. I never really looked into it until I became chairman of the committee this year. That is my job. That is what I am supposed to do. But they are forward-funded through next year. I think the House of Representatives has done an excellent job of laying the groundwork to phase out the Federal funding as they phase in these self-funding devices. That is a positive thing. But the Corporation and its allies have run a misleading campaign around the country telling people that those Republicans are out to kill Big Bird and are out to shut off rural radio. That is simply not true.

Madam President, there are many reasons that the Corporation for Public Broadcasting was created in 1967. But public radio and TV existed before that. I gave my first speech in a debate at the University of South Dakota on public television in 1963 before we ever had the Corporation for Public Broadcasting. And so I join with my colleagues here on the Senate floor, and I hope I can say I join with the leadership of public broadcasting in this country, to move toward a better system, a system not so bloated with bureaucracy.

In our States, our State legislatures pay most of the costs of our public radio and television. Individual contributors also, such as myself and, I might add, NEWT GINGRICH, have contributed to public radio and TV. The State legislatures pay for most of the public radio and television in this country. The corporation was founded so there would be a national clearing house, so to speak, and it did a lot of good things. But we have now entered an age where it has been proved that this quality programming can be marketed, and their programming could be marketed. It does not need to mean more ads.

Incidentally, public radio and TV in many cases has more revenue from ads than does commercial radio and TV in many markets. That is another unknown. They call them enhanced underwriting, but they are advertisements, and that is fine with me. I think we should analyze the thing as it really is. In the oversight committee, we should look at the facts as they really are, and so for that reason I join in efforts here on this floor to do what the House of Representatives has done, to start a phaseout over a 3-year period of the moneys, of the taxpayers' money. To replace that, there is an abundance, a treasure trove from which it can be done.

Madam President, I ask unanimous consent at this point to have printed in the RECORD my op-ed that was published in the Washington Post that deals with the subject of how public broadcasting can become self-financing.

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

[From the Washington Post, Mar. 8, 1995]

REALITY-BASED BROADCASTING

(By Senator Larry Pressler)

"Public broadcasting is under attack!" "Congress wants to kill Big Bird!" These and other alarmist cries have been common in recent weeks. The problem is they are lies. That's right, lies. I tried to conceive of a more polite way to say it. I could not. With rare exceptions the press largely has ignored the specifics of the position taken by members of Congress seeking to reinvent public broadcasting.

I have struggled to make my position clear Yet the misrepresentations continue. I am convinced many simply do not care to report the facts—facts they do not find as interesting as the scenarios they create. That is too bad. The average American taxpayer would find the facts extremely interesting.

As chairman of the Senate Committee on Commerce, Science and Transportation, I am not seeking to destroy public television and radio. I am a strong supporter of public broadcasting, both in my home state of South Dakota and nationally. Pull the plug? Absolutely not. Rather, my plan would expand opportunities and save taxpayer dollars.

Why do I seek change? Because times have changed. Today's electronic media are vastly different from those of the 1960s, when the current system of federal subsidies for public broadcasting was established. The old theory of "market failure" for educational programming is completely untenable in today's environment. Educational and cultural programs can and do make profits when their quality is good and marketing astute. The only money losers in today's arrangement are the taxpayers.

A Feb. 24 Post editorial stated it is time for the public broadcasting industry to face reality. The issue no longer should be whether federal subsidies for public broadcasting will be cut. I could not agree more. Congress now is debating when and how much. The House Appropriations subcommittee on labor, health and human services already has cut the public broadcasting budget. The House leadership promises more to come. I fully expect the Senate to follow suit.

Instead of crying over public cash, it would be more prudent for public broadcasting executives to use their talents and resources developing the numerous potential sources of revenue available to replace the federal subsidy rather than continuing to fan the flames of fear and exaggeration. As captains of a major corporation, their responsibilities should be clear. The Corporation for Public Broadcasting (CPB), National Public Radio (NPR) and the Public Broadcasting System (PBS) need to learn to stand on their own feet.

To help in that effort, I recently provided the chairman of the board of CPB with a plan to end its dependency on federal welfare in three years. Ideas to end CPB's addiction to taxpayer dollars include:

Profits from sales. CPB should renegotiate sales agreements and improve future agreement to get a larger share of the sales of toys, books, clothing and other products based on its programming. In 1990, Barney-related products retailed at $1 billion! Steps have been taken by the CPB board to improve its share of such sales. More should be done.

Make the most of new technology. Use of new compressed digitization technology would permit existing noncommercial licensees to expand to four or five channels where once they had only one. Public broadcasting stations could rent, sell or make use of the additional channels for other telecommunications and information services.

End redundancy. At least one-quarter of public television stations overlap other public television stations' signal areas. Public radio also suffers from the inefficiencies of redundancy. Ending this overlap and selling the excess broadcast spectrum would provide substantial revenues to public broadcasting.

Switch channels. Moving public television stations from costly VHF channels to less costly UHF channels in certain markets would provide a substantial source of new revenue.

Team with other information services. CPB could increase commercial arrangements in the computer software market and with on-line services.

These are only a few of the ways in which the CPB could reinvent itself into a self-sufficient corporation for the '90s and, indeed, for the next century. Ending federal dependency does not end public broadcasting. Today's subsidy amounts to only 14 percent of the industry's spending! Indeed, my current plan asks the Corporation for Public Broadcasting to end its dependency on federal welfare in three years—that's one year more than what current proposals would give welfare recipients to get off federal assistance.

It would be tragic if the public broadcasting industry ignores its responsibilities when the federal budget is in crisis. It also would be tragic if the industry spurns exciting opportunities in new markets and technologies. Perhaps most tragic of all, however, would be continued retrenchment from public broadcasting executives crying. "It can't be done." It can be done. It should be done.

CLINTON AND GORE TRY TO SET BACK TELECOMMUNICATIONS COMPETITION

Mr. PRESSLER. Madam President, on a second subject, I was very disappointed this morning in a conversation with Vice President GORE to learn that the administration is opposed to my telecommunications bill and that the present plan is to veto that bill if it were to pass. I say that because I believe in this Chamber there would be 85 to 90 votes for the telecommunications bill today if it came up for a vote.

The Vice President said the administration was opposing it for three reasons. First, because they do not like the cable provisions; second, because they do not like the lack of a merger prohibition on regional telephone and cable companies; and third, because they would like to have a Justice Department review, in addition to an FCC review, in determining when Bell companies can enter the long-distance and manufacturing markets.

Madam President, we have worked out these matters. Every Democrat on the Commerce Committee voted for this bill. The administration did not avail itself of the opportunity to come up here during all the long negotiations and let us know of their strong feelings. Then all of a sudden the Vice President is working against having the bill brought up—and announces that the administration is opposed to it. This comes after we have made substantial accommodations and we have worked out the cable and long distance issues.

For example, with regard to cable rate deregulation, the basic tier remains regulated in the bill. The upper tier is deregulated with a bad-actor proviso—that is, rate regulation would be possible if a cable operator charges rates which are substantially above the national average. So there is consumer protection on the cable issue.

And then after 2 or 3 years, or when there is at least 15 percent of DBS—direct broadcast satellite—in a market, basic cable is deregulated. Or when there is video dialtone service present in a market, basic cable would be deregulated. The Vice President feels

strongly that this is inappropriate. But this represents a compromise that was worked out between Republicans and Democrats. In fact, every Democrat on the Commerce Committee voted for it. The committee overwhelmingly approved the bill by a 17-to-2 margin.

The next objection was on cable and telephone company mergers. The decision not to put that in was agreed to on both sides of the aisle. The proposal to limit cable and telephone company acquisitions, mergers or joint ventures is redundant, as current law—Hart, Scott, Rodino—already provides antitrust scrutiny in this area.

Regarding the Justice Department, we already have the FCC, with public interest and competitive checklist language, reviewing this. There is no need for a second review by the Justice Department. We are repealing the MFJ. That is the whole idea of this bill, to replace the courts with congressional action. The Justice Department could still bring antitrust action. They have that power on any aspect of American business.

So I am strongly in disagreement with the Vice President's assessment. And I am very saddened by it because it means, as a result of that, we will not be bringing my bill up this week. We will bring it up early after we come back. But I am fearful that during that time this bill will be picked apart by the various interests. It is the sort of bill where we had good momentum until the administration opposed it and began working against it here, working against its being brought up. I ask my colleagues from the Democratic side to contact the Vice President and to persuade him and the administration that this is a good bill. It is the best bill we are going to get. And it is supported across the country.

I am very worried and saddened at the developments that have occurred here. I am determined to go forward. We will get the bill up in April or May. We will proceed with it. This body will vote for it overwhelmingly, and should vote for it.

All the staffs on both sides of the aisle have been involved. I do not think any bill has ever had more consultation or more staff work—without a day off, from Christmas Day, literally—on this bill.

It has been an open, inclusive process. The last time, people complained that nobody knew what was in the telecommunications bill; there was not enough consultation. So we had meetings all day and all night, even Saturday and Sunday, with staff from Members on both sides who were interested. So everyone had their input—except the administration, which never made a peep. Now, suddenly, the administration is actively working to encourage Democratic Members to contact the minority leader's office to keep it from being brought up. And that saddens me a great deal.

I hope, Madam President, that this is merely a delay. We will fight on with this piece of legislation. Probably no piece of legislation this year has been more widely discussed and consulted about. All 100 Members of the Senate have been involved in some way. We are ready to go. The bill is filed. The report is filed. The committee has voted. It has amendments added to it. We need to bring it up and vote amendments on the floor. The country needs this bill.

Now, what will happen if we do not pass this bill? It will reduce jobs and hurt the United States.

This bill has been called a $2 trillion bill by George Gilder because it will cause an explosion of new activity in telecommunications. It will boost our exports. It will cause a number of new devices to be distributed to the American people.

Presently, we have very little of the so-called information superhighway here. Everybody talks about it. We have cellular phones, some computer Internet, and we have cable TV. But that is all. Most people are not on the information superhighway and they will not be until we pass this bill.

Otherwise, the people who invest in telecommunications are paralyzed, waiting for a roadmap, waiting for the ground rules. In fact, many people who invest in telecommunications are investing in Europe because they cannot get approval, because we have economic apartheid of the regional Bells, economic apartheid of the long-distance companies, and so forth.

So I call upon this administration to listen to the Democrats in this body and to the Republicans, and not to obstruct this bill. Indeed, we will bring it up for a vote. We will get 85 votes on final passage on this bill, or more.

It is very strange. In my time in Congress, in my 21 years, I have never seen a situation where a committee votes out a bill with all the members of the President's party voting for it, and then the administration, which has been absent, announces it is opposed to it and will veto it—without, apparently, consulting with any of the members of that committee. That is very, very strange.

Maybe I am misunderstanding something here. But I do not think I have ever seen anything like that happen before. I think that there is something going on in Presidential politics or something that I am not quite a party to. I find it very disappointing and very strange.

But let me say to all the supporters of the bill not to lose faith. We will carry on. We will pass it. It is going to be tough.

I do not think, in the end, the President will veto it if it is in the light of day and when the country understands what is in it. But if he does, we will override the veto in both Houses, because the votes are there.

Madam President, I thank you very much for the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

Mr. KENNEDY. Mr. President, I strongly support the Daschle amendment to the disaster supplemental appropriations bill.

The amendment makes needed improvements to the bill before us. It restores funding for education, job training, and children's programs, and it renews the commitment we made in the last Congress to community service.

It would be a grave error is the Senate defeats this amendment and decides instead to revoke investments we have already made in improving the lives of working families and children to pay for the Republican contract's tax cuts for the rich and for tax provisions such as the billionaire's loophole that we debated on the Senate floor yesterday.

Majority Leader DOLE said recently that "the American people want a better use of their tax dollars—starting now." But only half of the cuts in the rescission package are needed to pay for the ongoing recovery costs from the 1994 California earthquake. The other half of the cuts are being extracted from hard-working families to pay for tax breaks for the wealthy, and that isn't fair.

Americans are beginning to look behind the rhetoric at the heart of the Republican revolution. The fog of rhetoric is lifting, and the reality is emerging—an attack on children and families to pay for tax cuts for the wealthiest individuals and corporations in our society.

Congress should not be taking from the most vulnerable and defenseless in order to raise even higher the standard of living for those who are already well off.

The new Republican majority is arbitrarily cutting and trimming education programs even before our support for schools has had time to get to the classroom.

For what reason? To provide a tax cut for rich Americans? That makes no sense. Democrats do not believe in depriving young children of the good start they need that is provided in Head Start. Democrats do not believe in depriving public schools the help

they need to achieve reform. Democrats do not believe in depriving college students of an affordable education. Democrats do not believe in depriving young Americans of opportunities to contribute to their community through national service and simultaneously earn money to pay for college.

The numbers themselves demonstrate the shortsightedness of the Republican proposals. Who will contribute more to our county's treasury? A college graduate who earns an average of $32,000, or a high school dropout who earns $13,000?

It is poor government policy and poor business sense to adopt short-term budget savings that will inevitably result in much smaller future tax revenues and much more serious long-term social problems. How do you support a family on $13,000 a year?

The Daschle amendment will restore $700 million for education, children, and training. It restores these shortsighted cuts and preserves the sensible education investment strategy proposed by President Clinton and Democrats.

We have heard a lot of rhetoric in the last 100 days about the "American people." One thing is unmistakably clear about the American people—they solidly back the Democratic priority on investing in education.

Two out of three Americans favor increased spending for education, according to a recent NBC/Wall Street Journal poll. That confirms a finding in a poll by the Washington Post/ABC News. Eight out of 10 people favor a balanced budget amendment, but 2 out of 3 say they would not support such an amendment if it means that education or Social Security would be cut.

Finally, a poll by the Times Mirror Center for the People and the Press found that 64 percent would increase spending on public schools if given the opportunity to set Federal budget priorities, while only 6 percent would decrease spending.

Among 14 Government programs cited, support for public schools was second only to anticrime programs. The position of the American people on support for education is unmistakably clear. They want to cut the waste and fat in Government, not the muscle of education.

Democrats understand why there is such strong support for education. We are proud to be the defenders of increased investments in students. We are proud to be on the side of all those who understand that a commitment to excellence in education is the basic underpinning of our society and our democracy. Education has made our country great, and it will be the key to our future strength.

A fresh example of the shortsighted thinking is the recommendation to cut investments in technology for education. Yesterday, the Office of Technology Assessment released an impressive report on teachers' use of technology in the classroom. As the introduction to the report states:

> OTA finds the lack of attention to teachers and technologies ironic, for at the center of effective use of instructional technologies are those who oversee the daily activities of the classroom—the teachers.

Previous reports by OTA and others on computers in schools have sounded the alarm about the dangers of technological illiteracy in our society. As widely used technologies have become more sophisticated, teachers' roles become even more critical. The rescission packages, however, also cuts teacher training by 31 percent in the House and the Senate by 22 percent.

In an address to the National School Boards Association on February 21, Speaker of the House GINGRICH called upon school boards to vastly increase the amount of money they spend on technology. Currently, districts spend three-tenths of 1 percent. "We are two generations behind in introducing technology," he said.

Our Republican colleagues respond to the obvious need for technology by cutting an already small Federal technology budget. Star Schools, one of the most successful and popular Federal education investments, was cut 30 percent by the House, and 15 percent by the Senate. The new technology program in title III of ESEA, just authorized last October, was cut by 75 percent in the House and 12 percent in the Senate bill.

Families throughout the country understand that computers, CD Roms, interactive video, and other technological advances have opened the door to vast amounts of scientific and academic information for students. Through these miracles of technology, pupils in classrooms in remote communities can meet students from many other lands, participate in fascinating scientific projects such as the Maya Cycling Expedition, and talk to experts around the world.

The simple fact, however, as the OTA report makes clear, and as a GAO report that Senator MOSELEY-BRAUN will release this afternoon underscores, is that public schools in this country are years behind every other institution in providing students with these opportunities.

It is important to balance the budget. But it will be an impossible task unless students are well-prepared and well-trained to be productive workers who earn good wages and salaries, who can support their families and pay their taxes.

Other education investments restored by the Daschle amendment are equally important.

In the last Congress, in bipartisan action—the vote to pass the Elementary and Secondary Education Act was 77 for and 20 against. That bill reshaped the way the Federal Government supports education.

In ESEA, in Goals 2000, in the Improving America's Schools Act, and in the School to Work Opportunity Act, we said to the States: "If we are going to reach the National Education Goals, all students should be held to the same high standards, and the States should develop these standards."

We said "It's time to cut the redtape. Local schools should be given more flexibility to consolidate small Federal programs to that they can design comprehensive, coherent reform plans."

And finally we said "Accountability should rest on results." Instead of telling schools exactly what to do with Federal dollars, we said "You decide what works best and we won't monitor what you do. But we will hold you accountable for how much students learn."

We backed up our commitment with Federal dollars. States responded. Over 40 States have developed plans to use Goals 2000 dollars. Hundreds of schools have already planned to use their increase title I dollars and their new flexibility to see that students learn more. At the very moment when schools and States and students are responding as we hoped they would, we should not be reducing our investment.

Unless we restore these funds, many of those schools will believe we didn't mean what we said. Seventy thousand school children will be denied extra help in reading and math. Thirteen hundred schools will not be able to implement their plans for school reform.

Consider what States have already been doing with these funds. To pick one district at random, the Lawrence School District in Kansas is using Goals 2000 funds to develop new assessments to more accurately analyze whether students are meeting high standards.

Pennsylvania has given Philadelphia $250,000 of its Goals 2000 funds to develop clusters, and provide schools and their communities with more freedom from local rules in designing their curricula. Some schools are lengthening their schoolday and extending education services to parents in order to promote literacy.

Massachusetts is using Goals 2000 funds to support the startup costs of 15 charter schools.

My question to my colleagues on the other side of the aisle is very straightforward—are these the kinds of activities you want to scale back, just as they begin? Are our promises of support false?

In title I of ESEA, the rescissions are equally irresponsible. Title I is the Federal Government's major commitment to the country's disadvantaged children. For 30 years, the Federal Government has accepted a responsibility to help States educate schoolchildren who need help the most. But that commitment has never been well enough

funded to serve the large number of children who need help.

Title I has had successes. It has improved basic reading and mathematics skills of the lowest-achieving children. It has helped close the learning gap between those children and their peers. With the help of title I, the achievement gap between black and white 9-year-olds has narrowed over the past two decades by 18 percent in math and 25 percent in reading.

I hear frequently from people in Massachusetts about how their children have been helped by this program. One parent wrote: "Chapter I is a blessing! For 4 years we tried to coach our son after his regular homework. We created more stress and there was no progress in math. Our son is now proud of himself and his work. Thank you is not enough."

One high school senior wrote: "Chapter I has helped me to grow. Through Chapter I, I am working in groups. I get along better with others than I used to. Chapter I has shown me how to work hard, and when confronted with a challenge, I am patient but determined to get the job done. The Chapter I math program has helped me gain confidence. Now I can do math with others and I sometimes offer my help to other students * * * Chapter I has shown me that no matter how stupid you think you are there's always someone there to help you reach your goals."

One parent wrote about the Reading Recovery Program funded by title I. "It has greatly affected my son. He has been able to keep up with his class. [It] has lessened his anxiety and helped to make school a pleasant experience. Had he not had the benefit of this program I feel the experience could have been traumatic. I was most apprehensive about sending him to the first grade because I felt he was not capable of doing the work. Our son has blossomed because of the attention, the one-on-one investment his teacher has made. He now comes home and reads us his library books. We never thought our son capable of making the strides he has this year and it's only April. It has been an answer to our prayers."

A teacher in Haverhill writes: "I * * * had a senior citizen from a local nursing home come to my classroom weekly. She spoke French and worked with a child in my class who was nonverbal because his family's primary language is French. A true friendship developed between her and the children in my class. Everyone enjoyed her visits and she looked forward to coming every week. She was in a wheelchair and the children learned about people with handicaps. It was one of many rewarding experiences."

Finally, I heard from a student in Plymouth, MA named Steven. Steven was an angry young man, aggressive toward any authority figure and failing every class. Chapter I was seen as a last resort for him. Now he is a corrections officer who is up for a promotion. He recently said to his former Chapter I teacher, "It could have gone either way. I could have been locked in these cells as an inmate if it hadn't been for your helping me get through the schoolwork and giving me a chance to vent my anger. Thank you."

Even though we know this program helps students, schools are not able to keep up with their needs. The education needs of disadvantaged children are growing, especially in high poverty areas. Evaluations show that children in such schools are held to lower expectations than children in other schools. They are more likely to fall behind in the early grades, and never catch up. First graders in poor schools start school scoring 27 points lower in reading and 32 points lower in math than other schoolchildren. The initial gap widens in later grades. Eighth graders in poor schools are 57 percent more likely to leave school by tenth grade than students in other schools.

Last year, Congress extensively examined this valuable program. We authorized major new reforms, and we increased the funds by $300 million. For 6 months, teachers across the country have been working and planning on how to use these funds.

That may be then and this may be now. But that is no excuse for the new Republican majority in Congress to pull the rug out from under schools across the country. Unless we support this amendment, 70,000 fewer children will benefit from title I. And schools throughout America will be hurt because Congress is breaking its promise on education.

Another important restoration in the Daschle amendment is $100 million for the Safe and Drug Free Schools. Among all the Republican cuts, this one is perhaps most bewildering of all. There is hardly a community in America—urban, suburban, or rural—that is not struggling with the tragic effects of violence and the alarming increase of drug use among students.

Students cannot learn when their schools aren't safe. We need to do all we can to keep guns, drugs, and violence out of the schools. The Safe and Drug Free Schools Program is our primary means to give students and schools the help they need in avoiding drug abuse and violence. It provides Governors and local school officials with wide discretion to assess their own problems and to solve them. It is preposterous that Republicans should be proposing to cut back these needed funds.

For example, the Dade County, Florida public school system is using the majority of its funds to support a program called "TRUST"—a comprehensive assistance program to help students and their families overcome substance abuse problems. The program combines established approaches with curricula development, so that awareness of the dangers of drugs is woven into students' classes. It uses innovative approaches such as alternative intervention that offer students and their families a chance to examine their behavior and improve their skills while continuing to attend regular classes.

It is fine to talk about family values and strengthening families. But this bill simultaneously wipes out the kinds of help that struggling families need. Hypocrisy is the word for such action.

For all of these reasons, Mr. President, I urge my colleagues to support the Daschle amendment.

Mr. President, I see the chairman of the Foreign Relations Committee with a very distinguished guest, a man I have great admiration and respect for. His presence makes me speechless here on the floor of the U.S. Senate at this time.

I withhold the remainder of my remarks and ask for recognition after we have a recess.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Massachusetts will be recognized after we hear from the chairman of the Foreign Relations Committee.

VISIT TO THE SENATE BY THE PRESIDENT OF EGYPT, PRESIDENT HOSNI MOHAMMED MUBARAK

Mr. HELMS. Mr. President, I thank the Senator from Massachusetts. I have the honor of presenting to the Senate, after I ask unanimous consent that we stand in recess for 5 minutes so the Senators may greet him, the distinguished President of Egypt, President Mubarak.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess for 5 minutes.

Mr. HELMS. I thank the Chair.

RECESS

Thereupon, at 5:13 p.m., the Senate recessed until 5:19 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. BENNETT).

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I see other Members here who wanted to speak.

I just finish with this thought about the Star Schools Program. In many different parts of the country, we do not

have the highly qualified, highly skilled teachers, high school teachers, for example, in physics, in mathematics, in a number of the languages, with the change of demography and the cutting back pressures on local schools.

What we have seen, I know in my own State and generally throughout New England, is when there are pressures on the school districts there may be a handful of very talented students in a particular class who want to take the advanced math but there is so much difficulty in getting that teacher, and so few students—in many instances brilliant students who want to take it—that the school does not provide that kind of education opportunity. And that is true in pocket after pocket, particularly in many of the rural areas of Massachusetts, and throughout New England.

This program provides the best math, science, physics, chemistry, biology teachers, who instruct those few students that go to these learning centers so those individuals will be able to take their courses at the appropriate level. So they will continue their interest in these areas, which are enormously important in terms of our national interests, for our scientific base and for our research and development.

It has been an enormously successful program. It has had the very strong support of Senator COCHRAN, and others have spoken very eloquently about it. I have had the chance to visit centers in his State of Mississippi to see what it has done in terms of a number of the rural communities in the South.

It is something that is enormously valuable. We are talking here of several millions of dollars. But those several millions of dollars have enormous importance and consequence in one of the aspects of education, and that is technology and technology training. One of the important parts of the Daschle amendment restores that funding. That is the part of that Daschle amendment which I think is enormously important. We will have an opportunity, when we reach the Daschle amendment, regardless of that outcome—I am hopeful it will be accepted, but if not—to come back and revisit that at another time.

I will come back to this when some of my colleagues have finished their remarks.

I yield the floor.

LITTLE DELL LAKE, UT

Mr. BENNETT. I wish to bring to the attention of the chairman a small matter that is of importance to me and the people of my State. It involves a correction in cost allocation of the recently completed Little Dell Lake project in Utah. The Army Corps of Engineers acknowledged that an adjustment in cost allocation is warranted and is in the process of designing recreation facilities and redoing the cost allocation between the Federal and local participants of this project.

We expect the correction to be finalized in a revised agreement between the Department of the Army and the non-Federal sponsors toward the end of fiscal year 1995. This is a matter of equity. The non-Federal sponsors of the project paid for 100 percent of the costs allocated to water supply and 25 percent of the costs allocated to flood control. However, because the local sponsors were inappropriately asked to cost share the joint costs of recreation, the costs for recreation quadrupled and were unaffordable. This raised the costs for water supply and flood control by several million dollars. This error was only recently discovered and the Assistant Secretary of the Army has expressed a willingness to correct the matter.

Is it the understanding of the chairman that the inclusion of recreation facilities, the reallocation of costs, and the adjustment in the Federal and non-Federal cost sharing can be accomplished with funds heretofore appropriated?

Mr. DOMENICI. Given the facts in this matter, it would be appropriate to include recreation and adjust the Federal and non-Federal shares of the total project cost. The project is essentially complete and, as I understand it, has already provided significant flood control and water supply benefits since the dam was constructed.

Mr. BENNETT. I thank the chairman and would urge that the revised local cooperation agreement be consummated in fiscal year 1995 and that the funds be reprogrammed in the current fiscal year as well.

Mr. DOMENICI. I agree with the Senator from Utah that the revised local cooperation agreement and reprogramming should be accomplished this year with funds currently available to the corps.

Mr. BENNETT. I thank the chairman.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Chair. I will be very brief.

I would like to respond to some comments made by the distinguished Senator from South Dakota, Senator PRESSLER, a few minutes ago on his conversation with the Vice President of the United States earlier today. I checked with Vice President GORE, and I am told that he did not tell Senator PRESSLER that the President would veto the telecommunications bill.

The Vice President told the distinguished Senator from South Dakota that he would like to see changes in certain provisions of the bill before he could recommend it to the President for his signature. I mention this because only the President issues veto threats, as the Vice President pointed out.

But the Vice President is not the only person who is concerned about certain provisions of this telecommunications bill.

The telecommunications bill that the Commerce Committee has reported will have an enormous impact on multi-billion-dollar cable, phone, and broadcast industries, and the economy of this Nation.

It was introduced just 3 days ago, and the report explaining what the Commerce Committee had in mind with this complex bill was filed late Thursday night.

This bill is a far different bill from S. 1822, which was reported last year.

First, this bill allows RBOC entry into long-distance phone service without a formal Department of Justice role in analyzing the competitive impact.

Second, I have questions about taking the lid off cable rates, and whether sufficient attention has been paid to the special problems of small, rural cable companies.

In fact, I suspect virtually every person that is on cable in this country would have some concern about just taking the lid off the cable rate, because I have not met many cable users who feel they are not paying too much.

Further, I have questions about some provisions in the bill that preempt State laws on judicial review of State regulatory commission decisions, and on dialing parity for intra-LATA calls.

Finally, I am concerned that some provisions in this bill undercut privacy protections for online communications and law enforcement's ability to conduct necessary court-authorized wiretapping to fight crime.

As ranking member on the Antitrust Subcommittee of the Judiciary Committee, these are questions on which we should have a hearing. There has been no hearings on the final version of S. 652 that was just introduced. These are issues that the people of Vermont deserve time to look at and consider, before the Senate rushes into consideration.

I have no interest in delaying telecommunications reform, and hope that we pass much-needed legislation in this session of Congress. But I do want time to make sure that any legislation we pass is the best we can make it. We owe this to the American people and the industries involved.

I think there are issues that should be answered.

THE DASCHLE AMENDMENT

Mr. LEAHY. Madam President, the bill we are debating today is not about future cuts in programs to reduce our deficit.

What this bill does is cut funding that States, schools, parents, youth and children were assured of last September.

And these cuts are not going to reduce the deficit, but will go to pay for tax cuts for the wealthy.

In the middle of the year, Congress is taking away funds that States are using to implement major reforms to improve our children's education.

Taking away funds from towns that have already set their school budgets for the year.

Taking away funds from programs that bring local police to work in schools to prevent drug use.

Taking away from parents that are counting on child care so that they can go to work.

Taking away from AmeriCorps participants and the communities that they work in around the country.

This bill has brought our communities to a screeching halt. I question the logic of cutting these programs now; 6 months after the fact.

I support efforts to restore funding to important education programs for disadvantaged children, programs which are designed to prevent drug use and create a safe school environment, education reform, Head Start, child care, AmeriCorps, and other programs that educate and invest in America's children and families.

Decisions to cut these programs are based solely on shortsighted politics.

The sad thing is that the House has made it clear that cuts in these programs are not going to deficit reduction.

Instead, the cuts we are making today in programs that give children the skills to compete in the next century are going to pay for tax cuts for the wealthy. In fact, the wealthiest 12 percent of Americans would receive over half of the benefits under the House proposed tax cuts.

I hope that we will be able to restore logic and common sense to the cuts we are making in this bill.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, on the same subject which the Senator from Vermont discussed, the Senator from South Dakota, the chairman of the Commerce Committee, earlier came to the floor and indicated that S. 652, the Telecommunications Act of 1995, would not be able to be considered on the floor before the Easter recess as a consequence of the administration, namely the Vice President, as someone who had indicated that the bill was going to be vetoed.

Mr. President, to be clear, while I did not put a hold on this bill, I agreed to allow the debate to proceed. I was tempted to put a hold on the bill and not allow it to proceed. I will not, and would not allow the debate to proceed and at the same time give unanimous consent to limit the debate. That made it difficult to consider this piece of legislation and enact it, pass it by the Senate, before the Easter recess.

So if the chairman of the Commerce Committee is looking for the person to identify as the individual who made it impossible to move this before Easter, he has no further to look than the junior Senator from the State just to his south.

This is a very important piece of legislation. I am by no means hostile to the idea that we should reform the 1934 Communications Act. I am not hostile to that idea. I believe that reform can be of enormous benefit to our people. It can create new jobs. It can improve the quality of our education and make it more likely that our citizens can become informed.

But, Mr. President, this is a piece of legislation that is unique in many ways. Indeed, the distinguished Senator from South Dakota, the chairman of the committee, said on this floor earlier that it has broad national support, or something to that effect. Yesterday, he said much more accurately that this is not really on the people's minds at the moment.

That is a more accurate statement, Mr. President. I have maybe 2 million household lines in the State, a million households total, so there is probably a million times two residential lines in the State.

I just finished a campaign for reelection where very few people came to me and said: Gee, I am going to vote for you, but I need to know your position on the deregulation of telecommunications. I need to know where you stand on this, Senator, because I am unhappy with my service. I do not like my long distance service or I do not like my local telephone service or I do not like my cable service or I do not like what is going on.

They may have some concern at the margin, but no call for a radical restructuring of the regulatory environment which this piece of legislation represents.

Again to be clear, I think it is appropriate for us to consider some rather dramatic changes in the law to permit in particular much more competition at the local level. I would love to see an environment where the entrepreneur, that small business person that starts off in business, can come knocking on my door or call me up or write and say I want to sell you information services; I want to sell you voice; I wish to sell you video; I am going to sell you text. I would love for them to be able to sell them in an unrestricted environment.

This legislation, in my opinion, does not permit that. It pretends to but in my judgment it does not permit it. In many ways, it combines the worst of both worlds, a regulatory environment without the kind of competition that I think is needed.

So I thank the chairman of the committee, who has been very generous in allowing one of my staff people, though I am not on the the Commerce Committee, to participate in the deliberation of the determination of what this bill is going to look like along with the ranking member, Senator HOLLINGS of South Carolina.

I hope they do not view me as being hostile to this piece of legislation, but I object to the identification of the administration being the problem. As far as this piece of legislation not moving prior to recess, I am, I suspect, as responsible as anybody around here because I want this to have a full and open debate. I want us to evaluate title I, title II, title III, title IV. I want us to think about what we are doing and make sure the public is informed. We are about to give them, I think, substantial change. I think they can, if it is done right, be pleased with the results. But just as great a risk, Mr. President, is that we could get in a hurry around here and pass something, think that we are deregulating, think that we are creating competition but, in fact, we accomplish neither of those two rather worthy objectives.

So I look forward to the debate. I hope that when we come back after the recess there is an opportunity for S. 652 to be brought to the floor, and I look forward to the opportunity of bringing up amendments and getting a full and open debate on this very important piece of legislation.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to have this bus sensor on the floor with me during my speech.

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

SCHOOL BUS SAFETY

Mr. DEWINE. Mr. President, I rise today to discuss the safety of America's school children.

On February 27, Brandie Browder, an eighth grader at Ferguson Jr. High School in Beaver Creek, OH, was coming home from school. As she was getting off her schoolbus that afternoon, the drawstring around the waist of her coat got caught in the handrail of the schoolbus. The schoolbus started to move away. Brandie tried to free the coat, wrenched the coat free of the schoolbus and ran alongside the bus for approximately 50 feet. She lost her footing and fell and the bus ran over her and killed her.

Mr. President, just 4 days later in Cincinnati, a seventh grader from Roberts Paideia School was getting off her schoolbus when a similar event occurred. The bus dragged her for about 3 or 4 feet, ran over her as she tried to free herself. Fortunately, she only suffered a broken foot. She did survive. Mr. President, in both cases the bus driver was apparently totally unaware of the accident as it was happening.

I think we should point out at this point, before I go any further in what I am saying today, that schoolbuses are among the safest modes of transportation. According to the National Safety Council, there are about 400,000 schoolbuses in the United States, and they transport approximately 22 million students every single day. I think we all know and I think most experts would agree if the choices are between putting a child on a schoolbus or letting a teenager drive himself or herself, or ride with someone else, or even having the parents drive to school, most of us, most experts would say statistically the children are better off on the bus. I do not think there is any doubt about that.

Having said that, Mr. President, the sad fact remains that in the 1992–93 school year, 30 schoolchildren were killed in schoolbus accidents. Of these children, 5 were killed while riding on their bus. The other 25 were killed while in the process of getting on or off of their own bus. The year before that, the 1991–92 school year, 35 children were killed nationwide; 10 were riding on their own schoolbuses and 25 were killed while getting on or off the bus.

An average of 30 school children are killed while getting on or off their buses every single year. This is not a new problem. According to the National Safety Council, over the 10 years since 1983 a total of 445 children were killed in schoolbus accidents; 100 of these were passengers and 345 were killed while getting on or off their own bus.

Mr. President, there are many factors contributing to these accidents—many. Today I should like to discuss just three of them.

First, an investigation of these accidents reveals that an alarming number of them involve handrails on the schoolbus. When children are getting off a schoolbus, they walk down past a handrail. We have all seen them. We have all had that experience. Some of them hold on to it, others do not. But I understand that there is a small space in most schoolbuses, about an inch, between the handrail and the wall of the bus.

Picture a child coming down the steps. He or she may have a backpack, strings or straps trailing off of it. Maybe he or she is wearing a coat with drawstrings that they can use to tighten around the waste—anything, Mr. President, that is trailing off of that child, like these strings and straps, is liable to catch in that small space between the handrail and the wall of the bus.

It is easy to imagine what happens next. The child is off the bus. But part of the child's clothing is stuck in that small gap and the door closes. The bus starts moving. The child gets jerked with it and tries to pry free. We have a moving vehicle and a child swinging off of that vehicle.

That is how Brandie was killed. And since 1991, at least four other children have been killed that way.

In conclusion, Mr. President, we as parents, as members of school boards, as concerned citizens, I believe, need to make sure that these handrails are as safe as possible, that all precautions are being taken to avoid these tragedies.

A second problem, Mr. President, is the danger area around the bus. The schoolbus, of course, is a very large object. It is very difficult for other motorists to see around it. It is even difficult for the bus driver to see around it. Because of this, far too many children are killed by their very own buses. We need to explore ways to make those children visible to the schoolbus driver. There are at least two companies, maybe more in the United States, that produce sensors that can be attached to school buses to prevent accidents.

I have one, Mr. President, right here.

This works on the same basic principle as a home security system. It sends out a radio signal. If the signal detects reflected energy from a child in what is called a danger zone area, a frequency shift occurs which triggers an alarm and illuminates a red light in the cab of the bus.

This particular system covers the 10-foot by 10-foot area in front of and behind the bus, as well as the 6 by 8 areas on either side of the bus. There are other technologies that are involved.

We know though, Mr. President, no matter what technology we are talking about, that ultimately it is up to the schoolbus driver. I think what we should try to do is to assist those drivers, most of whom are great people, who do a great job every day protecting our children.

Maybe additional training is needed in some cases; maybe additional equipment on the bus. Maybe other things.

I intend, Mr. President, in the weeks ahead, to return to this issue, because I think it is an issue that we can have an impact on by publicity, by talking about it, by making people aware of the opportunities they have and all of us have to save lives.

Each one of us has a responsibility—whether we put our own child on that schoolbus every day and tell that child what to be careful about, whether we are on school boards, or parents—to make sure that school system has the latest equipment, to make sure that our good bus drivers do in fact have the training that they need.

Before coming to the floor, Mr. President, I spoke to the father of the little girl who was killed. I wanted to know whether it was all right if I came and talked about his daughter's accident. His reaction was what I expected it to be—that if we could save a life by talking about this issue, that if we could make other parents aware of it, other school boards or school systems, that we should be doing that. That is why I am on the floor today.

I will return to this issue in the future, Mr. President.

At this point, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I say to my colleague from Arkansas, I believe we are about to get an agreement. The distinguished Democrat leader is still on the telephone to one of our colleagues.

The Senator may proceed if he wishes to be recognized.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Dole amendment No. 541.

Mr. BUMPERS. Mr. President, I ask unanimous consent that I be allowed to proceed for 2 minutes as if in morning business.

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

NCAA BASKETBALL CHAMPIONSHIP GAME

Mr. BUMPERS. Mr. President, last night the citizens of my State were deeply saddened by the loss of the University of Arkansas Razorbacks to a magnificent UCLA team in the NCAA finals. But No. 2 is not all bad. We finished ahead of several hundred other NCAA mens basketball teams.

Sometimes, none of us performs to perfection or even to our maximum abilities. Last night was not a particularly good night for the Razorbacks, but that is not to diminish the magnificent game that UCLA played.

The 1995 NCAA tournament was filled with hard-fought, competitive games with exciting finishes. Just 2 weeks ago UCLA barely squeezed by Missouri. We all remember watching Tyus Edney go the length of the court and lay one up just at the buzzer to win the game. And, of course, we remember that timeout call by a youngster from Syracuse that allowed Arkansas to win in overtime. Such is the very nature of the game.

But I can tell you that all Arkansans glory in the spunk of this great, magnificent Razorback team for coming back again and again. While they will lose several players who are seniors, I have confidence that the Razorbacks will be back playing for the championship once again next year.

The University's coach, Nolan Richardson, is a very talented man. He was very gracious last night. He took full responsibility for the loss, as great men do. That resonated well with the American people, as it always does. Generosity will never lose anybody a vote. It is a mark of greatness. And

Nolan Richardson was great in his comments last evening. Youngsters all over America want to play for him. So I fully expect that he and the Razorbacks will be back again next year.

I rise just simply to say that this team, as did last year's championship team, has filled all Arkansans' hearts with pride and exhilaration. We are immensely grateful for the glory they bestowed on themselves and our beloved Arkansas.

I yield the floor.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I, too, would like to join my senior colleague, Senator BUMPERS, in praising the great University of Arkansas team and also in congratulating the UCLA team for a magnificent job in winning the national championship.

Mr. President, it has not been too long ago since basketball really came to the forefront in the Arkansas Razorbacks' territory. In fact, when I was a student in Fayetteville at the University of Arkansas, they almost had to force us to go over to the field house to watch the Razorbacks play basketball. Usually, those basketball games were on a Friday or a Saturday afternoon.

But then along came some great coaches and ultimately some great teams, and finally the great support of the people of our State, equaling the support now, I think, of the Razorback football team; in fact, in some cases, even surpassing it.

Last year, the Razorbacks, of course, Mr. President, were the national champions. This year, we were almost the national champions. We lost to a great team.

Last night, throughout that game, I sat and watched as the momentum shifted back and forth between UCLA and Arkansas, and between UCLA and Arkansas again. I thought of the many thousands of hours of practice, commitment, that each of those players had committed to the splendid sport in this wonderful country of ours.

Finally, Mr. President, I was taken not only by the fine comments of the coaches of both of those basketball teams—those glorious teams, I might add—I was also taken by the sportsmanship exemplified by all of the members of those basketball teams as they faced each other in a moment of true contest, in a moment of true testing of who was going to become the championship team of the United States of America.

UCLA prevailed. We congratulate them.

We say to the Razorbacks, thank you for a splendid season and thank you for making us a proud people.

I yield the floor, Mr. President.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I be permitted to proceed for 2 minutes as if in morning business.

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

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I congratulate our two friends and colleagues.

I join in congratulating UCLA for winning the championship, but also in paying tribute to a valiant team that had enormous success during the course of the season.

The University of Massachusetts got to the quarter finals in that particular basketball tournament. I can remember when the University of Massachusetts played Arkansas on Thanksgiving of last year. It was a very good evening at that time when Coach Calipari's team was successful. That team went along and had a superb year, and lost in a hard-fought contest.

I was inspired by the skill and the demeanor and the competitiveness of those young men, and women, as we heard yesterday, from the University of Connecticut.

BOSTON UNIVERSITY WINS NATIONAL HOCKEY CHAMPIONSHIP

Mr. KENNEDY. I will just take this moment, Mr. President, to mention that in my State last Saturday, Boston University won the national championship in hockey. It was an all-New England contest. They played against the University of Maine in a very outstanding, competitive game. Boston University represents one of our great universities and one of the great centers for hockey. New England takes hockey seriously. Other parts of the country do as well.

But I think it is important to take a moment of time, when we have been wondering about the young people of this Nation in the period of these last several days, to focus on the quality of the competitiveness, of the character, of the discipline, of the sportsmanship of real champions.

Whether it was with the UCLA and Arkansas championship last night, or whether it was the superb performance of the University of Connecticut's women's team, or whether it was Boston University and the University of Maine finals in hockey, I think all Americans ought to take some degree of satisfaction about this next generation. I think all of us who are fortunate to have those teams in our State certainly do.

Mr. President, it is a privilege to take this opportunity to congratulate Boston University's hockey team on winning the 48th annual NCAA Division I hockey championship this past Saturday in Providence, RI. With their brilliant and convincing 6–2 victory over the University of Maine Black Bears, the Terriers completed what the Boston Globe called "college hockey's sweetest triple crown"—winning the annual Beanpot Tournament in Boston, the Hockey East championship and the NCAA championship all in 1 year. The only other team in school history to win this triple crown was the Boston University team of 1972.

The Terriers completed the season with a record of 31–6–3 overall, the second most wins by a BU hockey team. The team was anchored by the presence of 14 natives of Massachusetts, including Mike Grier of Holliston, an African American and First Team All-American who is a role model for hockey fans in Massachusetts and throughout the United States.

For BU, this victory marked their 4th NCAA Division I championship, having won previously in 1971, 1972, and 1978. They have appeared in the Final Four a total of eight times. In their 74 years of competition, they have an overall record of 1046–607–68, for an extraordinary.628 percentage. Under the inspired leadership of Coach Jack Parker, who graduated from the university in 1968, the Terriers have amassed a 491–241–37 record in his 22 years as coach, along with two national championships.

It is a great tribute to Coach Parker and the rest of the Terriers that they were able to come back from a difficult loss in last year's tournament to win this year's championship in such a convincing fashion. I commend them for their impressive victory, and I ask unanimous consent that the team roster and articles from the Boston Globe on Sunday may be printed in the RECORD.

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

1994–95 BOSTON UNIVERSITY HOCKEY ROSTER

No. and name	Cl	Pos	Hgt	Wgt	Hometown
1. Shawn Ferullo*	So	G	5–8	158	Lynnfield, MA.
2. Kaj Linna ***	Sr	D	6–2	210	Helsinki, FIN.
3. Chris O'Sullivan*	So	D	6–3	199	Dorchester, MA.
4. Chris Kelleher	Fr	D	6–1	214	Belmont, MA.
5. Doug Wood**	Jr	D	6–1	200	Sudbury, MA.
7. Rich Brennan***	Sr	D	6–2	200	Guilderland, NY.
8. Bill Pierce*	So	W	6–1	195	Burlington, MA.
9. Shawn Bates	So	C	6–0	183	Medford, MA.
11. Bob Lachance**	Jr	W	5–11	183	Bristol, CT.
12. Mike Grier*	So	W	6–0	242	Holliston, MA.
14. John Hynes	Fr	W	5–9	168	Warwick, RI.
15. Mike Sylvia	Fr	W	5–10	170	Newton, MA.
16. Ken Rausch***	Sr	W	6–0	189	Danbury, CT.
17. Jay Pandolfo**	Jr	W	6–0	197	Burlington, MA.
18. Chris Drury	Fr	F	5–10	184	Trumbull, CT.
19. Steve Thornton***	Sr	C	5–11	179	Gloucester, ONT.
20. Jeff Kealty	Fr	D	6–4	190	Framingham, MA.
21. Mike Prendergast***	Sr	W	5–9	182	South Boston, MA.
22. Matt Wright*	So	W	6–1	180	Belmont, MA.
24. Jacques Joubert**	Sr	C	6–2	201	South Bend, IN.
26. Jon Coleman*	So	D	6–0	192	Canton, MA.
27. Shane Johnson*	So	D	5–10	185	Brandon, MAN.
29. J.P. McKersie***	Sr	G	6–1	206	Madison, WI.
30. Tom Noble	Fr	G	5–10	153	Hanover, MA.

1994–95 BOSTON UNIVERSITY HOCKEY ROSTER—Continued

No. and name	Cl	Pos	Hgt	Wgt	Hometown
35. Derek Herlofsky***	Sr	G	5-10	173	Minneapolis, MN.

*Indicates number of letters won.

Note: Head Coach: Jack Parker; Assistants: Blase MacDonald, Mike Enizione, Bill Berglund; Captain: Jacques Joubert; Assistant Captains: Rich Brennan, Derek Heriofsky.

BOSTON UNIVERSITY

No. and name	Pos.	G	A	Pts.
1. Shawn Ferullo	G	0	0	0
2. Kaj Linna	D	7	19	26
3. Chris O'Sullivan	D	21	33	54
4. Chris Kelleher	D	3	17	20
5. Doug Wood	D	6	11	17
7. Rich Brennan	D	5	22	27
8. Bill Pierce	W	5	13	18
9. Shawn Bates	C	18	11	29
11. Bob Lachance	W	11	29	40
12. Mike Grier	W	29	24	53
14. John Hynes	W	0	0	0
15. Mike Sylvia	W	9	9	18
16. Ken Rausch	W	12	12	24
17. Jay Pandolfo	W	7	12	19
18. Chris Drury	F	12	15	27
19. Steve Thornton	C	16	22	38
20. Jeff Kealty	D	0	5	5
21. Mike Prendergast	W	17	21	38
22. Matt Wright	W	7	9	16
24. Jacques Joubert	C	28	23	51
26. Jon Coleman	D	5	23	28
27. Shane Johnson	D	0	6	6
29. J.P. McKersie	G	0	0	0
30. Tom Noble	G	0	2	2
35. Derek Herlofsky	G	0	3	3

[From the Boston Globe, Apr. 2, 1995]

TERRIERS ARE ONCE AGAIN TOP DOGS—BU THUMPS MAINE, WINS HOCKEY CROWN

(By Joe Concannon)

PROVIDENCE.—They'd been to the doorstep twice in this decade and experienced a wide range of hockey emotions. They'd lost a turbulent 8–7 game in triple overtime to Northern Michigan four years ago, then they'd been blown out by Lake Superior State, 9–1, last year, both games in St. Paul. This time the Green Line team out of a rink on a deadend street in Allston took the limo all the way to the top.

Boston University, picked as the nation's No. 1 team in October, blew away Maine, 6–2, in the championship game of the 48th NCAA tournament yesterday at the Civic Center, the same building where the Terriers won their last national crown 17 years ago. They also completed college hockey's sweetest triple crown by winning the Beanpot, Hockey East and the NCAA title in the same season.

The only team to accomplish that was the 1972 BU team led by Ron Anderson, Toot Cahoon, Jake Danby, Steve Dolloff, Ric Jordan, Bob Brown and goaltenders Dan Brady and Tim Regan. The 1995 champions feature goaltenders Derek Herlofsky and yesterday's hero, freshman Tom Noble, and goal scorers Chris O'Sullivan, Jacques Joubert, Steve Thornton, Bob Lachance and Mike Sylvia.

"I found out about 5 past 9 [yesterday morning] I was starting," Noble, who made 21 saves, said. "I've played big games before [at Catholic Memorial] but this is the biggest game I've ever played. It's been a dream of mine to play in a national championship game."

This was the fourth NCAA championship for the Terriers in eight Final Four appearances. The previous three came in 1971, 1972 and 1978. This year's Terriers, who finished 31–6–3, won two Beanpot games by four goals and their three NCAA tournament games by the same margin. Doesn't that say it all?

"When it was 3–1 and 3–2 at the start of the third was when our senior class and our goaltender took over," said BU coach Jack Parker. "We had another big goal by Shawn Bates and the momentum started to swing.

"People asked if the kids were uptight. This group didn't play well uptight. We beat three of the top hockey teams in this tournament when we beat Lake Superior, Minnesota and Maine, and after last year we had the opportunity to get back. The entire season was treading water waiting to get back to this tournament."

The Black Bears (31–6–6), who were picked fourth in the Hockey East preseason poll, held a 2–0–2 edge over BU this season, but the teams last met Dec. 3, in Orono. There was a wide edge in quickness for the Terriers yesterday, in part perhaps because of Maine's draining 4–3 triple-overtime victory over Michigan in Thursday's semifinals.

Even though the Terriers were riddled by penalties, they showed their mettle, even when their 3–0 lead slipped to 3–2. Bates got the third-period explosion going when he slid a pass to Sylvia, who made it 4–2 at 5:23. O'Sullivan jammed the puck in at the 8:30 mark for a 5–2 lead and Lachance's shorthanded goal at 18:47 was the icing on this glorious cake.

The Terriers scored three powerplay goals and drew 10 penalties, four on interference calls in front of the net, so their special teams were a key. "They moved the puck and handled our pressure," said Maine coach Shawn Walsh. "We couldn't get up to the puck. Down low their two defensemen outworked our three forwards. They have a terrific defense and they showed it today. They got the fourth goal and it put a stake through our heart."

The Terriers started tentatively, but part of that was attributable to the Black Bears, who took it to BU on the boards and bumped the Terriers off the puck. BU had just two shots on goal in the first 10 minutes. This was a trifle haunting, since the Terriers didn't get a shot on goal in the first 10 minutes a year ago in the crushing loss to Lake Superior State.

After killing off two power plays, the Terriers got their first chance with the man advantage when Brad Mahoney left for roughing at 13:50. Thornton asserted himself on a faceoff, winning it, following it in and roofing a shot over Maine goalie Blair Allison to stake the Terriers to a 1–0 lead at 14:57 of the opening period.

The game's first big defensive play kept Maine from answering. Wayne Conlan unloaded a shot that trickled away from Noble and wound up casually behind him in the crease. Lachance swept behind his goaltender and fired the puck out of trouble before one of the Black Bears could get to it.

The tables were tipped slightly in the second period when it was the Black Bears who were denied quality scoring opportunities and the Terriers streaked to a 3–0 lead. Maine didn't get a shot off on an early power play and the Terriers seized a 2–0 lead when O'Sullivan swept into the right post and put in Thornton's rebound at 7:27.

Less than two minutes later, Joubert followed up his own rebound to convert on a power play set up by Kaj Linna and Mike Prendergast, making it 3–0 at 9:15. Maine cut it to 3–1 when Tim Lovell flew in to convert Jamie Thompson's pass on a two-on-one break, beating Noble at 14:51.

As time was running out in the second period, the Black Bears had a two-man advantage following penalties to Shane Johnson (interference, 18:20) and Linna (slashing, 19:44), but Thornton won the initial faceoff from Dan Shermerhorn and the Terriers left with a shaky 3–1 lead and 20 seconds of the two-man-down situation still to fend off. The first penalty had expired when Trevor Roenick got Maine within 3–2 31 seconds into the third, but it was all BU after that.

BELIEVE IT OR NOT, BOSTON BACK IN WINNER'S CIRCLE

(By Kevin Paul DuPont)

PROVIDENCE—Not every floor has a trap door. The pie at the buffet table isn't always there to be tossed in your face. That big oak tree that shades your house and keeps it nice and cool in the summer doesn't have to come crashing through the roof in the middle of a winter storm.

Good things can happen to a Boston team. The city that hasn't had much to celebrate since the Celtics won the NBA championship in 1986 now has the Boston University hockey team to cheer all the way down Commonwealth Avenue. (Note: this column will not self-destruct upon your reading the last paragraph.)

Boston is a winner. It's OK. You can close your eyes, click your ruby slippers, and all the good of yesterday won't vanish before your eyes. Boston is a winner.

Perhaps bigger news in the '90s: upon leaving the Civic Center last night, no one had asked a state or federal agency to launch an investigation and no one was looking to tell his/her side of the story to "Hard Copy" for an extra $50. No one asked the official scorer to come to the side bar.

It was like the old days: one team won, one team lost, and no doubt a few kegs got uncorked in dorms from Kenmore Square, right on up to West Campus.

"This is the greatest team because it's happened right now," said BU coach Jack Parker, following his Terrier's 6–2 rubout of the Maine Black Bears in yesterday's NCAA final. But don't tell that to Mike Eruzione or Jack O'Callahan. They played on some pretty good teams, too.

"This team is one in a great line. And it's nice to be on that line."

Parker was one shivering slice of life in the minutes that followed his second national championship (fourth overall for BU). While he stood at center ice and answered all the questions for ESPN, goaltender Derek Herlofsky and partner-in-crime Rich Brennan conspired in giving Parker an icy shower. Over came the orange tub, hoisted high, and Parker was as wet as if he'd been tossed into the Charles.

"I feel old," said the shaking Parker, his shirt and pants clinging to his wiry body. "But I felt old before this started."

Winning the NCAA hockey championship doesn't capture America's heart and soul, or the TV lens, the way an NCAA basketball championship can. The US is built for roundball. President Clinton didn't interrupt his afternoon at Pennsylvania Avenue to call Jack Parker and his good ol' boys from Route 128 to congratulate them.

But no one expects that, especially at BU, a campus of diverse interests with hockey just a small part of a cosmopolitan landscape. When the BU hockey team packed its bags for the trip down here on Wednesday, there was no band playing on Babcock Street, no booster club sending the boys off with a fond fairwell.

"Really, it was very quiet," said the Terriers' longtime sports information director, Ed Carpenter. "Just a bunch of college kids taking care of business."

"Maine actually has a more avid hockey following. Understandable. It's watch hockey or get back to the lumberjack matchups.

Shawn Walsh's team also came here hoping to take care of business. After falling behind, 3–0, the Black Bears closed within a goal on strikes by Tim Lovell and Trevor Roenick.

But Maine showed the fatigue of Thursday's triple-overtime win over Michigan. Forty-eight hours didn't give the Black Bears enough time to recover. Tired legs and shortcomings on defense brought them up short.

"Short shifts," read the message board in the Maine dressing room. "Short passes, Stop and start." In other words, economize, don't get into a pass-and-shoot game with a BU team that had rattled off nine straight wins. Don't trade punches with a club that won the Beanpot and the Hockey East title. In the end, it was a breakdown, a pass picked off, that buried the Bears. Bruins prospect Shawn Bates broke over the line on a two-on-one, dished right to Milk Sylvia, and BU had a 4–2 lead with 5:23 gone in the third.

"A killer," said Walsh. "It was like someone put a stake right through our heart."

The BU dressing room was surprisingly low key. Mike Grier (how come no one calls him Big Country?) packed his red-and-white bag and slung it over his shoulder on his way to catch the bus. One by one, his teammates followed, quietly, smiling on cue when asked how it felt to be the greatest college hockey team in the USA.

"Feels great," said Grier, "I don't think I can describe yet how it feels, but it feels great."

"I'm tired," said Bates, slumping in a chair for a TV interviews. "This is great. This is everything we wanted."

Be careful today if you drive by the BU bridge. Ease off the pedal some if you pass the dorms around 700 Comm. Ave, or the cozy apartments along Bay State Road. The partying promised to be long and hard. Red eyes and slow steps will be the order of the day.

Boston has a champion this morning. We know it often doesn't get better than that.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. I think we are still awaiting one phone call before, hopefully, we can reach an agreement. I do not want to miss this opportunity to talk about the University of Kansas Jayhawks. [Laughter.]

Mr. BUMPERS. The majority leader will be proud in knowing that I actually picked Kansas to be in the final four in the office pool.

Mr. DOLE. So did I. [Laughter.]

But I think it is fair to say I certainly agree with the comments made by both Senators from Arkansas. It is an outstanding team, outstanding coach. Senator PRYOR indicated the momentum did go back and forth. It was tied, two behind, one ahead. It was one exciting game.

I know it is a lot more fun winning. We have all experienced that from time to time. But I do think it says a lot about the coaches, a lot about the fans, primarily a lot about the young men who were involved in not only the Final Four but the Sweet 16, the whole group. They have all done an outstanding job. I know we are all proud of our respective teams.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, the Senator from Ohio wants to make what looks like an address to me. Will the Senator from Ohio have any objection if we reach an agreement we can interrupt to get the agreement?

Mr. GLENN. I just want to submit a bill and give a speech. I can stop in the middle.

Mr. DOLE. Why do you not go ahead.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I ask unanimous consent to proceed as in morning business.

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

Mr. GLENN. I thank the Chair.

(The remarks of Mr. GLENN pertaining to the introduction of S. 669 and S. 670 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PRYOR. Mr. President, speaking of protections that should be given to people—in fact, last Tuesday, 1 week ago, I introduced the Bank Customer Confidentiality and Protection Act of 1995, which became S. 663.

This legislation was crafted to address problems in the area of bank sales of uninsured products, such as mutual funds identified during an investigation conducted by my staff on the U.S. Special Committee on Aging.

After hearing the stories of numerous older Americans specifically, who claim they did not know what they were buying when they purchased an uninsured product through their bank and then lost much of their life savings, I am today convinced that more stringent protections are needed to ensure that financially inexperienced bank customers fully understand what they are buying when they invest in uninsured accounts.

Mr. President, I have a series of stories today. I am trying to put human faces and human concerns together with statistics. This is a letter I received on November 11, 1994. Let us just call our friend who wrote me "Dick." This legislation today is intended to help financially inexperienced bank customers such as this man, a 64-year-old retired priest and a Vietnam veteran.

By last year, Dick had saved $3,000 for a cruise that he wanted to take 2 years in the future when he retired. In fact, I believe in his letter he states that he wants to take this cruise sometime in late 1995. He had always put his money in savings accounts and in CD's at this particular bank. He had never invested before in a mutual fund or in any other uninsured product. After all, he is a former priest and he never had a lot of money laying around.

When he went into his bank he told the worker there that he wanted to put his money in a safe account. They did the opposite. They put this man's money in an uninsured bond fund that lost hundreds of dollars by the end of the year. Dick told our staff that had he known this was an uninsured product, he would never have given the bank this money. Now he may not ever be able to go on that cruise that he had dreamed of.

Now I want to tell you, Mr. President, how this man and other inexperienced older customers ended up buying uninsured products. We say, How could that happen? How could any individual be led to buy a product that was uninsured?

The truth is that some banks have elaborate sales systems set up to sell securities such as mutual funds to any customer who will buy them. They have other types of funds.

Let me show you how these particular uninsured products, and the sales systems, work at some of our banks. Perhaps it is the bank that the Presiding Officer banks with. Perhaps it is the bank that I bank with.

Our customer case is Mrs. Jones. This is a true case of a 77-year-old widow who never put her money in anything but insured products like CD's. Our other cast members include Sally, who is Mrs. Jones' teller of many years in the bank where she banked. The cast of characters also includes David, a broker who was with the bank's brokerage subsidiary.

Teller No. 12 is Sally. She has identified a customer, Mrs. Jones, with a high amount of CD's coming due who, "came in today and wasn't sure what she would do with her money." She tells the broker about Mrs. Jones having these CD's coming due. Sally, the teller, is so excited because she gets a commission on referrals to the bank's brokerage arm. So Sally prints out a copy of Mrs. Jones' account history.

There is Mrs. Jones' account history. She sends it over to David across the hall, one of the brokers working at her branch. If Sally makes more referrals than her coworkers, she could win a prize, even a trip to Las Vegas.

Mrs. Jones is not the only bank customer whose records are shared with brokers without the customer's explicit knowledge and consent. In fact, my staff has seen proof that this practice is very widespread. For example, our staff has seen evidence that brokers have access to the banking records of a very, very high ranking U.S. Government official and those of a famous actor, which have been shared with many other people.

Until we started this investigation I had never heard of blitz night.

Some banks hold contests to see which of their tellers and customer service representatives can get the most bank customers into the bank to talk to a securities salesperson. Depository institution employees, who are winners of the blitz telephone calling contest, can now win unimaginable wealth.

Sally the teller, for example, participates in blitz night. Mrs. Jones, the 77-year-old bank customer, is contacted during one of these contests.

This basically spells it out for the bank employees, advertising: Blitz night, unimaginable wealth, fabulous prizes—for what? For making referrals to the bank's own broker who would then try to lure from CD accounts, Mrs. Jones and her type, to put their funds in uninsured funding properties.

When Sally the teller calls Mrs. Jones, Sally tells Mrs. Jones that she is calling from her branch bank, from Mrs. Jones' bank for many years. They know each other. So, from the start, Mrs. Jones associates the uninsured products that she will hear about later with what she knows about her depository institution. Such is the fact that she feels secure taking the advice from the people who work there, and the fact that she never has lost any money there in this bank in the past. Since it is somebody at her depository institution or her bank calling, Mrs. Jones figured that she would make an appointment as Sally suggests.

Now we are going to demonstrate how some of the brokers who are associated with the banks are trained to operate. In a moment I will show a document related to one bank's training program for brokers. First let me make a few important points about the documents. The following bank uninsured product sales system charts are an enlargement of selected pages from one large bank's training manual, used to train bank-based brokers as recently as last year. This is not something that was going on 10 or 20 or 30 years ago. It went on as recently as last year. And, Mr. President, it is going on this year.

Not all banks that sell securities did or do use this sort of training manual. However, our investigations suggest that more than a few banks use similar sales techniques. These charts that we will see represent just one example of how some banks have sales systems that, while not illegal necessarily, do tend to contribute to customer confusion. These training manuals are for the bank's internal purposes only and they are not ever seen by the public. They are not ever seen by Mrs. Jones, the potential customer. Thus, what the broker actually tells each customer varies from customer to customer.

Some representatives of the banking community have pointed out to me that, despite what a customer is told by a broker, all customers are required to sign a written disclosure form when they purchase an uninsured product. However as I explained in the statement I made on the floor last Tuesday, these written disclosure forms commonly do not help financially inexperienced customers fully understand what they are purchasing.

When Mrs. Jones comes into the bank in a few days and talks to somebody about getting higher rates on her money, there are things that cause Mrs. Jones to not totally understand the distinction between the depository institution and the brokerage business which might be just a few steps away.

These things which confuse Mrs. Jones include:

The bank has an FDIC emblem on the bank's doors.

The location of the broker's desk was near where Mrs. Jones had opened her CD account just last year.

The use of the bank's name and the bank's logo on the uninsured product's marketing material.

And, perhaps most importantly, Mr. President, what the broker tells Mrs. Jones about her investment.

This is a "person commercial" we see here, presented by Mrs. Jones' new broker named David. It makes it sound as if the only difference between the bank's brokerage business and the bank's depository business is some separation on paper for "tax reasons."

Another thing I would like to point out is that the broker tells Mrs. Jones that his "recommendations are on the best approaches available to investors today." However, in this particular case, David, the broker, receives a higher commission—this is very important—if he recommends one of the bank's inhouse mutual funds that are not insured by the Federal Government. This means that David has the incentive to push the bank's product regardless of its suitability for Mrs. Jones.

Let us talk about how the broker and the bank sometimes downplay the fact that the broker's products are not backed by the FDIC. Let us take Mrs. Jones once again. She is in ill health. She is 77. She is a widow. She knows that she is going to need that money eventually. So she asks the securities salesperson whether the investment he is offering—mutual funds, in this case—is insured by the FDIC. To Mrs. Jones, the FDIC seal that she saw in the bank is analogous to a "Good Housekeeping Seal of Approval."

This particular chart shows us what the broker, David, was trained to tell her. David does not tell her that the investment product is not insured by the FDIC, it is not insured by anything else, or that she could lose all of her money.

These are his talking points about which he is talking on the phone or in person with a potential customer like Mrs. Jones.

For example, he says, "With this investment, you can earn $10,000 more in income over the next 5 years. This will go a long way toward providing you with a more comfortable retirement. Don't you agree?"

Then the next thing that he is instructed to ask, from instructions in his private book from the bank: "Ask for the order!" Once the order is given, and it is not FDIC insured, then a commission—a handsome commission, I might say—is paid to the broker and to the teller who made the reference of Mrs. Jones' case or her interest to buy some additional securities to the broker.

How do you change the mind, or how are these brokers and personnel taught to change the mind of a customer who only wants to purchase a CD? Even though she may now think that the uninsured mutual fund is backed by the FDIC, Mrs. Jones becomes wary and she tells the broker, David, "I am not interested in anything but CD's."

Then the broker might say—once again, this is the sales system supplied by the bank and used by the broker to get money from CD's through the bank's own financial product, in this case, uninsured mutual funds—"If we could show you the way to cut your taxes hundreds or thousands of dollars a year, would you have some interest in learning more?" These are the "three dynamite questions" right here below that the broker is instructed to utilize in luring this poor widow woman's funds from CD's into uninsured funds. We see that it sounds pretty good to someone who might be on a fixed income with no other person to advise her.

Now, it is not over. David keeps plugging away. The broker keeps plugging away. What he recommends that this lady buy is not some fund that is insured by the U.S. Government. But now the bank has contrived a new name for a new fund for people just like this. Guess what the name of that fund is, Mr. President? It is called "U.S. Government Fund." And it says, "This is a mutual fund portfolio of securities issued by the United States Government and its agencies. The U.S. Government Fund currently pays a dividend of [blank] percent," and it goes on explaining the U.S. Government Fund, which in no way is tied to, in no way is an entity of, or in no way is insured by the Government of the United States.

Mr. President, it is a fraud, and it is wrong, and we must now do something about it.

Look at the number of times that the "United States" and "U.S." is mentioned on this particular chart. While the customer might not ever see this document, it is clear that the brokers are encouraged with their instruction sheets to frequently mention the "United States" and the "United States Fund."

Now, Mr. President, we come to the point where the broker has to make his sale. The pressure is mounting. The customer is confused. And this chart shows that Mrs. Jones agrees to buy into the bank's proprietary "U.S. Government Bond Fund." Once again, it is not insured, not a Government fund, but only named the "U.S. Government Bond Fund."

Mrs. Jones may have been convinced that the product was right for her, or she may be just deferring to David, who is part of the institution that she trusts so much, her bank, with the FDIC seal in the window. While Mrs. Jones is going to be asked to sign a disclosure form, this may not and probably will not help her realize that this product is probably not the right product for her.

More than a few financially inexperienced bank customers have told our committee staff that when they looked over the disclosure forms, they did not understand what they read. These customers typically would then ask the investment sales people to interpret the forms for them. In these cases, the sales people told their customers that the documents were just a "formality" to open the account, or that the form simply was stating what the sales people had told the customers.

It is not hard to identify the problem because the problem is, in some cases, the brokers have made misleading, false statements about the nature of the uninsured products when they describe them, such as, "This is as safe as the money in your pocket, and you will only lose money if the Federal Government goes bankrupt," or, "It is backed by something better than the FDIC."

Finally, the legislation that I introduced last Tuesday, which was crafted after numerous meetings with industry and consumer groups, would provide needed consumer protections for financially inexperienced customers. This legislation would provide protections to financially inexperienced bank customers by, one, full and clear disclosure about the risks associated with uninsured products; by establishing limits to compensation that institution employees receive for making referrals to securities sales people. Remember the case of Sally, Mr. President, our bank teller who got a nice commission by referring Mrs. Jones' private banking records and situation to a broker across the aisle from her; and to establish guidelines for uninsured products and promotional materials; common sense physical separation of deposit and nondeposit sales products would be another area of this legislation; and fifth, Mr. President, we would end in my legislation the practice of sharing bank customers' personal financial information without the customer's explicit consent; and finally, Mr. President, we would increase the coordination of securities enforcement activities between the Federal banking agencies and the Securities and Exchange Commission.

I am very hopeful that this will begin a dialog in which we will find as an end result a cure for this particular problem that we are addressing today in the Senate. It is a problem, we think, of severe magnitude. It is a problem which has not risen to the height of many of the concerns we have expressed here in recent months, but we do think this is a concern which should be addressed and should be one of protections that we should ensure for those potential customers of uninsured bank products such as mutual funds and certain bond funds that are uninsured.

Finally, Mr. President, if we do it for no other category of our population, let us do it for those individuals like Mrs. Jones, that 77-year-old widow who has no one to lean on, no advice, no adviser, and truly finds herself in the grips of, in my opinion, unethical salespersons, unethical brokers, and people who are interested only in making certain that they receive a nice fat commission in selling Mrs. Jones uninsured bank products which truly may wipe out all of her assets.

Mr. President, I see no other speakers or Senators seeking the floor. I wish to thank the Chair, and at this time I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

GAO REPORT AND THE NATIONAL EDUCATION TECHNOLOGY FUNDING CORPORATION

Ms. MOSELEY-BRAUN. Mr. President, I rise today to present the results of the second in a series of five very important studies being conducted by the General Accounting Office on the condition of America's schools and to announce the creation of the National Education Technology Funding Corporation.

I first became aware of the problems facing our Nation's education infrastructure while serving in the Illinois House of Representatives. Throughout my 10 years in office, I visited school districts across the State and witnessed the deteriorating condition of public school facilities in both rural and urban districts alike.

Yet, it was not until I began working on education legislation in the U.S. Senate that I learned that the Federal Government had not collected data on the condition of our Nation's public school facilities since 1965.

GAO REQUEST

Knowing that my efforts to improve our Nation's education infrastructure would be limited by insufficient data, I sent a letter to the General Accounting Office last year, which was cosigned by Senators KENNEDY, PELL, SIMON, and WELLSTONE, requesting a comprehensive, nationwide study on the condition of our Nation's public school facilities.

In responding to my request, the General Accounting Office surveyed a random sample of our Nation's 15,000 school districts and 80,000 public schools from April to December 1994. GAO staff members also visited 41 schools in 10 school districts across the country to supplement their quantitative data with personal observations. Based on responses from 78 percent of the schools sampled, GAO began preparing five separate reports on the condition of our Nation's public schools.

FIRST GAO REPORT

The first GAO report, which was released on February 1, 1995, examined the education infrastructure needs of our Nation's public elementary and secondary schools. As expected, this report made clear what most of us already knew; that our schools are deteriorating and we need to fix them.

The GAO report concluded that our Nation's public schools need $112 billion to restore their facilities to good overall conditions; that is to say, without code violations and the like. This was not decorating issues—good overall conditions.

Of this amount, the GAO found that public schools needed $11 billion just to meet the Federal requirements—including $6 billion to make all programs accessible to all students and $5 billion to correct or remove hazardous substances.

And so the first report focused in on the basic facility infrastructure needs and reached the conclusion that we needed $112 billion just to get our schools up to code, removed of health and safety violations and threats to the students.

SECOND GAO REPORT

The second GAO report, which was released today, focuses on our Nation's education technology infrastructure needs. Once again, this report concludes that our Nation's public schools are not designed or sufficiently equipped to prepare our children for the 21st century. And that is actually the name of it: "School Facilities: America's Schools Not Designed or Equipped for the 21st Century." It is a pretty devastating title for the report itself, and this was a serious study that was done by the GAO.

More specifically, the GAO report found that more than half of our Nation's public schools lack six or more of the technology elements necessary to reform the way teachers teach and students learn including: computers; printers; modems; cable TV; laser disc players; VCR's; and TV's.

In fact, the GAO report found that even more of our Nation's schools do not have the education technology infrastructure necessary to support these important audio, video, and data systems. For example, this report concludes that: 34.6 percent of schools lack

sufficient electrical power for computers; 46.1 percent lack sufficient electrical wiring; 51.8 percent lack sufficient computer networks; 60.6 percent lack sufficient conduits and raceways; 86.8 percent lack fiber-optic cable; 61.2 percent lack sufficient phone lines for instructional use; and 55.5 percent lack sufficient phone lines for computer modems.

Mr. President, the General Accounting Office further examined these national statistics and confirmed our worst fears: that the availability of education technology in our Nation's public schools is directly correlated with community type, the percentage of minority students, and the percentage of economically disadvantaged students.

In other words, the GAO report found that although our Nation's education technology needs are great in both rural and urban school districts, urban schools have greater education technology needs in every category. It also found that the education technology needs in our Nation's schools increase in every category as the percentages of minority students and students receiving free or reduced lunches increase.

Mr. President, these results are simply unacceptable. There is absolutely no reason why, in 1995, all of our Nation's children should not have access to the best education technology resources in the world.

I point out that as between urban and rural, this issue affects rural school districts as much as it does urban school districts. The children in rural communities are denied access to the sources of information, the data, the resources that are out there for them to improve their opportunities for education, as well as children in urban areas where there is a greater concentration of students.

As you know, we are in a new era in economic competition. All over the world, barriers to trade between nations are falling. We are witnessing the development of a truly global marketplace. I believe that America can lead the way in this marketplace. But if we are to succeed, if we are to retain our competitiveness into the 21st century, there must be a renewed commitment to education in this country.

If there is any objective that should command complete American consensus, it is ensuring that every American has the chance to succeed—and that, in the final analysis, is what education is all about. No issue is more critical to our country. And no issue is more important to me. Nothing makes a bigger difference in a person's life than opening opportunities. Certainly nothing has made a bigger difference in my life.

It is vital to the interest of our Nation that we maintain quality public education for everyone. Education is not just a private benefit but a public good as well. It is the cornerstone of a healthy democracy and, as a society, we all benefit from a well-educated citizenry. It is the means by which we prepare our children to succeed—to make a living, to participate in the community, to enjoy the arts, and to understand the technology that has reshaped our workplace and, indeed, to compete in this global economy.

Without a strong education system in this country, our young people will not be prepared and will not be able to hold their own in competition with the other communities in the world, which devote a greater proportion of their resources to the education of their children and the preparedness of their work force.

TECHNOLOGY

Nonetheless, it will be difficult if not impossible for us to prepare our children to compete in the emerging global economy through the current educational system. In order to prepare American students to compete with their foreign counterparts, systemic school reform must occur. Systemic school reform means taking into account and addressing all aspects of the educational system.

Mr. President, the increased competition created by the emerging global economy requires teachers and students to transform their traditional roles in many ways. It requires teachers to act as facilitators in the classroom, guiding student learning rather than prescribing it. It also requires students to construct their own knowledge, based on information and data they manipulate themselves.

Technolgoy can help teachers and their students successfully play the new roles that are being required of them. Technology can help teachers report and chart student progress on a more individualized basis. It can also allow them to use resources from across the globe or across the street, for that matter, to create different learning environments for their students without ever leaving the classroom.

On the other hand, technology can allow students to access the vast array of material available electronically and to engage in the analysis of real world problems and questions.

CENTENNIAL HIGH SCHOOL

Mr. President, by way of example, advanced chemistry students at Centennial High School in Champaign, IL, are currently taking advantage of the benefits associated with education technology.

Here is one of the deans of education on the floor, Mr. President, Senator PELL. Of course, his name is so well associated with education. I had someone say to me, "Senator PELL made it possible for me to go to college," because of Pell grants, and I thought that was one of the finest compliments that could ever be given to an individual.

Mr. PELL. Thank you very much.

Ms. MOSELEY-BRAUN. To continue, Mr. President, through an innovative partnership with the National Center for Supercomputing Applications, these students are developing experiments that allow them to move parts of molecules on their computer screens in response to their own computer commands. In one type of simulation, students watch the orbitals of models in reaction to imposed actions. Another type of simulation demonstrates the ionization of atoms—how the size of atoms changes when ions are added or subtracted. That is precisely the kind of education that we want to make available to every child in America. It is the challenge of the education infrastructure that I think we have to meet in order to do so.

LOCAL PROPERTY TAXES

Mr. President, we are failing to provide all of our Nation's children with education technology resources like those being provided at Centennial High School because the American system of public education has forced local school districts to maintain our Nation's education infrastructure with local property taxes.

For a long time, local school boards were able to meet that responsibility. However, the ability of local school boards to continue to meet that responsibility has steadily declined.

Local property taxes are now all too often an inadequate source of funding for public education. What is even worse is that this financing mechanism makes the quality of public education all too dependent on local property wealth.

As a result, the second GAO report found that, on average, only 8 percent of local school bonds was spent on computers and telecommunications equipment. That is, for the average $6.5 million bond, only $155,000 or 2 percent was provided for the purchase of computers and only $381,100 or 6 percent for the purchase of telecommunications equipment.

Nonetheless, most States, including my own of Illinois, continue to force local school districts to rely increasingly on local property taxes for public education, in general, and for education technology projects, in particular. In Illinois, for example, the local share of public education funding increased from 48 percent during the 1980–81 school year to 58 percent during 1992–93 school year, while the State share fell from 43 to 34 during this same period of time.

I believe the Federal Government must also, frankly, accept a share of the blame for failing to provide our Nation's children with environments conducive to learning. The Federal Government's share of public education funding has fallen from 9.1 percent during the 1980–81 school year to 5.6 percent during the 1993–94 school year.

GOALS 2000

Mr. President, Congress passed the Goals 2000: Educate America Act which President Clinton signed into law on March 31, 1994. I supported this legislation because it promises to create a coherent, national framework for education reform founded on the national education goals—including the seventh national education goal which promotes parental involvement at all grade levels.

Nonetheless, I firmly believe that it is inherently unfair to expect our children to meet national performance standards if they do not have an equal opportunity to learn.

If they are denied equal access and equal facilities, then they will have a very difficult time meeting and supporting national expectations and standards.

EDUCATION INFRASTRUCTURE ACT

That is why, last year, I introduced the Education Infrastructure Act. That legislation addresses the problems highlighted in the first GAO report by helping local school districts ensure the health and safety of students through the repair, alteration, renovation, and construction of school facilities.

More specifically, that legislation authorizes the Secretary of Education to make grants to local school districts with at least a 15-percent child poverty rate and urgent repair, renovation, alteration, or construction needs. Clearly, with the needs being so great, we had to come up with a formula that will now begin to address the problem. But at least we will give a start in that direction.

The legislation which will be introduced shortly, in keeping with the second report regarding technology infrastructure, takes a slightly different tack. John Danforth—I know the Presiding Officer was familiar with former Senator Danforth from Missouri—Jim Murray, past president of Fannie Mae, and Dr. Mary Hatwood Futrell, past president of the National Education Association, joined forces today to address the problem highlighted in the second GAO report.

These three leaders in the area of education and finance came together today to establish the National Education Technology Funding Corp., as a private, nonprofit organization, dedicated to improving our Nation's education technology infrastructure.

The National Education Association, the National School Board Association, the American Library Association, and I strongly support this effort to link public schools and public libraries to the information superhighway. As outlined in its articles of incorporation—incorporated today in the District of Columbia—the National Education Technology Funding Corp. is specifically designed to, first, leverage resources and stimulate private investment in education technology infrastructure; second, provide loans, grants, and other forms of assistance to State education technology agencies, with due regard for providing a fair balance among types of school districts and public libraries assisted and the disparate needs of such school districts; third, encourage the development of education telecommunications and information technologies through public-private ventures, by serving as a clearinghouse for information on new education technologies, and by providing technical assistance; fourth, to establish criteria to encourage the States to create, maintain, utilize and upgrade interactive high-capacity networks capable of providing audio, visual, and data communications for elementary schools, secondary schools, and public libraries; to distribute resources to assure equitable aid to all elementary and secondary schools in the State and achieve universal access to network technology; and finally, to upgrade the delivery of instruction to students.

Mr. President, former Senator Danforth, Mr. Murray, and Mrs. Hatwood Futrell created the National Education Technology Funding Corp. because they recognized that States and local school districts need help financing education technology equipment and infrastructure improvements.

They also recognize the need for both public and private investments in our Nation's education technology infrastructure. That is why their corporation will be operated by a board of directors which will include five members representative of public schools and public libraries; five representatives of the State education agencies; and five members representative of the private sector.

INFORMATION SUPERHIGHWAY

Mr. President, President Clinton and Vice President GORE have also taken leadership roles in addressing our Nation's technology infrastructure needs. On the 15th of September, 1993, the information infrastructure task force created by the Vice President released its report, entitled "National Information Infrastructure: Agenda for Action."

That report identified nine principles for Government action to promote the information superhighway—the metaphor used to describe the evolving technology infrastructure that will link homes, businesses, schools, hospitals, and libraries to each other and to a vast array of electronic information resources.

On this same day, President Clinton issued Executive Order 12864 which created the National Information Infrastructure Advisory Counsel to facilitate private sector input.

Mr. President, a substantial portion of the information superhighway already exists. Approximately 94 percent of American households have telephone service, 60 percent have cable service, 30 percent have computers, and almost 100 percent have radio and TV. Local and long distance telephone companies are investing heavily in fiber optic cables that will carry greater amounts of information, cable companies are increasing their capacity to provide new services, and new wireless personal communications systems are under development. One prototype, which I am sure the chair has heard about, the Internet, connects 15 to 20 million people worldwide.

FEDERAL SUPPORT

Nonetheless, the results of the second GAO report suggest to me that the Federal Government must do more to build the education portion of the national information infrastructure.

Federal support for the acquisition and use of technology in elementary and secondary schools is currently fragmented, coming from a diverse group of programs and initiatives. Although the full extent to which the Federal Government currently supports investments in education technology at the precollegiate level is not known, the Office of Technology Assessment estimated in its report that the programs administered by the Department of Education provided $208 million for education technology in 1988.

COST OF TECHNOLOGY

There is little doubt that substantial costs will accompany efforts to bring information technologies into precollegiate education in any comprehensive fashion. In his written testimony before the House Telecommunications and Finance Subcommittee on September 30, 1994, Secretary of Education, Richard Riley, estimated that it will cost anywhere from $3 to $8 billion annually to build the education portion of the national information infrastructure. The Office of Technology Assessment has also estimated that the cost of bringing the students-to-computer ratio down to 3-to-1 would cost $4.2 billion a year for 6 years.

Mr. President, I will soon introduce legislation designed to help States and local school districts meet these costs by authorizing Federal departments and agencies to make grants to the National Education Technology Funding Corp.

Rather than creating another bureaucratic Federal program, this legislation would provide Federal support for education technology through the NETFC—an innovative, bipartisan, public-private partnership.

The seed money will help the NETFC provide low-interest loans, loan guarantees, grants, and other forms of assistance to States in order to help them improve their education technology infrastructures.

This legislation will not infringe upon local control over public education in any way. Rather, it will supplement, augment, and assist local efforts to support education technology in the least intrusive way possible, by helping local school boards and States improve their own facilities.

Mr. President, I ask unanimous consent that the GAO report be printed in its entirety in the RECORD.

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

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

SCHOOL FACILITIES—AMERICA'S SCHOOLS NOT DESIGNED OR EQUIPPED FOR 21st CENTURY

U.S. GENERAL ACCOUNTING OFFICE, HEALTH, EDUCATION, AND HUMAN SERVICES DIVISION,

Washington, DC, April 4, 1995.

Hon. CAROL MOSELEY-BRAUN, Hon. EDWARD M. KENNEDY, Hon. CLAIBORNE PELL, Hon. PAUL SIMON, Hon. PAUL WELLSTONE,

U.S. Senate.

A skilled workforce is necessary to increase productivity so that a society can maintain and enhance its standard of living. Therefore, education and future employment opportunities for our nation's children and teenager is a concern that transcends traditional geographic, economic, and political boundaries. Towards that end, in your letter of February 15, 1994, you requested information on the physical condition of the Nation's public elementary and secondary schools. We presented national-level information on the physical condition of the nation's school facilities in School Facilities: Condition of America's Schools (GAO/HEHS-95-61 Feb. 1, 1995). In that report, on the basis of estimates by school officials in a national sample of schools, we estimated that the nation's schools need about $112 billion[1] to repair or upgrade America's multibillion dollar investment in school facilities to good overall condition.

In addition, you asked us to document the extent to which America's 90,000 schools are designed and equipped to meet the needs of today's students and tomorrow's workers. Specifically, can America's schools provide the key facilities requirements and environmental conditions for education reform and improvement? do America's schools have appropriate technologies, such as computers, and the facility infrastructure to support the new technologies? In short, do America's schools have the physical capacity to support learning into the 21st century?

To answer these questions, we surveyed a nationally representative stratified random sample of about 10,000 schools and augmented the survey with visits to 10 selected school districts. Our analyses otherwise noted, sampling errors do not exceed 2 percent. (See app. VI for a discussion of methodology.) We conducted our study between January 1994 and March 1995 in accordance with generally accepted government auditing standards.

RESULTS IN BRIEF

School officials in a national sample of schools reported that although most schools meet many key facilities requirements[2] and environmental conditions[3] for education reform and improvement, most are unprepared for the 21st century in critical areas:

Most schools do not fully use modern technology. Although at least three-quarters of schools report having sufficient computers and televisions (TV), they do not have the system or building infrastructure to fully use them. Moreover, because computers and other equipment are often not networked or connected to any other computers in the school or the outside world, they cannot access the information super highway.

Over 14 million students attend about 40 percent of schools that reported that their facilities cannot meet the functional requirements of laboratory science or large-group instruction even moderately well.

Over half the schools reported unsatisfactory flexibility of instructional space necessary to implement many effective teaching strategies.

Although education reform requires facilities to meet the functional requirements of key support services—such as private areas for counseling and testing, parent support activities, social/health care, day care and before- and after-school care—about two-thirds of schools reported that they cannot meet the functional requirements of before- or after-school care or day care.

Moreover, not all students have equal access to facilities that can support education into the 21st century, even those attending school in the same district. Overall, schools in central cities and schools with a 50-percent or more minority population were more likely to have more insufficient technology elements and a greater number of unsatisfactory environmental conditions—particularly lighting and physical security—than other schools.

BACKGROUND

Education Reform.—Education reform is a national movement to raise standards for all students at all schools. It focuses on changes designed to improve student outcomes by (1) determining what students should know and be able to do and (2) ensuring that the key components of the educational system are directed to achieving those outcomes.[4] To accomplish these objectives, education reform efforts are introducing new teaching methods, assessments, curricula, instructional materials, and technology into school buildings.

To improve instruction, reform advocates recommend that a school use new techniques for teaching and evaluating students and involve teachers in developing curricula, redesigning instruction, and planning staff development. To help achieve desired educational outcomes, advocates also recommend that schools enlist parents to monitor their children's progress and participate in school activities, in part by volunteering as tutors and acting as teacher aides. Finally, to further ensure the success of educational reform, advocates recommend that schools help provide health and social services to students as well as before- and after-school care and day care.[5]

For example, when teachers evaluate students in new ways, they need space to display and store student projects and journals. Likewise, changes in instructional programs or techniques—such as adopting an ungraded primary system or creating a school-within-a-school—require space for large-group and small-group instruction. Adding an all-day kindergarten, extended-day programs, or even new computer courses[6] also call for special or dedicated space. Therefore, school facilities that can support education reform activities and communications technologies will not resemble or operate as schools built in the 1950s.

Rather than uniform-sized classrooms with rows of desks, a chalkboard, and minimal resources such as textbooks and encyclopedias, schools prepared to support 21st century education would have: Flexible space, including space for small- and large-group instruction; space to store and display alternative student assessment materials; facilities for teaching laboratory science, including demonstration and student laboratory stations, safety equipment, and appropriate storage space for chemicals and other supplies; and a media center/library with multiple, networked computers to access information to outside libraries and information sources.

In addition, such schools would also have space for a variety of support activities: private areas for student counseling and testing and for parent support activities, such as tutoring, planning, making materials, and the like; social and health care services; day care; and before- and after-school care.

Schools would also have the capacity to operate year round, 24-hours per day if necessary, providing a safe and well-lit environment with satisfactory heating, air-conditioning, ventilation, and air quality and with appropriate acoustics for noise control. In addition, schools would have enough high-quality computers, printers, and computer networks for instructional use; modems; telephone lines for modems and telephones in instructional areas; TVs; laser disk players/video cassette recorders (VCR); cable TV; fiber optic cable; conduits/raceways for computer and computer network cables; electric wiring; and power for computers and other communications technology.[7] Networking capability in the classroom allows for use of a wide range of teaching and learning strategies that are not possible with stand-alone computers. For example, networks allow: Groups of students simultaneous access to large data sources; students to communicate with each other and with teachers in their own school, and with teachers and students in other schools; and teachers to interact with students by computer as students work—engaging in online dialogs, referring to additional resources—or students to engage in group projects.

Communications Technology in Schools.—Although technology is changing constantly and quickly becoming defined by complex interactive and multimedia[8] technologies and standards are only beginning to emerge,[9] it is helpful to regard school communications technology as comprising four basic electronic systems: technology infrastructure, data, voice, and video. These systems transmit data—by computer networks, voice—by phone lines, and video—by TV within the school, among different school buildings, to the outside world, and even to outer space.

Technology Infrastructure.—Of the four systems, technology infrastructure may be the most important and least understood. Data, voice, and video systems cannot operate without the supporting building or system infrastructure. Building infrastructure consists of what needs to be built into the facility to make any technology operate effectively in the school: the conduits/raceways through which computer and computer network cables are laid in the school, the cables and electrical wiring for computers and other communications technology, and the electrical power and related building features such as electric outlets. Although designing a new building with this infrastructure included is relatively easy and inexpensive, installing it in existing school buildings can be expensive and disruptive.

[1] Footnotes at end of article.

The other type of infrastructure—system infrastructure—links up various technology components. For example, computer network infrastructure consists of the software that runs the networking function. It links all computers in a class or in the school or the computers in the school with computers in the outside world—as well as special pieces of hardware such as severs (computers with large information storage capabilities that allow many users to share information) whose purpose is to run the network. Besides the network infrastructure, modems—small electrical devices that allow computers to communicate with each other through the phone lines—are another basic component of systems infrastructure that links data, voice, video, and even multimedia systems.

This technology infrastructure, although initially more costly than the basic computer/printer, may have substantially more value. Educationally, it can link even the most remote or poor school with vast resources, including the finest libraries and the best teachers, for a wide range of courses or course enhancements, such as "virtual" field trips. Financially, according to the North Central Regional Educational Laboratory, the Internet and the emerging video and imaging technologies could be used to change the economic basis of schooling by drawing upon the free or low-cost resources and services to replace textbooks and other costly instructional materials, software, and other programs. Those funds could then be used for additional staffing, local curriculum development, developing technology staff, ongoing local staff development, and the like.[10]

Data Systems.—Basic data systems include computers, some with compact disk read-only memory (CD-ROM) capability, connected to printers. A baseline data system enables instructional computers to communicate with similar devices in the classroom or the school (local area networks). Optimally, a data system also includes computer networks compatible with outside resources (wide area networks) such as the Internet;[11] computers in the central office, in other schools, and home computers; and databases from the Department of Education or Library of Congress.

Voice Systems.—Voice systems include accessible two-way voice communication and messaging (telephone) systems for staff members to communicate with each other in the building and with the school community. A baseline system includes a public address system, some outgoing lines and telephones serving school offices and staff members, and incoming lines to meet community and administrative needs. Optimally, it also includes more outgoing and incoming lines and sufficient capacity to allow for such developing technologies as voice processing and voice mail.

Video Systems.—Video systems provide accessibility to television communication and all forms of video transmission from school locations as well as from the outside. A baseline system includes capability to receive instructional and teacher professional programming as well as commercial and public television stations whether through a master antenna or cable, microwave, or satellite. An optimal system with today's technology also includes capability in classrooms and teachers' offices to dial up video sources in the school media center and to conduct two-way video-interactive classes between classrooms, inside the school, and between schools.

Only a Few Schools Have State-of-the-Art Communications Technology.—Today new schools are being designed with these changes in mind. Yet we only have a handful of schools—mainly science high schools like Stuyvesant High School in New York City or Thomas Jefferson High School in Virginia—that model state-of-the-art communications technologies. However, to prepare the nation's children and teenagers to be competitive workers in the 21st century, experts and business leaders say modern communication technologies should be part of America's elementary and secondary education, not just the sole province of a few schools.

An example of state-of-the-art technology can be found in the new Stuyvesant High School. Serving about 3,000 students, it has over 400 computers, most of which are arranged in 15 networks, with access to the Internet, as well as four antennae on the roof to communicate with satellites and virtually anyone else in the outside world. This school can directly access the latest information from the most sophisticated scientific satellites and participate in interactive "classes" with scientists in the field in the Amazon rain forest via interactive, multimedia networks like the JASON Project. This allows the students to talk with these scientists and observe them and the rain forest on their TV screens during class, allowing them to go on "virtual" field trips worldwide.

Federal Legislation Supports Reform and Technology.—Recent federal legislative initiatives supporting education reform and technology include (1) Improving America's Schools Act of 1994, which authorized $200 million for technology education for 1995 and an additional $200 million for the new education infrastructure improvement grants; and (2) Goals 2000: Educate America Act, passed in 1994, which establishes an Office of Educational Technology in the Department of Education. Goals 2000 requires states that wish to receive funding under the statute to develop a state improvement plan for elementary and secondary education. This plan should include a systemic statewide plan to increase the use of state-of-the-art technologies that enhance elementary and secondary student learning and staff development to support the National Education Goals and state content standards and state student performance standards. Central to both these acts is the idea that children are entitled to an opportunity to acquire the knowledge and skills contained in these standards, often referred to as "opportunity to learn."[12] Figure 1 depicts various school facilities around the country. [Figure 1 not reproducible in RECORD.]

Most Schools Have Computers and TVs but Little Infrastructure to Fully Use Technologies.—Over three-quarters of the schools reported having sufficient computers and TVs. Two-thirds reported having sufficient printers, laser disk players/VCRs,[13] and cable TV. However, school officials reported that about 10.3 million students in about 25 percent of the schools do not have sufficient computers. Although most schools report having enough computers and other basic technology elements,[14] they do not have the technology infrastructure to fully use them. (See fig. 2 and table 1.) [Figure 2 not reproducible in RECORD.]

TABLE 1—MILLIONS OF STUDENTS ATTEND SCHOOLS REPORTING INSUFFICIENT CAPABILITY TO SUPPORT TECHNOLOGY

Technology element	Percent of schools	Number of schools	Number of students affected (in millions)
Fiber optics cable	86.8	66,000	35.4
Phone lines for instructional use	61.2	47,000	24.8
Conduits/raceways for computer/computer network cables	60.6	46,600	24.9
Modems	57.5	44,200	23.0
Phone lines for modems	55.5	42,700	22.5
Computer networks for instructional use	51.8	40,100	20.7
Electrical wiring for computer/communications technology	46.1	35,700	19.3
Electrical power for computers/communications technology	34.6	26,800	14.5
Laser disk player/VCR	33.5	25,700	13.5
Cable TV	31.7	24,200	12.2
Computer printers for instructional use	29.3	22,700	11.9
Computers for instructional use	25.2	19,500	10.3
TVs	15.9	12,200	6.8
Schools reporting six or more insufficient technology elements	51.9	40,400	21.3

Even in schools reporting enough computers, over one-third reported insufficient electrical wiring for computers/communications technology. Computers and other equipment that are not networked or capable of communicating with anything else in the school or in the outside world may be sufficient for basic or reinforcement activities. They are limited, however, in their access to the vast amount of electronic information available and do not allow for new information to come into the system or for the interaction between students, students and teachers, or the school and the outside world.

Over half of America's schools reported insufficient capability in modems, phone lines for modems, phone lines for instruction, conduits/raceways, and fiber optics. (See table 1 and, for more detail, tables III.1 and III.2 in app. III.)

The following details emerged from the survey: In central cities, over 60 percent of schools reported insufficient networks, modems, phone lines (for modems or instruction), conduits, and fiber optic cables. Over half reported insufficient capability for electrical wiring for computer technology. (For more detail, see table III.4 in app. III.)

Regional analyses show that schools in the West reported the least sufficient technology. (For more detail, see table III.7 in app. III.)

Schools with inadequate buildings[15] also were more likely to report insufficient capability to support technology. In every area of communications technology we asked about, schools with no inadequate buildings reported greater sufficiency than schools with one or more inadequate buildings. However, even in schools reporting no inadequate buildings, about one-half or more reported insufficient capability in areas related to interconnectivity, such as networks, modems, and fiber optics.

Site visits supported the survey results:

In Ramona, California, we learned that some schools needed to retrofit wiring to increase power for more demanding technologies; one elementary school had only two outlets in each classroom. Moreover, if four teachers used their outlets at the same time, the circuit breakers tripped. This happened about once a month.

A school official in Montgomery County, Alabama, said that new electrical systems to accommodate computers and other technologies were the most common renovation needed in schools.

In our site visit to Washington, D.C., officials told us that while many schools have computer laboratories with new computer

equipment, these will need upgraded electrical systems, lighting, and air-conditioning to provide an adequate learning environment.

In one school we visited in Chicago, computers were still in boxes because the school did not have sufficient power and outlets to use them.

In looking at the uses of bond proceeds in the districts, on average, school officials reported that only 8 percent of the most recently passed bond was spent for purchase of computers and telecommunications equipment. That is, for the average $6.5 million bond issue, about $155,600 or 2 percent was provided for the purchase of computers and about $381,100 or 6 percent for the purchase of telecommunications equipment. (See app. II.)

Selected respondent comments.—"Our building, built in 1948, was wired for a filmstrip projector."

"We live in a state where we put more technology and safety in an automobile than we do in our schools."

"We are not ready to join the information network proposed by Vice President Gore."

"Our computers are mostly donated. What few we purchased were bought in 1984—the kids laugh at them, they have better at home."

"The number of computers in the buildings is limited, and we currently have one computer bus serving all six elementary schools. The time for students to spend on the computers is obviously limited."

"Facility adaptation for computer networks, video networks, and phone access is expensive and makes justifying purchase of computer hardware more difficult."

SCHOOLS REPORTED LACKING KEY FACILITIES REQUIREMENTS FOR EDUCATION REFORM

When asked how well their buildings meet the functional requirements of specified activities related to school reform and improvement, many survey respondents reported that they met these requirements "not well at all." (See table 2.) For example, although 58 percent of schools reported meeting the functional requirements of laboratory science at least somewhat well, in fact, about 14.6 million students are in the 42 percent of schools where officials report that the facilities requirements for laboratory science are met not well at all (see fig. 3 and table 2).

[Figure 3 not reproducible in RECORD.]

TABLE 2: MILLIONS OF STUDENTS ATTEND SCHOOLS REPORTING THEY MEET THE FUNCTIONAL REQUIREMENTS OF SOME KEY EDUCATION REFORM ACTIVITIES NOT WELL AT ALL

Activity	Percent of schools	Number of schools	Number of students affected (in millions)
Instructional activities:			
Laboratory science	42.0	32,100	14.6
Large-group instruction	38.2	29,500	14.3
Storage of student assessment materials	31.3	24,000	12.9
Display student assessment materials	27.6	21,200	11.1
Library/media center	13.4	10,400	4.2
Small-group instruction	9.5	7,300	3.7
Support activities:			
Day care	77.5	55,900	29.0
Before/after school care	58.8	43,100	22.4
Social/health care services	27.0	20,900	10.5
Private areas for counseling and testing	25.7	19,900	10.1
Parent support activities	23.5	18,200	9.7
Teacher planning	13.1	10,200	5.1

Note: Survey respondents rated the ability of their school facilities to meet the functional requirements of key education reform activities on the following scale: very well, moderately well, somewhat well, and not well at all.

Only seven states—District of Columbia, Georgia, Indiana, New Jersey, New Mexico, Pennsylvania, and Texas—had 20 percent or more of their schools meeting at least somewhat well the functional requirements for some educational reform and improvement activities. While 40 states reported that 50 percent or more of their schools had three or more specified requirements that they met not well at all, 5 states—Arkansas, California, Maine, Ohio, and Rhode Island—reported 70 percent or more of their schools in this condition. (For more detail, see tables IV.1 and IV.2 in app. IV.)

Nationwide, 42 percent of schools reported that their buildings met the functional requirements of laboratory science not well at all, affecting 14.6 million students. Forty-three states reported that one-third or more of their schools met functional requirements for laboratory science not well at all. Eight states—Alaska, California, Delaware, Maine, Nevada, Ohio, Oregon, and Washington—reported that 50 percent or more of their schools were in this condition. (For more detail, see table IV.3 in app. IV.)

Nearly four out of five schools nationwide reported that they could not meet at all well the functional requirements of day care. (See fig. 3.) Forty-five states reported that two-thirds or more of their schools were in this condition. (For more detail, see table IV.3 in app. IV.)

Nationwide, about three out of five schools reported that they met the functional requirements of before- and after-school care not well at all. Forty-eight states reported that one-third or more of their schools were in this condition.

About two out of five schools nationwide reported that they met the functional requirements of large-group instruction not well at all, a condition affecting 14.3 million students. Thirty states reported that one-third or more of their schools were in this condition. Four states—Alaska, California, Kansas, and Nebraska—reported over half their schools in this condition. (For more detail, see table IV.1 in app. IV.)

These problems were also demonstrated on our site visits:

Officials in Chicago told us that only one-fourth of Chicago's schools have properly equipped science laboratories, with water, power, gas, vacuum, and appropriate mechanisms for air and waste removal.

At the high school in Raymond, Washington, officials said that they need flexible space for large- and small-group instruction. Science classes have outdated equipment, and reading areas in the media center are noisy and poorly lighted. Officials also say they desperately need a day care center to keep young women with babies in school.

In New Orleans, officials told us that most secondary schools lack science laboratories that meet current safety needs, such as adequate air circulation, ventilation, emergency shut-offs for gas and electricity, emergency eye washes, and showers.

Selected Respondent Comments.—"These schools, as others over thirty years of age, while well-maintained, cannot provide the type and variety of instructional space necessary for the education programs of the 21st century without major renovations."

"The buildings were built for twenty-five students per class with no extra rooms, no small and/or large group areas, and no planned storage space. Consequently, the facilities are certainly not conducive to new or different class size configurations or lesson delivery formats."

Most Schools Report Most Environmental Conditions Satisfactory, but Problems Remain.—Overall, most school officials reported satisfaction with most environmental factors associated with learning.[16] (See table 3.) However, 22 million students are in 53.9 percent of the schools that reported that their instructional space flexibility was unsatisfactory. Rates of unsatisfactory environmental conditions tend to be higher in schools where over 40 percent of the students are approved to receive free or reduced lunch, where over 50 percent of the students are minority students, in schools in the West. (See app. V.)

TABLE 3: MILLIONS OF STUDENTS ATTEND SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL CONDITIONS

Environmental factor	Percent of schools	Number of schools	Number of students affected (in millions)
Acoustics for noise control	28.1	21,900	11.0
Ventilation	27.1	21,100	11.6
Physical security of buildings	24.2	18,900	10.6
Heating	19.2	15,000	7.9
Indoor air quality	19.2	15,000	8.4
Lighting	15.6	12,200	6.7

Air-conditioning is no longer a luxury for schools if they want to effectively operate in hot weather or use computers. Moreover, in recent years, researchers have pointed to a relationship—although inconclusive—between certain environmental conditions and student learning.[17] In particular, air-conditioning has been cited as affecting learning. Of those schools noting that they had air-conditioning, 15.4 percent (6,000 schools) reported unsatisfactory air-conditioning, affecting about 4.2 million students.

The majority of schools reported that they were satisfied with their air-conditioning, although only half of the schools responding to our survey reported that they had air-conditioning in classrooms. The geographic patterns of air-conditioning in classrooms generally follow climate patterns. (For more detail, see fig. V.1 in app. V.) Three-quarters of schools reported that they had air-conditioning in their administrative areas. Only three states—New York, Oregon, and Rhode Island—indicated that over a third of their schools had unsatisfactory air-conditioning in their classrooms.

We found examples of problems caused by unsatisfactory air-conditioning in our site visits. In New Orleans, nearly half of the schools have no air-conditioning, despite the average relative humidity in the morning of 87 percent. Faced with a similar situation in Richmond, Virginia, school officials told us that students with asthma get sick from the heat; schools close early in the hot fall and spring months, decreasing instructional time.

SELECTED RESPONDENT COMMENTS

"Our school district facilities are currently meeting the needs of our students. We have not been impacted by population growth, lawsuits, or other major problems that would force our resources in other areas. Due to conservative spending practices by our school board and adequate funding by the state of Wyoming in the past decade, we have adequate carryover to provide needs without asking for state assistance or a bond issue."

"Building design in the 1950s and 60s did not include air-conditioning or even windows that opened for schools, thus much renovation is needed in our district."

"The middle school is depressing when you walk into it. We are having to use gym dressing rooms as regular classrooms."

"The appearance and condition of school buildings is an important factor in positively influencing urban students. The continued neglect of the public school infrastructure at both state and federal levels continues to subject our students and staff to conditions which do not ensure their welfare and safety."

BEST AND WORST SCHOOLS SOMETIMES FOUND IN SAME DISTRICT

Although some children have access to facilities that can support education in the 21st century, many do not. Schools differ dramatically, even in the same district. Our site visits revealed that the ability of school facilities to support education reform ranges widely. Because of the need to ease overcrowding in some areas, schools are constantly being built, even in impoverished cities. These new schools are generally equipped to implement education reform and improvement activities. However, with construction of new facilities taking priority over maintaining and renovating current buildings, gross inequalities may result in the same school district. For example, in Pomona, California, officials told us that to be ready for education in the 21st century, Pomona's older schools need additional wiring and outlets to use new technology and facilities for large-group instruction, storage of student assessment materials, social and health services, teachers' planning areas, and the like. In contrast, the newest school has a satellite dish, an electrical system built to handle anticipated technology, collapsible walls that facilitate team teaching or small-group instruction, enormous amounts of storage space, and large amounts of space for a variety of services and activities.

CONCLUSIONS

Many education reformers say that holding students to nationwide standards is unfair if they have not had an equal—or roughly equal—opportunity to learn. If schools cannot provide students with sufficient technological support or facilities for instruction and services, they may not be providing even a roughly equal opportunity for all students to learn. This is particularly true in central cities and in schools that serve high percentages of minority and poor students.

Far from the high-tech world of interactive media and virtual reality, many of our schools are wired for no more than filmstrip projectors. As one respondent commented,

"We need technology in the schools and teachers who can use the equipment. The percentage of teachers who can use computers is abysmally low, yet computers only scratch the surface of technology that should be available to all students, not just those who live in affluent areas. Interactive TV and telecommunications is a must in all schools, yet the cost of this technology remains prohibitively high for most small schools. For those schools who can afford it, the cost of training teachers to use it drives the costs up further."

In short, most of America's schools do not yet have key technologies or the facilities required to support learning into the 21st century. They cannot provide key facilities requirements and environmental conditions for education reform and improvement. In particular, older, unrenovated schools need infrastructure renovation to support technology. These renovations include fundamental changes to building structure, wiring and electrical capacity, air-conditioning and ventilation, and security.

AGENCY COMMENTS

We spoke with officials at the Department of Education who reviewed a draft of our report and incorporated their comments as appropriate. We did not ask for formal agency comments since this report does not review any department programs.

We are sending copies of this report to appropriate House and Senate committees and other interested parties. Please call Eleanor L. Johnson if you or your staff have any questions. Major contributors to this report are listed in appendix VIII.

LINDA G. MORRA,
Director, Education and Employment Issues.

APPENDIX I—PROJECT ADVISERS

The following individuals advised this report either by (a) serving on our expert panel on January 31, 1994; (b) helping with the development of our questionnaire; or (c) reviewing a draft report.

Allen C. Abend,[a,b,c] Chief, School Facilities Branch, Maryland State Department of Education.

Phillip T. Chen,[b] Construction Technician, Division of Construction, Department of Facilities Management, Board of Education of Montgomery County (Maryland).

Greg Coleman,[a,b] Capital Asset Management Administrator, Office of Infrastructure Support Services, U.S. Department of Energy.

Laurel Cornish,[a] Director of Facilities, U.S. Department of Education, Impact Aid, School Facilities Branch.

(Mr.) Vivian A. D'Souza,[b] Acting Director, Division of Maintenance, Department of Facilities Management, Board of Education of Montgomery County (Maryland).

Kenneth J. Ducote,[b,c] Director, Department of Facility Planning, New Orleans Public Schools.

Robert Feild,[a] Director, Committee on Architecture for Education, American Institute of Architects.

William Fowler,[a,b,c] Education Statistician, U.S. Department of Education, National Center for Education Statistics.

Lawrence Friedman,[b,c] Associate Director, Regional Policy Information Center, North Central Regional Educational Laboratory.

Thomas E. Glass,[b] Professor, Department of Leadership and Educational Policy Studies, Northern Illinois University.

Terence C. Golden,[a] Chairman, Bailey Realty.

Thomas Grooms,[a] Program Manager, Federal Design Office, National Endowment for the Arts.

Shirley J. Hansen,[a] President, Hansen Associates.

Alton C. Hlavin,[b] Assistant Superintendent for Facilities Services, Fairfax County Public Schools, Fairfax County, Virginia.

Bruce Hunter,[b] Executive Director, American Association of School Administrators.

Daniel Kasprzyk,[b] Education Statistician, U.S. Department of Education, National Center for Educational Statistics.

Steven F. Kaufman,[b] Education Statistician, U.S. Department of Education, National Center for Education Statistics.

Eddie L. King,[b] Auditor, Inspector General, U.S. Department of Education.

Andrew Lemer,[a] President, Matrix Group, Inc.

William H. McAfee III,[b] Facilities Manager, Division of Facilities Management, District of Columbia Public Schools.

Roger Scott,[b,c] Program Director, Southwest Regional Laboratory.

Richard L. Siegel,[a] (Former) Director of Facilities Services, Smithsonian Institution.

Linda Tsantis,[c] Executive Vice President, America Tomorrow, Inc.

Lisa J. Walker,[a] Executive Director, Education Writers Association.

Tony J. Wall,[b,c] Executive Director/CEO, The Council of Educational Facilities Planners International.

William M. Wilder,[b] Director, Department of Facilities Management, Board of Education of Montgomery County (Maryland).

APPENDIX II—RELEVANT SURVEY ITEMS WITH OVERALL PERCENT RESPONSE

17. Do this school's on-site buildings have sufficient capability in each of the communications technology elements listed below to meet the functional requirements of modern educational technology? *Circle one for EACH element listed.*

Technology elements	Percent of schools—			
	Very sufficient	Moderately sufficient	Somewhat sufficient	Not sufficient
Computers for instructional use (N=77,400)	11.1	30.6	33.1	25.2
Computer printers for instructional use (N=77,412)	9.7	27.9	33.1	29.3
Computer networks for instructional use (N=77,350)	8.8	18.3	21.2	51.8
Modems (N=76,951)	4.9	14.0	23.6	57.7
Telephone lines for modems (N=76,986)	6.9	13.7	23.9	55.5
Telephones in instructional areas (N=76,827)	7.5	12.6	18.8	61.2
Television sets (N=77,211)	19.8	33.7	30.7	15.9
Laser disk players/VCRs (N=76,819)	7.7	25.4	33.5	33.5
Cable television (N=76,459)	20.1	25.9	22.3	31.7
Conduits/raceways for computer/computer network cables (N=76,987)	7.4	11.9	20.1	60.6
Fiber optic cable (N=76,015)	3.5	4.3	5.5	86.8
Electrical wiring for computers/communications technology (N=77,437)	7.8	17.7	28.4	46.1
Electrical power for computers/communications technology (N=77,414)	12.4	24.3	28.7	34.6

18. How many computers for instructional use does this school have? *Include computers at both on-site buildings and off-site instructional facilities.*

_____ computers for instructional use: Range 0–1800; Mean 50.7; Median 37.0.

19. How well do this school's on-site buildings meet the functional requirements of the activities listed below? *Circle one for EACH activity listed.*

Activity	Percent of schools—			
	Very well	Moderately well	Somewhat well	Not well at all
Small group instruction (N=77,606)	32.4	37.5	20.7	9.5
Large group (50 or more students) instruction (N=77,178)	10.7	24.4	26.7	38.2
Storage of alternative student assessment materials (N=77,058)	7.8	24.2	36.7	31.3
Display of alternative student assessment materials (N=76,797)	7.9	26.6	37.9	27.6
Parent support activities, such as tutoring, planning, making materials, etc. (N=77,496)	12.3	29.7	34.5	23.5
Social/Health Care Services (N=77,456)	10.8	30.1	32.1	27.0
Teachers' planning (N=77,397)	20.6	37.4	28.9	13.1
Private areas for student counseling and testing (N=77,530)	14.6	28.4	31.3	25.7
Laboratory science (N=76,344)	11.2	21.4	25.4	42.0
Library/Media Center (N=77,701)	24.9	35.3	26.5	13.4
Day care (N=72,083)	4.3	7.9	10.3	77.5
Before/after school care (N=73,335)	6.8	15.3	19.2	58.8

20. How satisfactory or unsatisfactory is each of the following environmental factors in this school's on-site buildings? Circle one for EACH factor listed.

Environmental factor	Percent of schools—			
	Very satisfactory	Satisfactory	Unsatisfactory	Very unsatisfactory
Lighting (N=78,158)	22.2	62.2	13.2	2.4
Heating (N=77,999)	18.1	62.7	14.8	4.4
Ventilation (N=77,929)	14.6	58.3	20.9	6.2
Indoor air quality (N=77,958)	14.3	66.5	15.0	4.2
Acoustics for noise control (N=78,030)	10.4	61.5	22.7	5.4

Environmental factor	Percent of schools— Very satisfactory	Satisfactory	Unsatisfactory	Very unsatisfactory
Flexibility of instructional space (e.g., expandability, convertability, adaptability) (N=77,472)	7.0	39.0	36.6	17.3
Energy efficiency[1] (N=77,725)	9.9	48.9	30.4	10.8
Physical security of buildings (N=77,883)	13.8	62.0	17.7	6.6

[1] This environmental factor will be discussed in detail in a future report.

21. Does this school have air conditioning in classrooms, administrative offices, and/or other areas? *Circle ALL that apply.* (N=79,454)

	Percent of Schools
Yes, in classrooms	51.2
Yes, in administrative offices	72.8
Yes, in other areas	50.7
No, no air conditioning in this school *at all*	21.2

GO TO QUESTION 23

22. How satisfactory or unsatisfactory is the air conditioning in classrooms, administrative offices, and/or other areas? *Circle one for EACH CATEGORY listed.*

Air conditioning in	Percent of schools— Very satisfactory	Satisfactory	Unsatisfactory	Very unsatisfactory
Classrooms (N=39,717)	23.6	61.0	12.4	3.0
Administrative Offices (N=56,806)	22.4	64.4	11.3	1.9
Other areas (N=38,657)	22.9	62.3	11.6	3.1

7. What was the total amount of this most recently passed bond issue?

Mean=$6,556,000.00.

8. How much money did this most recently passed bond issue provide for the items listed below? *Enter zero if none.*

Items	*Amount provided per school (mean)*
Construction of new schools	$3,706,700
Repair/renovation/modernization of existing schools	2,733,000
Asbestos removal	109,900
Removal of Underground Storage Tank (USTs)	13,700
Removal of other environmental conditions	16,700
Purchase of computers	155,600
Purchase of telecommunications equipment	381,100
Access for students with disabilities	98,300

APPENDIX III—DATA—TECHNOLOGY ELEMENTS

TABLE III.1: MAJORITY OF STATES REPORT THAT AT LEAST 50 PERCENT OF SCHOOLS HAVE SIX OR MORE INSUFFICIENT TECHNOLOGY ELEMENTS

Percent of schools with six or more insufficient technology factors	States
20–29	Nevada, South Dakota.
30–39	Arkansas, Iowa, Kentucky, Minnesota, North Dakota, Pennsylvania, Texas, Wyoming.
40–49	Arizona, Colorado, Georgia, Indiana, Kansas, Mississippi, Montana, Nebraska, New Jersey, West Virginia, Wisconsin.
50–59	Alaska, Connecticut, District of Columbia, Florida, Louisiana, Maryland, Missouri, New York, Oklahoma, South Carolina, Tennessee, Utah, Vermont, Virginia.
60–69	Alabama, California, Idaho, Illinois, Massachusetts, Maine, Michigan, North Carolina, New Hampshire, Oregon, Rhode Island, Washington.
70–79	Delaware, Hawaii, New Mexico, Ohio.

Note.—Sampling errors range +7.1–13.5 percent.

TABLE III.2: PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS—DATA, VOICE, SYSTEMS INFRASTRUCTURE—BY STATE

State	Computers	Printers	Networks	Modems	Phone lines for modems	Phone lines instructional area
Alabama	32.1	36.3	58.6	61.7	55.4	64.1
Alaska	35.5	36.2	56.4	56.9	53.8	60.9
Arizona	15.8	18.3	46.4	60.8	58.1	61.8
Arkansas	9.5	17.5	36.7	63.7	56.4	59.3
California	37.1	39.7	69.8	70.5	68.1	64.8
Colorado	[a]20.9	[a]23.9	[a]37.0	61.6	56.8	45.3
Connecticut	[a]26.5	[a]29.9	[a]63.6	[a]55.4	[a]51.9	[a]52.7
Delaware	[b]44.5	[b]52.7	[b]65.7	[a]83.0	[a]82.9	[a]82.4
District of Columbia	[a]22.0	[a]31.4	[a]37.1	[b]49.5	[b]52.7	[b]52.6
Florida	28.6	28.9	66.4	65.0	63.2	62.3
Georgia	11.6	13.7	33.9	48.0	53.0	71.7
Hawaii	39.0	[a]44.7	72.0	75.7	79.5	74.7
Idaho	25.3	31.6	55.9	63.9	58.8	72.1
Illinois	30.2	39.0	57.7	65.7	63.4	64.2
Indiana	16.5	18.3	42.1	50.7	55.0	58.2
Iowa	15.3	16.5	43.5	48.5	43.8	55.4
Kansas	22.9	27.7	44.0	47.3	44.4	61.7
Kentucky	13.1	19.8	35.5	57.2	55.7	67.2
Louisiana	31.6	38.6	62.5	59.5	65.5	78.7
Maine	[a]31.0	[a]31.8	[a]62.9	[a]69.6	[a]63.8	[a]69.4
Maryland	29.1	30.4	44.1	62.3	66.7	87.0
Massachusetts	[a]32.5	[a]43.1	70.4	71.1	66.9	71.9
Michigan	36.9	38.8	63.3	64.1	58.1	63.4
Minnesota	22.5	21.7	41.5	42.7	41.0	41.4
Mississippi	16.9	20.3	37.6	53.8	55.8	62.7
Missouri	23.3	32.8	52.4	60.5	59.1	65.4
Montana	17.1	19.0	47.5	46.8	37.5	53.2
Nebraska	11.2	10.1	[a]43.3	[a]55.5	[a]45.7	[a]44.4
Nevada	14.4	15.9	26.9	28.2	26.2	27.1
New Hampshire	[a]44.0	[a]42.9	[a]65.6	68.4	[a]58.6	[a]66.4
New Jersey	20.0	24.5	[a]41.8	[a]38.1	33.5	62.9
New Mexico	36.3	44.9	69.6	79.0	58.5	57.3
New York	20.2	24.2	44.0	48.9	55.3	57.9
North Carolina	30.1	33.3	51.1	62.2	62.6	73.8
North Dakota	17.3	19.8	36.7	40.2	36.5	46.9
Ohio	38.2	50.7	71.8	74.0	70.5	76.2
Oklahoma	22.9	33.0	50.8	63.4	57.7	60.0
Oregon	38.2	41.8	66.2	59.8	65.1	65.6
Pennsylvania	18.2	19.4	[a]50.2	[a]54.7	[a]44.2	[a]48.7
Rhode Island	[a]37.1	[a]42.7	[a]49.3	[a]67.3	[a]52.1	67.3
South Carolina	33.0	35.1	56.1	55.2	50.3	61.5
South Dakota	9.8	9.9	37.0	37.0	35.4	42.0
Tennessee	20.4	22.8	48.0	62.7	65.6	68.6
Texas	12.8	15.6	31.3	38.9	38.4	44.0
Utah	6.9	7.9	28.7	54.4	71.0	77.5
Vermont	[b]32.7	[b]31.7	[a]65.7	[b]55.9	[b]61.4	[b]56.1
Virginia	31.3	37.7	56.5	54.1	52.9	56.0
Washington	32.0	39.8	60.5	61.8	61.1	66.3
West Virginia	16.5	17.2	32.3	56.8	51.5	71.8
Wisconsin	22.4	24.5	44.6	45.4	46.4	58.9
Wyoming	9.8	13.2	32.7	[a]41.4	33.8	44.5

Note.—Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 16 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE III.3: PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS—VIDEO AND BUILDING INFRASTRUCTURE—BY STATE

State	Television	Laser disk player/VCR	Cable TV	Conduits	Cable	Wiring	Power
Alabama	15.0	34.6	33.3	61.9	74.8	44.1	33.9
Alaska	35.3	46.3	55.6	67.4	90.9	52.1	44.7
Arizona	16.8	23.1	30.4	56.0	83.5	36.3	27.6
Arkansas	6.6	21.6	12.6	43.1	85.1	34.1	19.8
California	21.0	41.2	49.9	79.7	92.8	69.1	55.6
Colorado	16.9	[a]29.7	28.8	[a]49.7	88.2	[a]38.5	[a]32.7
Connecticut	25.1	[a]35.0	[a]42.4	[a]62.9	91.3	[a]55.1	[a]41.2

TABLE III.3: PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS—VIDEO AND BUILDING INFRASTRUCTURE—BY STATE—Continued

State	Television	Laser disk player/VCR	Cable TV	Conduits	Cable	Wiring	Power
Delaware	[b]32.8	[b]60.9	[b]45.4	[a]76.9	93.3	[b]69.5	[b]48.8
District of Columbia	[a]21.6	[a]31.4	[a]25.6	[b]50.0	[b]58.0	[b]45.8	[b]41.4
Florida	8.6	28.9	19.7	67.6	88.0	64.3	41.9
Georgia	14.8	28.8	12.9	57.8	87.1	44.0	38.3
Hawaii	4.7	29.8	18.8	82.1	89.7	75.1	61.4
Idaho	23.0	44.5	42.7	72.3	91.0	51.2	36.8
Illinois	23.3	43.7	43.4	68.8	87.0	52.6	41.1
Indiana	12.9	24.0	27.1	52.3	82.9	43.1	32.0
Iowa	4.5	21.0	13.2	49.9	84.9	31.3	15.4
Kansas	17.9	34.9	31.2	57.3	89.0	40.7	33.6
Kentucky	3.2	23.2	8.0	49.8	75.2	35.8	25.1
Louisiana	18.4	40.4	42.7	61.6	87.7	47.2	38.6
Maine	19.7	[a]43.7	[a]46.2	72.6	94.0	[a]46.7	[a]35.0
Maryland	36.2	52.1	38.5	61.9	91.8	46.8	36.0
Massachusetts	[a]34.9	[a]48.0	[a]44.2	73.9	88.1	60.8	[a]49.4
Michigan	27.1	42.1	27.1	68.7	85.6	51.0	38.3
Minnesota	17.3	31.6	27.4	48.9	72.3	7.4	25.2
Mississippi	4.9	36.7	32.5	55.6	85.0	26.6	19.9
Missouri	6.6	26.0	17.3	53.2	87.9	33.7	26.0
Montana	14.6	25.4	42.0	62.1	81.7	38.8	24.9
Nebraska	1.7	12.5	[a]31.0	62.4	83.3	33.1	21.2
Nevada	4.1	13.9	14.8	43.6	78.2	28.4	25.1
New Hampshire	[a]27.4	[a]43.7	[a]26.8	69.4	88.8	[a]57.7	[a]35.8
New Jersey	11.2	24.9	32.5	[a]55.2	85.8	[a]41.2	34.2
New Mexico	15.4	54.8	51.6	77.3	87.1	48.5	42.1
New York	24.7	38.1	35.9	55.5	82.3	50.7	34.7
North Carolina	15.2	30.9	24.5	66.0	92.3	55.4	41.8
North Dakota	15.1	30.9	27.5	56.0	69.5	33.8	17.7
Ohio	16.0	44.1	31.3	76.6	95.0	63.0	50.6
Oklahoma	18.8	35.2	32.8	54.6	81.7	41.4	32.3
Oregon	29.9	35.6	23.3	68.0	87.6	56.0	33.7
Pennsylvania	13.9	[a]34.7	27.4	[a]41.0	86.6	32.2	17.4
Rhode Island	24.4	[a]41.0	17.3	74.0	90.8	[a]64.2	[a]45.0
South Carolina	5.6	25.3	29.8	62.9	87.1	41.1	33.2
South Dakota	7.8	22.4	13.6	43.3	69.7	22.9	14.6
Tennessee	6.9	37.1	27.1	58.0	94.3	38.8	25.4
Texas	8.7	17.0	31.6	46.0	83.0	28.6	22.3
Utah	4.8	22.1	39.4	55.3	93.3	38.8	26.7
Vermont	10.0	[b]38.1	[b]57.8	[a]69.3	95.6	[b]48.5	[b]26.2
Virginia	4.1	36.7	18.4	57.5	93.5	36.1	29.5
Washington	15.0	41.2	34.9	61.0	86.3	47.0	35.1
West Virginia	4.2	30.8	14.4	49.9	93.2	36.2	18.0
Wisconsin	11.3	24.2	20.5	52.5	86.3	36.5	33.4
Wyoming	11.6	21.2	[b]40.1	[b]50.9	83.6	29.6	15.9

Note: Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greate than 13 percent but less than 16 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE III.4: PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS BY COMMUNITY TYPE

Technology element	Central city	Urban fringe/ large town	Rural/ small town
Fiber optic cable	90.2	87.8	84.4
Conduits	66.9	61.9	55.6
Phone lines in instructional areas	66.8	60.6	57.8
Modems	65.0	55.9	53.5
Networks	60.9	50.6	46.5
Phone lines for modems	61.3	55.3	51.8
Electrical wiring for communications technology	54.8	46.7	40.1
Electric power for communications technology	42.9	36.9	27.8
Laser disk player/VCRs	38.7	32.2	30.9
Printers	38.1	26.7	25.2
Cable TV	33.0	32.8	30.0
Computers	31.7	24.5	21.2
TVs	18.6	17.1	13.3
Six or more unsatisfactory technology elements	60.0	52.0	46.5

Note: Sampling errors range ± 1.7–3.5 percent.

TABLE III.5: PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS BY LEVEL OF SCHOOL

Technology element	Elementary	Secondary	Combined
Fiber optic cable	88.3	82.9	84.7
Conduits	63.3	53.1	60.6
Phone lines in instructional areas	64.4	53.2	52.8
Modems	60.9	48.4	54.1
Networks	54.8	42.9	53.6
Phone lines for modems	58.4	47.8	52.3
Electrical wiring for communications technology	48.7	39.2	42.9
Electric power for communications technology	36.7	29.1	30.5
Laser disk player/VCRs	34.9	30.1	29.7
Printers	31.7	23.2	25.9
Cable TV	33.7	24.3	42.7
Computers	27.0	20.3	22.2
TVs	17.3	11.9	14.8
Six or more unsatisfactory technology elements	55.7	41.5	50.9

Note: Sampling errors range ± 1.4–4.0 percent.

TABLE III.6: PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS BY PROPORTION OF MINORITY STUDENTS

Technology element	Percent of minority students in schools			
	Less than 5.5	5.5 to 20.4	20.5 to 50.4	More than 50.5
Fiber optic cable	85.6	86.2	88.2	88.3
Conduits	59.3	56.2	65.5	62.9
Phone lines in instructional areas	60.7	59.4	60.6	64.9
Modems	55.9	52.7	59.9	63.1
Networks	48.9	49.6	56.2	55.0
Phone lines for modems	54.0	51.2	58.7	59.9
Electrical wiring for communications technology	42.3	44.7	46.9	53.5
Electric power for communications technology	30.3	30.5	36.3	44.8
Laser disk player/VCRs	31.3	29.1	37.6	38.4
Printers	27.1	28.5	30.3	33.4
Cable TV	28.2	25.7	33.9	41.4
Computers	23.5	24.9	25.6	28.0
TVs	13.1	15.4	14.7	22.3
Six or more unsatisfactory technology elements	48.7	50.0	54.4	57.4

Note: Sampling errors range ± 1.8–4.0 percent.

TABLE III.7.—PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS BY GEOGRAPHIC REGION

Technology element	North-east	Mid-west	South	West
Fiber optic cable	86.5	85.7	86.1	89.4
Conduits	57.2	61.5	56.0	69.0
Phone lines in instructional areas	59.2	60.9	62.0	61.9
Modems	53.9	57.8	54.9	63.9
Networks	52.0	53.3	45.6	59.0
Phone lines for modems	51.0	55.1	54.2	61.6
Electrical wiring for communications technology	47.2	44.9	40.9	55.0
Electric power for communications technology	33.5	34.0	30.4	42.6
Laser disk player/VCRs	36.7	33.5	29.7	36.7
Printers	27.6	31.4	25.6	33.6
Cable TV	35.4	28.3	26.4	41.3
Computers	23.7	26.2	21.7	30.1
TVs	21.0	15.7	11.3	18.9

TABLE III.7.—PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS BY GEOGRAPHIC REGION—Continued

Technology element	North-east	Mid-west	South	West
Six or more unsatisfactory technology elements	50.8	52.3	47.1	59.9

Note.—Sampling errors range ± 1.6–4.6 percent.

TABLE III.8.—PERCENT OF SCHOOLS REPORTING INSUFFICIENT TECHNOLOGY ELEMENTS BY PROPORTION OF STUDENTS APPROVED FOR FREE OR REDUCED LUNCH

Technology element	Percent of students approved for free or reduced lunch			
	Less than 20	20 to less than 40	40 to less than 70	70 or more
Fiber optic cable	86.9	86.3	87.9	88.9
Conduits	59.2	60.4	64.1	62.2
Phone lines in instructional areas	57.9	59.9	64.3	68.2
Modems	52.1	56.1	62.4	61.9
Networks	48.0	50.1	56.3	54.3
Phone lines for modems	51.7	56.2	57.4	59.5
Electrical wiring for communications technology	45.7	43.5	48.7	47.4
Electric power for communications technology	32.2	32.0	35.5	38.1
Laser disk player/VCRs	30.3	30.6	37.8	34.1
Printers	23.7	28.4	33.3	30.0
Cable TV	25.5	28.6	31.8	37.8
Computers	20.9	23.7	28.0	25.4
TVs	14.5	12.4	16.2	17.3
Six or more unsatisfactory technology elements	47.7	49.6	56.0	56.1

Note.—Sampling errors range ± 1.7–3.9 percent.

Table III. 9.—Average number of students per computer by State

State:	*Students per computer*
Alabama	16.8
Alaska	7.6
Arizona	11.9

Table III. 9.—Average number of students per computer by State—Continued

	Students per computer
Arkansas	12.5
California	21.1
Colorado	12.6
Connecticut	14.5
Delaware	17.7
District of Columbia	17.2
Florida	12.1
Georgia	13.4
Hawaii	15.6
Idaho	12.7
Illinois	18.9
Indiana	11.1
Iowa	10.9
Kansas	9.9
Kentucky	10.2
Louisiana	20.6
Maine	16.9
Maryland	14.9
Massachusetts	15.6
Michigan	19.9
Minnesota	10.2
Mississippi	14.5
Missouri	15.2
Montana	7.9
Nebraska	10.3
Nevada	21.4
New Hampshire	20.8
New Jersey	13.5
New Mexico	10.8
New York	15.6
North Carolina	13.4
North Dakota	8.7
Ohio	25.3
Okahoma	13.2
Oregon	15.5
Pennsylvania	14.8
Rhode Island	21.6
South Carolina	12.4
South Dakota	9.0
Tennessee	18.7
Texas	11.4
Utah	11.7
Vermont	16.9
Virginia	12.7
Washington	13.7
West Virginia	12.9
Wisconsin	10.7
Wyoming	7.0

Note.—Sample errors range ±1.1–4.9 percent, except Vermont, which was 8 percent.

APPENDIX IV—DATA—FACILITIES REQUIREMENTS FOR KEY EDUCATION REFORM AND IMPROVEMENT ACTIVITIES

TABLE IV.1: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES—SMALL-GROUP INSTRUCTION, LARGE-GROUP INSTRUCTION, STORE AND DISPLAY STUDENT ASSESSMENT MATERIALS—BY STATE

State	Small-group instruction	Large-group instruction	Store student assessment materials	Display student assessment materials
Alabama	6.0	29.0	33.7	31.8
Alaska	14.5	51.0	47.2	28.6
Arizona	6.4	35.2	37.2	38.6
Arkansas	5.9	30.3	13.8	12.1
California	15.2	51.3	47.6	40.4
Colorado	4.6	37.7	25.1	23.2
Connecticut	5.3	[a]34.1	26.6	19.3
Delaware	[a]15.5	[b]29.7	[b]33.9	[b]38.7
District of Columbia	5.7	[a]30.3	[a]31.1	21.0
Florida	5.8	43.4	29.2	28.6
Georgia	5.6	23.3	21.2	19.7
Hawaii	2.6	36.1	[a]39.2	27.7
Idaho	6.0	29.5	30.5	30.0
Illinois	13.5	46.5	32.7	35.6
Indiana	10.0	34.6	27.1	23.4
Iowa	5.8	32.8	20.4	21.4
Kansas	6.4	53.1	32.9	33.7
Kentucky	4.0	30.5	26.2	19.4

TABLE IV.1: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES—SMALL-GROUP INSTRUCTION, LARGE-GROUP INSTRUCTION, STORE AND DISPLAY STUDENT ASSESSMENT MATERIALS—bY STATE—Continued

State	Small-group instruction	Large-group instruction	Store student assessment materials	Display student assessment materials
Louisiana	7.4	30.8	33.7	27.3
Maine	17.0	[a]43.1	[a]40.9	[a]43.0
Maryland	8.3	39.3	40.6	25.8
Massachusetts	13.4	[a]40.5	[a]33.5	28.3
Michigan	12.6	39.4	38.1	37.5
Minnesota	6.8	37.6	28.4	26.4
Mississippi	2.3	28.3	21.7	22.8
Missouri	1.9	33.2	22.1	17.0
Montana	3.4	45.1	28.9	29.0
Nebraska	5.9	60.4	22.2	18.8
Nevada	0.3	26.7	14.2	19.7
New Hampshire	13.6	[a]49.3	[a]44.1	[a]33.5
New Jersey	16.4	28.5	28.9	20.5
New Mexico	3.7	27.8	27.1	23.6
New York	17.9	45.1	38.0	29.1
North Carolina	5.6	26.9	27.9	26.6
North Dakota	3.5	37.0	16.0	23.2
Ohio	17.6	42.7	43.1	33.0
Oklahoma	1.6	34.6	21.6	25.2
Oregon	3.2	44.9	29.3	29.5
Pennsylvania	9.1	29.9	24.5	19.0
Rhode Island	11.3	[a]42.9	[a]37.7	[a]30.0
South Carolina	7.2	33.3	29.7	18.9
South Dakota	9.1	29.2	26.5	20.4
Tennessee	7.5	24.9	19.4	22.3
Texas	1.5	32.1	19.0	17.4
Utah	13.9	35.3	35.2	30.9
Vermont	9.5	[b]41.3	[b]37.3	[b]32.6
Virginia	10.0	31.9	38.3	35.8
Washington	13.9	47.1	40.7	35.7
West Virginia	19.0	49.7	40.3	38.7
Wisconsin	14.6	32.1	24.1	18.3
Wyoming	0.7	[a]35.3	11.6	8.0

Note: Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 16 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE IV.2: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES—PARENT SUPPORT, SOCIAL/HEALTH SERVICES, TEACHER PLANNING AND PRIVATE AREAS FOR COUNSELING/TESTING—BY STATE

State	Parent support	Social/health services	Teacher planning	Private areas for counseling/testing
Alabama	30.5	41.0	10.4	20.5
Alaska	32.8	40.7	30.7	41.1
Arizona	28.8	25.5	10.9	31.2
Arkansas	11.0	11.7	4.3	8.3
California	39.1	41.4	20.8	46.0
Colorado	16.4	25.4	9.6	22.4
Connecticut	22.6	9.7	11.3	23.0
Delaware	[b]31.6	[b]34.5	13.7	[a]21.0
District of Columbia	13.6	[a]29.6	9.6	[a]21.6
Florida	24.0	23.0	15.5	25.6
Georgia	17.1	22.4	14.2	12.0
Hawaii	32.6	21.2	19.9	30.9
Idaho	15.9	28.8	12.0	19.2
Illinois	23.3	26.4	14.8	37.0
Indiana	17.8	8.9	15.2	23.9
Iowa	21.0	19.4	4.9	16.4
Kansas	21.2	24.2	13.4	30.1
Kentucky	22.4	26.8	7.8	20.1
Louisiana	24.9	26.1	12.8	32.3
Maine	[a]34.0	[a]34.6	14.1	23.6
Maryland	21.5	23.2	15.4	28.3
Massachusetts	20.1	23.1	13.4	26.2
Michigan	27.5	44.3	12.6	24.5
Minnesota	19.4	20.1	17.4	28.9
Mississippi	22.2	29.8	3.3	12.1
Missouri	10.4	18.9	3.6	9.6
Montana	15.8	30.7	6.1	19.5
Nebraska	23.7	24.1	13.0	29.9
Nevada	13.6	21.0	1.0	5.7
New Hampshire	[a]37.5	[a]28.3	[a]28.1	[a]38.2
New Jersey	18.5	17.4	12.2	25.6
New Mexico	13.0	25.6	9.3	26.2
New York	25.3	23.3	16.7	29.8
North Carolina	17.1	21.4	16.1	24.6
North Dekota	20.5	30.9	7.6	15.8
Ohio	30.0	31.7	17.2	31.6
Oklahoma	13.3	29.2	4.6	15.1
Oregon	30.9	39.8	13.0	18.8
Pennsylvania	14.9	15.1	10.0	15.5

TABLE IV.2: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES—PARENT SUPPORT, SOCIAL/HEALTH SERVICES, TEACHER PLANNING AND PRIVATE AREAS FOR COUNSELING/TESTING—BY STATE—Continued

State	Parent support	Social/health services	Teacher planning	Private areas for counseling/testing
Rhode Island	[a]38.6	[a]31.9	15.0	[a]35.2
South Carolina	18.8	30.4	14.3	18.1
South Dakota	19.4	25.8	10.5	17.8
Tennessee	18.2	40.8	8.4	22.9
Texas	17.8	17.7	5.2	13.9
Utah	29.1	25.0	21.5	33.8
Vermont	[a]22.6	[a]33.5	[b]21.8	[b]33.9
Virginia	30.6	25.0	18.9	18.6
Washington	29.7	39.7	16.5	30.0
West Virginia	27.4	47.3	15.5	38.9
Wisconsin	25.2	23.9	19.9	30.2
Wyoming	6.8	18.6	1.0	17.7

Note: Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 16 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE IV.3: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES—LABORATORY SCIENCE, LIBRARY/MEDIA CENTER, DAY CARE, BEFORE/AFTER SCHOOL CARE—BY STATE

State	Laboratory science	Library/media center	Day care	Before/after school care
Alabama	41.6	6.1	82.9	62.8
Alaska	61.7	31.1	89.1	63.2
Arizona	44.1	12.3	72.3	50.1
Arkansas	26.5	1.3	87.2	74.1
California	58.2	19.4	75.7	63.5
Colorado	36.6	4.8	[b]64.8	[a]45.3
Connecticut	[a]43.8	13.3	[a]73.2	53.6
Delaware	[b]59.3	[b]29.1	[b]77.0	52.4
District of Columbia	[a]46.1	12.9	[b]46.8	45.9
Florida	43.9	9.3	68.8	43.1
Georgia	38.4	0.2	64.9	43.6
Hawaii	48.9	24.6	75.9	23.7
Idaho	34.1	13.0	86.2	76.3
Illinois	46.6	18.0	79.2	69.1
Indiana	33.3	6.4	70.4	47.7
Iowa	28.9	9.2	83.5	64.3
Kansas	40.4	16.5	87.2	61.2
Kentucky	35.2	6.0	77.8	62.0
Louisiana	43.7	13.3	82.5	64.4
Maine	58.6	25.4	87.9	87.5
Maryland	45.0	15.8	[a]57.0	36.9
Massachusetts	[a]48.8	24.4	78.8	[a]62.0
Michigan	48.6	19.0	76.4	56.5
Minnesota	45.7	12.0	73.6	50.2
Mississippi	39.1	4.8	80.5	76.3
Missouri	41.9	5.8	72.4	54.3
Montana	35.1	8.9	91.7	80.4
Nebraska	35.3	11.2	91.0	73.9
Nevada	71.8	11.5	89.9	28.8
New Hampshire	[a]47.0	[a]20.9	85.9	[a]61.3
New Jersey	[a]42.9	16.5	79.6	[a]53.3
New Mexico	38.5	15.9	66.2	53.6
New York	46.1	22.4	80.0	52.5
North Carolina	38.4	7.2	69.1	33.4
North Dakota	23.7	16.0	80.9	73.0
Ohio	50.6	16.8	88.9	69.5
Oklahoma	23.9	7.0	72.2	60.5
Oregon	51.5	7.6	75.4	54.0
Pennsylvania	30.3	7.8	[a]66.0	[a]56.7
Rhode Island	[a]45.9	[a]26.4	[a]77.9	[a]63.3
South Carolina	47.5	1.7	83.2	63.5
South Dakota	29.2	12.0	88.0	77.5
Tennessee	43.8	7.8	79.2	52.4
Texas	25.1	9.2	73.5	50.3
Utah	40.5	24.6	75.0	74.5
Vermont	[b]38.8	[b]14.2	86.8	[b]54.8
Virginia	40.8	13.5	88.4	56.9
Washington	51.5	15.6	75.0	67.2
West Virginia	43.1	28.4	93.9	81.1
Wisconsin	35.2	13.4	83.9	71.2
Wyoming	30.9	16.4	91.3	59.6

Note: Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 16 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE IV.4: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES BY COMMUNITY TYPE

Activity	Central city	Urban fringe/large town	Rural/small town
Small-group instruction	12.0	9.8	7.6
Large-group instruction	38.8	34.8	39.8
Store student assessment materials	29.9	32.2	31.5
Display student assessment materials	27.1	26.5	28.5
Parent support	24.2	23.3	23.1
Social/health services	27.1	24.4	28.4
Teacher planning	14.7	12.8	12.2
Private areas for counseling/testing	30.4	25.8	22.6
Laboratory science	48.3	43.7	36.9
Library/media center	13.6	13.9	12.8
Day care	76.4	70.2	82.4
Before/after school care	54.0	51.1	66.2

Note: Sampling errors range ±1.3–3.5 percent

TABLE IV.5: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES BY LEVEL OF SCHOOL

Activity	Elementary	Secondary	Combined
Small-group instruction	10.5	7.0	5.6
Large-group instruction	39.3	33.9	46.9
Store student assessment materials	31.7	30.3	29.7
Display student assessment materials	27.1	28.7	28.5
Parent support	22.7	24.8	29.8
Social/health services	27.2	26.5	27.2
Teacher planning	14.0	10.5	13.8
Private areas for counseling/testing	28.5	18.1	24.2
Laboratory science	51.6	15.3	42.3
Library/media center	13.3	11.5	27.7
Day care	76.3	81.3	76.6
Before/after school care	53.3	73.5	67.2

Note: Sampling errors range ±1.4–4.0 percent.

TABLE IV.6: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES BY PROPORTION OF MINORITY STUDENTS

Activity	Percent minority students			
	Less than 5.5	5.5 to less than 20.4	20.5 to less than 50.4	50.5 or more
Small-group instruction	8.9	10.5	9.4	9.7
Large-group instruction	38.2	36.8	36.5	41.0
Store student assessment materials	30.4	30.7	32.4	32.5
Display student assessment materials	27.3	25.6	28.4	29.0
Parent support	22.2	20.7	24.8	27.0
Social/health services	25.6	24.9	27.8	31.3
Teacher planning	13.0	12.6	11.4	15.5
Private areas for counseling/testing	22.6	25.2	27.3	30.6
Laboratory science	39.3	38.9	42.8	49.1
Library/media center	13.6	11.0	12.7	15.5
Day care	80.7	73.2	77.0	77.2
Before/after school care	63.2	52.7	57.2	58.4

Note: Sampling errors range ±1.7–4.0 percent.

TABLE IV.7: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES BY GEOGRAPHIC REGION

Activity	Northeast	Midwest	South	West
Small-group instruction	13.8	10.7	5.5	10.5
Large-group instruction	37.4	40.7	32.3	44.5
Store student assessment materials	32.5	30.9	26.2	38.6
Display student assessment materials	25.6	28.3	23.8	33.9
Parent support	22.1	22.8	20.5	30.1
Social/health services	20.8	26.3	25.5	35.3
Teacher planning	14.0	13.4	10.5	16.1
Private areas for counseling/testing	25.3	26.8	19.6	34.1
Laboratory science	42.8	41.9	36.2	50.4
Library/media center	17.8	14.0	8.7	16.0
Day care	76.9	80.9	75.7	76.4

TABLE IV.7: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" SELECTED FUNCTIONAL REQUIREMENTS OF EDUCATION REFORM ACTIVITIES BY GEOGRAPHIC REGION—Continued

Activity	Northeast	Midwest	South	West
Before/after school care	57.4	63.2	54.1	60.9

Note: Sampling errors range ±1.1–4.8 percent.

TABLE IV.8: PERCENT OF SCHOOLS REPORTING MEETING "NOT WELL AT ALL" THE FUNCTIONAL REQUIREMENTS OF SELECTED EDUCATION REFORM ACTIVITIES BY PROPORTION OF STUDENTS APPROVED FOR FREE OR REDUCED LUNCH

Activity	Percent of students approved for free or reduced lunch			
	Less than 20	20 to less than 40	40 to less than 70	70 or more
Small-group instruction	9.2	8.8	8.7	10.0
Large-group instruction	32.5	37.3	40.5	41.3
Store student assessment materials	29.3	31.0	31.1	34.3
Display student assessment materials	25.8	25.0	31.3	29.3
Parent support	21.3	23.8	24.6	23.0
Social/health services	20.0	26.9	32.0	30.6
Teacher planning	12.0	12.0	12.7	15.7
Private areas for counseling/testing	21.4	22.9	29.3	31.4
Laboratory science	33.0	38.0	48.5	50.3
Library/media center	9.7	10.7	15.2	15.0
Day care	70.7	79.7	80.9	79.0
Before/after school care	54.5	60.6	61.8	59.3

Note: Sampling errors range ± 2.1–3.9 percent.

APPENDIX V—DATA—ENVIRONMENTAL NEEDS

TABLE V.1: PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS—LIGHTING, HEATING, VENTILATION, INDOOR AIR QUALITY—BY STATE

State	Lighting	Heating	Ventilation	Indoor air quality
Alabama	14.7	22.0	26.1	23.2
Alaska	28.1	38.9	51.9	49.9
Arizona	15.7	19.9	29.5	19.6
Arkansas	7.5	7.9	11.9	10.0
California	31.1	24.7	28.8	21.8
Colorado	[a]21.7	[a]29.3	[a]37.2	24.0
Connecticut	9.3	23.8	[a]35.3	18.5
Delaware	9.1	[b]25.6	[b]30.3	[b]26.4
District of Columbia	[b]40.2	[a]31.0	[a]33.9	[a]31.5
Florida	16.0	17.8	34.6	30.6
Georgia	6.9	11.8	12.4	7.7
Hawaii	7.6	6.0	26.2	20.9
Idaho	13.2	19.8	36.5	25.5
Illinois	14.2	21.0	29.2	18.6
Indiana	22.8	20.7	28.8	21.2
Iowa	9.5	11.1	24.2	17.1
Kansas	21.5	22.3	35.2	24.1
Kentucky	14.6	17.7	25.6	19.2
Louisiana	18.4	17.5	7.2	6.3
Maine	9.6	19.7	28.7	30.1
Maryland	18.0	19.2	28.8	20.5
Massachusetts	19.9	32.8	[a]41.9	30.9
Michigan	12.0	16.7	25.3	15.4
Minnesota	11.9	15.0	35.5	30.1
Mississippi	8.0	10.9	9.4	8.8
Missouri	4.7	10.1	12.8	8.2
Montana	4.7	9.4	20.8	12.9
Nebraska	7.4	16.9	32.9	21.4
Nevada	15.7	21.0	22.6	20.4
New Hampshire	14.0	24.8	[a]46.8	[a]27.2
New Jersey	11.5	10.5	21.7	8.1
New Mexico	20.9	23.9	32.7	22.7
New York	15.8	20.9	36.5	24.1
North Carolina	17.4	14.0	23.4	17.7
North Dakota	10.7	20.1	28.6	24.0
Ohio	13.9	24.9	33.3	18.6
Oklahoma	16.2	18.7	20.6	16.8
Oregon	25.8	27.4	40.1	27.0
Pennsylvania	11.0	17.1	23.3	12.4
Rhode Island	25.4	25.8	28.9	[a]29.8
South Carolina	7.2	13.0	18.3	18.8
South Dakota	9.5	15.1	25.7	19.9
Tennessee	8.3	17.1	19.2	16.0
Texas	13.0	14.2	16.4	12.3
Utah	14.1	21.9	34.1	20.9
Vermont	10.5	[a]22.7	[a]32.2	[a]25.4
Virginia	14.4	16.6	21.7	19.8
Washington	24.0	30.4	41.9	32.4
West Virginia	23.9	34.1	46.5	31.3
Wisconsin	9.6	13.9	20.5	13.3

TABLE V.1: PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS—LIGHTING, HEATING, VENTILATION, INDOOR AIR QUALITY—BY STATE—Continued

State	Lighting	Heating	Ventilation	Indoor air quality
Wyoming	5.0	11.2	24.1	15.4

Note: Sampling errors are less than ±11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 14.3 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE V.2: PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS—ACOUSTICS, FLEXIBILITY, PHYSICAL SECURITY—BY STATE

State	Acoustics	Flexibility	Physical security
Alabama	32.8	47.6	35.7
Alaska	32.4	55.5	27.4
Arizona	26.4	52.6	25.3
Arkansas	17.5	42.4	21.2
California	34.2	70.4	41.2
Colorado	21.9	[a]46.5	13.3
Connecticut	[a]28.4	[a]48.4	22.3
Delaware	[a]19.3	[b]48.6	[a]22.3
District of Columbia	[b]51.8	[b]52.4	[a]37.3
Florida	28.0	56.6	33.7
Georgia	11.9	36.2	16.8
Hawaii	37.7	[a]54.1	39.7
Idaho	35.4	53.8	22.5
Illinois	29.1	55.4	23.6
Indiana	33.0	55.4	18.4
Iowa	28.2	55.3	24.1
Kansas	30.3	56.6	21.9
Kentucky	26.4	50.5	21.0
Louisiana	27.5	53.4	29.6
Maine	[a]42.6	[a]58.4	[a]33.3
Maryland	19.6	23.1	13.4
Massachusetts	[a]41.3	[a]51.2	27.9
Michigan	31.0	47.2	20.2
Minnesota	20.7	55.6	27.5
Mississippi	22.0	41.2	28.2
Missouri	22.5	43.2	14.5
Montana	22.9	50.6	18.0
Nebraska	26.1	[a]46.8	21.3
Nevada	7.6	53.5	13.7
New Hampshire	[a]43.8	[a]68.8	21.6
New Jersey	30.3	[a]60.6	19.8
New Mexico	32.1	60.5	24.1
New York	30.0	64.9	21.2
North Carolina	29.5	59.0	21.8
North Dakota	32.8	41.3	18.1
Ohio	39.6	70.6	23.5
Oklahoma	27.3	48.8	26.6
Oregon	31.8	72.2	28.7
Pennsylvania	16.7	[a]42.0	12.8
Rhode Island	[a]38.6	[a]63.7	[a]34.7
South Carolina	22.7	53.8	24.6
South Dakota	23.6	38.5	11.2
Tennessee	21.5	48.6	27.9
Texas	21.3	43.7	18.3
Utah	17.8	52.2	16.1
Vermont	[a]22.9	[b]47.4	[b]22.8
Virginia	24.0	37.5	20.6
Washington	39.7	64.8	34.6
West Virginia	44.0	68.7	34.4
Wisconsin	19.7	52.5	18.8
Wyoming	17.7	52.6	21.9

Note.—Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 16 percent. Sampling errors may be high for state tables because they are not adjusted for finite population correction.

TABLE V.3.—PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS BY COMMUNITY TYPE

Environmental factor	Central city	Urban fringe/large town	Rural/small town
Lighting	20.4	17.3	11.4
Heating	22.8	19.0	17.0
Ventilation	31.5	28.2	23.6
Indoor air quality	22.5	19.0	17.2
Acoustics for noise control	31.6	26.3	26.8
Flexibility	59.7	50.8	52.0
Physical security	26.5	22.8	23.5

Note.—Sampling errors range ± 1.6–3.5 percent.

TABLE V.4.—PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS BY LEVEL OF SCHOOL

Environmental factor	Elementary	Secondary	Combined
Lighting	16.3	13.8	15.0
Heating	18.8	20.6	18.6
Ventilation	26.4	29.2	27.0
Indoor air quality	19.1	19.4	21.8
Acoustics for noise control	28.3	26.8	32.2
Flexibility	54.9	51.5	51.4
Physical security	22.9	27.4	28.8

Note.—Sampling errors range ± 1.7–3.9 percent.

TABLE V.5.—PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS BY PROPORTION OF MINORITY STUDENTS

Environmental factor	Percent of minority students			
	Less than 5.5	5.5 to less than 20.4	20.5 to less than 50.5	50.5 or more
Lighting	12.1	14.3	16.0	22.9
Heating	17.7	18.1	18.7	23.7
Ventilation	25.6	25.4	27.4	31.4
Indoor air quality	17.5	17.6	20.4	22.9
Acoustics for noise control	27.7	25.1	26.8	32.8
Flexibility	50.8	52.3	55.3	60.1
Physical security	21.6	21.3	22.7	33.3

Note.—Sampling errors range ± 1.8–3.9 percent.

TABLE V.6—PERCENT OF SCHOOLS REPORTING UNSATIFACTORY ENVIRONMENTAL FACTORS BY GEOGRAPIC REGION

Environmental factor	Northeast	Midwest	South	West
Lighting	13.8	12.8	13.7	23.8
Heating	20.3	18.2	16.3	24.3
Ventilation	31.4	27.8	20.9	32.3
Indoor air quality	19.9	18.4	16.8	23.5
Acoustics	29.6	29.3	24.4	30.9
Flexibility	55.7	54.2	47.0	62.8
Physical security	21.1	21.2	23.9	31.4

Note:—Sampling errors range ± 1.8–4.5 percent.

TABLE V.7—PERCENT OF SCHOOLS REPORTING UNSATISFACTORY ENVIRONMENTAL FACTORS BY PROPORTION OF STUDENTS APPROVED FOR FREE OR REDUCED LUNCH

Environmental factor	Percent of students approved for free or reduced lunch			
	Less than 20	20 to less than 40	40 to less than 70	70 or more
Lighting	14.3	13.2	15.8	19.1
Heating	18.9	15.5	20.6	22.1
Ventilation	26.1	23.5	28.3	30.6
Indoor air quality	15.8	15.9	22.6	22.6
Acoustics	24.1	27.0	29.4	32.8
Flexibility	49.0	53.5	59.0	57.4
Physical security	19.4	18.8	25.9	30.0

Note.—Sampling errors range ± 2.3–3.8 percent.

APPENDIX VI—TECHNICAL APPENDIX

SCOPE AND METHODOLOGY OVERVIEW

To determine the extent to which America's 80,000 schools have the physical capacity to support 21st century technology and education reform for all students, we surveyed a national sample of public schools and their associated districts and augumented the surveys with visits to selected school districts. We used various experts to advise us on the design and analysis of this project (See app. I.)

We sent the surveys to a nationally representative sample of about 10,000 public schools in over 5,000 associated school districts. For our sample, we used the public school sample for the Department of Education's 1993–94 Schools and Staffing Survey (SASS), which is a multifaceted, nationally representative survey sponsored by the National Center for Educational Statistics (NCES) and administered by the Bureau of the Census.

We asked about the physical condition of schools and how well schools could meet selected functional requirements of education reform, such as having space for small- and large-group instruction or science laboratories. We also asked officials if their schools had sufficient data, voice, and video technologies and infrastructure to support these technologies. A list of the relevant survey items appears in appendix II.[18]

We directed the survey to those officials who are most knowledgeable about facilities—such as facilities directors and other central office administrators of the districts that housed our sampled schools. Our analyses are based on responses from 78 percent of the schools sampled and 75 percent of the associated districts. Analyses of nonrespondent characteristics showed them to be similar to respondents. Findings from the survey have been statistically adjusted (weighted) to produce estimates that are representative at national and state levels. All data are self-reported, and we did not independently verify their accuracy.

In addition, we visited 41 schools in 10 selected school districts varying in location, size, and minority composition to augment and illustrate our survey results. We also reviewed the literature on education reform, including the relationship between environmental conditions and student learning. We conducted our study between January 1994 and March 1995 in accordance with generally accepted government auditing standards.

SCHOOL AND DISTRICT SURVEYS

For our review of the physical condition of America's schools, we wanted to determine physical condition as perceived by the most knowledgeable school district personnel. To accomplish this, we mailed school and district questionnaires to superintendents of school districts associated with a nationally representative sample of public schools. We asked the superintendents to have district personnel, such as facilities directors who were very familiar with school facilities, answer the questionnaires. The questionnaires gathered information about (1) the physical condition of schools; (2) costs of bringing schools into good overall condition, which we defined as needing only routine maintenance or minor repairs; and (3) how well schools could meet the functional requirements of education programs. For our school sample, we used the sample for the 1993-94 SASS.

SAMPLING STRATEGY

The 1993-94 SASS sample is designed to give several types of estimates, including both national and state-level estimates. It is necessarily a very complex sample. Essentially, however, it is stratified by state and grade level (elementary, secondary, and combined). It also has separate strata for schools with large Native American populations and for Bureau of Indian Affairs schools. A detailed description of the sample and discussion of the sampling issues is contained in NCES' technical report on the 1993-94 SASS sample.[19]

SURVEY RESPONSE

We mailed our questionnaires to 9,956 sampled schools in 5,459 associated districts across the country in May 1994. We did a follow-up mailing in July 1994 and again in October 1994. After each mailing, we telephoned nonresponding districts to encourage their responses. We accepted returned questionnaires through early January 1995.

Of the 9,956 schools in the original sample, 393 were found to be ineligible for our survey.[20] Subtracting these ineligible schools from our original sample yielded an adjusted sample of 9,563 schools. The number of completed, usable school questionnaires returned was 7,478. Dividing the number of completed, usable returns by the adjusted sample yielded a school response rate of 78 percent. Of the 5,459 associated districts in the original sample, 28 were found to be ineligible for our survey mainly because they were no longer operating. Subtracting these ineligible districts from our original sample of 5,459 associated districts yielded an adjusted district sample of 5,431 districts. The number of completed, usable district questionnaires returned was 4,095. Dividing the number of completed, usable returns by the adjusted district sample yielded a district response rate of 75 percent.[21]

We compared school and district nonrespondents with respondents by urbanicity, location, state, race and ethnicity, and poverty. There were few notable differences between the groups. On the basis of this information, we assumed that our respondents did not differ significantly from the nonrespondents.[22] Therefore, we weighted the respondent data to adjust for nonresponse and yield national and state-level estimates.

SAMPLING ERRORS

All sample surveys are subject to sampling error, that is, the extent to which the results differ from what would be obtained if the whole population had received the questionnaire. Since the whole population does not receive the questionnaire in a sample survey, the true size of the sampling error cannot be known. However, it can be estimated from the responses to the survey. The estimate of sampling error depends largely on the number of respondents and the amount of variability in the data.

For this survey, sampling errors for all school-level estimates at the national level is estimated to be ± 2 percent or less at the 95-percent confidence level. Sampling errors for school-level estimates at the state level are generally within ± 10 percent at the 95-percent confidence level. Sampling errors for a few state-level estimates may go as high as ± 12-15 percent. These are indicated on the tables in the appendixes. Sampling errors for district-level estimates are not available. With the exception of the information on recent bond issues passed by districts, all estimates discussed in this report are school-level estimates at national or state-levels.

NONSAMPLING ERRORS

In addition to sampling errors, surveys are also subject to other types of systematic error or bias that can affect results. This is especially true when respondents are asked to answer questions of a sensitive nature or inherently subject to error. Lack of understanding of the issues can also result in systematic error. Bias can affect both response rates and the way that respondents answer particular questions. It is not possible to assess the magnitude of the effect of biases, if any, on the results of a survey. Rather, possibilities of bias can only be identified and accounted for when interpreting results. This survey had two major possible sources of bias: (1) bias inherent in all self-ratings or self-reports and (2) sensitivity of compliance issues.

Bias inherent in self-ratings may impact results of this survey in two major areas. First, the self-ratings or self-reports of technological sufficiency may be overly optimistic for several reasons. In our analyses, we

include as "sufficient" responses that indicated moderate and somewhat sufficient capability as well as very sufficient capability. This could indicate a wide range of sufficiency, including some responses that are very close to "not sufficient." In addition, our analyses showed that without any objective standards with which to anchor their responses, schools indicating "sufficient" computers and computer/student ratios that ranged from 1:1 to 1:292 (a median of 1:11) for those schools that had computers. About 300 schools that indicated they had no computers for instructional use said that was sufficient. (See table III.9 for more details.) Finally, technology experts who regularly consult with school systems report that the level of knowledge among school administrators and staff of possible use and application of technology in schools is low—further increasing the likelihood that these sufficiency estimates are overly optimistic.

Second, assessing the physical condition of buildings is a very complex and technical undertaking. Moreover, many facilities problems, particularly the most serious and dangerous, are not visible to the naked eye. Further, any dollar estimates made of the cost to repair, retrofit, upgrade, or renovate are just that, estimates, unless the school has recently completed such work. The only way school officials actually know what such work costs is to put it out for bid. Even then, cost changes may occur before the contracted work is completed. Therefore, estimates and evaluations reported are subject to inaccuracies.

A second kind of bias that may occur results from the sensitivity of compliance issues. In this case, our interest in securing information related to compliance with federal mandates, life-safety codes, and physical security put us in a highly sensitive area. For example, respondents may perceive that accurately reporting problems in providing access for disabled students could make the school vulnerable to lawsuits, despite assurances of confidentiality. Consequently, in sensitive areas schools may tend toward underreporting or making conservative estimates.

In general, survey results were consistent with what we saw in our site visits.

SITE VISITS

To illustrate and augment our survey results, we conducted site visits in 10 districts: Chicago, Illinois; Grandview, Washington; Montgomery County, Alabama; New Orleans, Louisiana; New York, New York; Pomona, California; Ramona, California; Raymond, Washington; Richmond, Virginia; and Washington, D.C. Selected to represent key variables, they varied in location, size, and ethnic composition.

During these site visits, we interviewed central office staff, such as district superintendents, facilities directors, and business managers; and school staff, such as principals and teachers. We asked the central office staff about their district demographics, biggest facilities issues, facilities financing, assessment, maintenance programs, resources, and barriers to reaching facilities goals.

In addition, in each district we asked district officials to show us examples of "typical," "best," and "worst" schools and verified reliability of these designations with others. In some small districts, we visited all schools. We spoke with administration and staff in the schools we toured. We asked the school staff about their schools' condition, repair and renovation programs, and facilities needs for educational programs.

CLASSIFICATION VARIABLES

Community Type.—Central City: A large central city (a central city of a Standard Metropolitan Statistical Area (SMSA)) with population greater than or equal to 400,000 or a population density greater than or equal to 6,000 per square mile) or a mid-size central city (a central city of an SMSA but not designated a large central city).

Urban Fringe/Large Town: Urban fringe of a large or mid-size central city (a place within an SMSA of a large or mid-size central city and defined as urban by the Bureau of the Census) or a large town (a place not within an SMSA but with a population greater than or equal to 25,000 and defined as urban by the Bureau of the Census).

Rural/Small Town: Rural area (a place with a population of less than 2,500 and defined as rural by the Bureau of the Census) or a small town (a place not within an SMSA, with a population of less than 25,000 but greater than or equal to 2,500 and defined as urban by the Bureau of the Census).

School Level.—Elementary: A school that had grade six or lower or "ungraded" and no grade higher than eighth.

Secondary: A school that had no grade lower than the seventh or "ungraded" and had grade seven or higher.

Combined: A school that had grades higher than the eighth and lower than the seventh.

Minority Enrollment.—The percentage of students defined as minority using the following definition for minority: American Indian or Alaskan Native; Asian or Pacific Islander; Hispanic, regardless of race (Mexican, Puerto Rican, Cuban, Central or South American, or other culture or origin); Black (not of Hispanic origin).

Geographic Region.—Northeast: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania.

Midwest: Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

South: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, Texas.

West: Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, California, Alaska, Hawaii.

Proportion of Students Receiving Free or Reduced Lunch.—Calculation based on survey question 4 ("What was the total number of Full Time Equivalent (FTE) students enrolled in this school around the first of October 1993?") and survey question 25 ("Around the first of October 1993, how many applicants in this school were approved for the National School Lunch Program?").

Student/Computer Ratio.—Calculation based on survey question 4 ("What was the total number of Full Time Equivalent (FTE) students enrolled in this school around the first of October 1993?") and question 18 ("How many computers for instructional use does this school have?").

APPENDIX VII.—DATA SUPPORTING FIGURES IN THE REPORT

TABLE VII. 1: DATA FOR FIGURE V.1—PERCENT OF SCHOOLS WITH AIR-CONDITIONING IN CLASSROOMS—BY STATE

State	Percent of schools with air-conditioning in classrooms
Alabama	97.8
Alaska	4.9

TABLE VII. 1: DATA FOR FIGURE V.1—PERCENT OF SCHOOLS WITH AIR-CONDITIONING IN CLASSROOMS—BY STATE—Continued

State	Percent of schools with air-conditioning in classrooms
Arizona	68.2
Arkansas	95.9
California	67.2
Colorado	28.5
Connecticut	21.7
Delaware	[b]42.0
District of Columbia	[a]47.4
Florida	97.8
Georgia	92.9
Hawaii	18.1
Idaho	26.0
Illinois	26.8
Indiana	53.5
Iowa	22.0
Kansas	63.1
Kentucky	92.3
Louisiana	96.0
Maine	2.0
Maryland	55.3
Massachusetts	11.8
Michigan	18.9
Minnesota	19.2
Mississippi	97.3
Missouri	51.1
Montana	13.4
Nebraska	[a]37.9
Nevada	70.1
New Hampshire	00.0
New Jersey	21.8
New Mexico	70.4
New York	10.2
North Carolina	87.8
North Dakota	18.1
Ohio	15.6
Oklahoma	94.5
Oregon	17.0
Pennsylvania	28.9
Rhode Island	5.8
South Carolina	100.0
South Dakota	10.9
Tennessee	95.2
Texas	98.4
Utah	34.4
Vermont	1.4
Virginia	77.8
Washington	31.8
West Virginia	58.1
Wisconsin	25.7
Wyoming	13.4

Note: Sampling errors are less than ± 11 percent unless otherwise noted. Responses marked with a superscript "a" have sampling errors equal to or greater than 11 percent but less than 13 percent. Responses marked with a superscript "b" have sampling errors equal to or greater than 13 percent but less than 14.2 percent.

APPENDIX VIII—GAO CONTACTS AND STAFF ACKNOWLEDGMENTS

GAO CONTACTS

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FOOTNOTES

[1] Sampling error is ±6.61 percent.

[2] Small-group instruction, teacher planning, private areas for student counseling and testing, and library/media centers.

[3] Ventilation, heating, indoor air quality, and lighting.

[4] See Systemwide Education Reform: Federal Leadership Could Facilitate District-Level Efforts (GAO/HRD–93–97, Apr. 30, 1993).

[5] See School-Linked Human Services: A Comprehensive Strategy for Aiding Students at Risk of School Failure (GAO/HEHS–94,21, Dec. 30, 1993).

[6] See Regulatory Flexibility in Schools: What Happens When Schools Are Allowed to Change the Rules? (GAO/HEHS–94–102, Apr. 29, 1994) and Education Reform: School-Based Management Results in Changes in Instruction and Budgeting (GAO/HEHS–94–135, Aug. 23, 1994).

[7] Experts have identified other key components affecting the implementation of technology in

schools, such as sufficient teacher training and computer support services. However, because our focus was on school facilities, these components were not included in our survey.

[8] Multimedia uses a single communication system (cable) to transmit voice, data, and video, currently by dignitizing voice and video.

[9] See, for example, The National Information Infrastructure: Requirements for Education and Training, National Coordinating Committee on Technology in Education and Training, (Alexandria, Va: 1994).

[10] Beau Fly Jones et al., Learning, Technology and Policy for Educational Reform, July 1994, Version 1.0, North Central Regional Educational Laboratory (Oak Brook, Ill.: 1994).

[11] The Internet, a global communications network, is a cooperative effort among educational institutions, government agencies, and various commercial and nonprofit organizations. Historically, the Internet has contained mostly scientific research and education information. However, more recently, the kind of information accessible on the Internet has expanded to include library catalogs, full texts of electronic books and journals, government information, campuswide information systems, picture archives, and business data and resources. The Internet allows three primary functions: electronic mail and discussion groups (e mail), use of remote computers (telnet), and transferring files (file transfer protocol).

[12] "Opportunity to learn" refers to the sufficiency or quality of the resources, practices, and conditions necessary to provide all students with an opportunity to learn the material in voluntary national content standards or state content standards. See, for example, Andrew Porter, "The Uses and Misuses of Opportunity-to-Learn Standards," Educational Researcher, Vol. 24, No. 1 (1995), pp. 21-27; and Faith E. Crampton and Terry N. Whitney, "Equity and Funding of School Facilities: Are States at Risk?" State Legislative Report, Vol. 20, No. 1 (1995), pp. 1-8.

[13] Laser disk players and VCRs were rated as one item. It could be that a sufficient number of VCRs exists but not laser disk players.

[14] The self-reports of sufficiency may be overly optimistic for several reasons. First, in our analyses we included as "sufficient" responses that indicated moderate and somewhat sufficient capability as well as very sufficient capability. This could indicate a wide range of sufficiency, including some responses that are very close to "not sufficient." Second, our analysis of responses showed that without any objective standards with which to anchor their responses, schools indicating "sufficient" computers had computer/student ratios ranging from 1:1 to 1:292 (a median of 1:11) for those schools that had computers. About 300 schools that indicated they had no computers said that was sufficient. (For more detail, see table III.9 in app. III.) Finally, technology experts who regularly consult with school systems report that the level of knowledge among school administrators and staff of possible use and application of technology in schools is low—further increasing the likelihood that these sufficiency estimates are overly optimistic.

[15] We asked respondents to rate the overall condition of their school buildings on a six-point scale: excellent, good, adequate, fair, poor, or replace. See School Facilities: Condition of America's Schools (GAO/HEHS-95-61, Feb. 1, 1995).

[16] Environmental factors associated with learning include heating, lighting, air-conditioning, acoustics, space flexibility, and physical security.

[17] See, for example, J. Howard Bowers et al., "Effects of the Physical Environment of Schools on Students," (paper presented to 65th Council of Educational Facility Planners, International Conference, 1988) and Carol S. Cash, "Building Condition and Student Achievement and Behavior," doctoral dissertation, Virginia Polytechnic Institute and State University, 1993.

[18] A full copy of the questionnaire appears in the first report in this series, School Facilities: Condition of America's Schools (GAO/HEHS-95-61, Feb. 1, 1995).

[19] Robert Abramson et al., 1993-94 Schools and Staffing Survey: Sample Design and Estimation, NCES (available in July 1995).

[20] Reasons for ineligibility included school no longer in operation, entity not a school, private rather than public school, and post-secondary school only.

[21] Detailed sample and response information for each sample stratum is available upon request from GAO. See appendix VIII for appropriate staff contacts.

[22] We did not poll nonrespondents, so we have no way to verify this assumption.

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Ms. MOSELEY-BRAUN. I would like to take a moment to share with the Chair some information. These charts are bulky, but this is information that comes out of the GAO report that I think is a very telling statement about where we are in our country today in terms of education and technology infrastructure.

The report which, as you may know, was entitled "America's Schools Not Designed or Equipped for 21st Century."

In this part of the report, most States report that at least 50 percent of schools have insufficient technology.

My own State of Illinois comes down here, where 60 to 69 percent of the schools in Illinois do not have sufficient technology infrastructure. The Presiding Officer's State, I think, does a little better. You are in this category. As you can see, we have a long way to go to get the technology up to speed.

Understand that this report speaks specifically to technology. The first report talked about infrastructure. So we talk about putting in computers. We have heard stories from some of the teachers and people who were questioned in this regard that one of the big problems they run into is, even if they had the computers, the technology, they do not have the capacity to use them. They do not have the phone lines, the cables, and they do not have the ability.

One report was that in the classroom in a particular school—and I will not name it now—there were two outlets in the classroom, and so if more than two teachers plug something in, the whole building would shut down because the circuit breaker would go. Clearly we cannot expect our young people to compete in this world economy, in this global economy, with that kind of millstone around their neck, without having the ability to access the technologies.

The youngsters may play Nintendo, but that is not training them to compete in our global economy. So if we are training them to address the competition we want them to meet, I believe we have a national interest in addressing the infrastructure and technology infrastructure so we can provide our young people with the tools they will need to succeed. Certainly it is an issue that goes to our international competitiveness. Just this morning in the Finance Committee, Ambassador Kantor was there to talk about trade relations of the United States: Where we are in the balance of trade; where we are with regard to the issues affecting the globalization of this economy; how is our country doing.

The question came up, What is the most important thing we can do to see to it we are able to compete in this global economy? The answer to that question is investment in human capital. The answer to that question is education. The answer to that question is training, so our people, our children will have the skills and the knowledge and the wherewithal and capacity to be competitive.

I point out also the national statistics. I will point out also, in addition to the issue of competitiveness, giving our young people the capacity to compete in this world economy will be a boon to the entire community. If you ask employers in our private sector what is the biggest impediment to them hiring people, it is that they are getting people who are not, right now, trained. So the private sector winds up, if you will, having costs shifted to them because the youngsters that our schools are turning out are not quite yet trained to handle the demands of business.

If we are going to prepare our young people for the global economy, if we are going to prepare our young people for the world of work, if we are going to stop relying on the willy-nilly haphazard shifting of costs to the private sector, and make certain we have the capacity in this Nation to keep America strong through having a well-educated work force, I believe we have a national interest in investing in this infrastructure, and in this technology infrastructure particularly.

This chart talks about the millions of students who attend schools with insufficient technology. Again, this is putting aside for a moment the basic infrastructure like do you have the plugs in the classroom, like having the sufficient lighting. That was the first GAO report, and you recollect that report said we were way behind and our schools were deteriorating and not capable, really, of handling a lot of this stuff.

But look at this. Mr. President, 86 percent of our schools, or 66,000 schools, or 35.4 million children in the United States attend schools that do not have sufficient fiber optic cables for them to access the technology. The fiber optics cable is necessary for them to access the technology and plug into the Internet. You have to have this to get onto the information superhighway. So 35.4 million of our students do not have the capacity to get on that highway in school.

Phone lines for instructional use—again, 61.2 percent of our schools, 47,000 schools, or 24.8 million students in this country do not have phone lines for instructional use.

Conduits, raceways for computers, the computer network cables—60 percent of the schools do not have it, or 24.9 million students.

Go right down the list, even down to televisions. TV's, 15 percent of the schools do not have it; 6.8 million students.

It seems to me, for the kind of investment we require here, we can upgrade the kind of information and resources that are available to our young people, we can give them the tools they will need to learn. We can help teachers teach better and in so doing we will have benefits to the entire community.

I will close by saying what I may have said already but I cannot reiterate it too often. Education is not just a private benefit. It is not just whether or not I can get a good job or I can get a leg up on the competition or whether or not I can afford to be trained or be educated or to have a certain set of skills. Education is more than a private benefit. It is a public good. It goes to the stability and the quality of life of our community as a whole, of our entire country. Every person benefits when we have a well-educated citizenry.

Frankly, that is how this Nation became the strong, great Nation that it was, because we had a work force that was better trained, better equipped, better provided for than any other work force in the world. We are in grave danger of losing that if we do not make the kind of investment in our human capital, in our children, in education, that we need to make in order to give our community the benefits of the talent that I believe these young people have.

So, in closing, I would like to again thank Senator PELL for all his leadership and for his joining on the GAO letter, and thank the Chair for his attention. I have introduced the GAO report into the RECORD.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, what is the pending business? Are we in morning business?

The PRESIDING OFFICER. The pending business is the appropriations bill.

Mr. DOLE. I ask if I may speak as in morning business.

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

FRANKLIN ROOSEVELT—DISABILITY HERO

Mr. DOLE. Mr. President, as many Members of the Senate know, it is my custom to speak each year about a disability subject on April 14. It is the date I was wounded in World War II and joined the disability community myself. This year we will be in recess on April 14, so I will give my annual message today.

Mr. President, I will talk about another member of the disability community—certainly one of its most prominent members. But throughout his life, his disability was not only unknown to most people, it was denied and hidden.

I am speaking about President Franklin Roosevelt. Next week, the Nation will commemorate the 50th anniversary of his death on April 12, 1945. He will surely be recalled by many as a master politician; an energetic and inspiring leader during the dark days of the Depression; a tough, single-minded Commander in Chief during World War II; and a statesman.

No doubt about it, he was all these things. But he was also the first elected leader in history with a disability, and he was a disability hero.

FDR'S SPLENDID DECEPTION

Mr. President, in 1921, at age 39, Franklin Roosevelt was a young man in a hurry. He was following the same political path that took his cousin, Theodore Roosevelt, to the White House. In 1910 he was elected to the New York State Senate, and later was appointed Assistant Secretary of the Navy. In 1920, he was the Democratic candidate for Vice President.

Then, on the evening of August 10, while on vacation, he felt ill and went to bed early. Within 3 days he was paralyzed from the chest down. Although the muscles of his upper body soon recovered, he remained paralyzed below the waist.

His political career screeched to a halt. He spent the next 7 years in rehabilitation, determined to walk again. He never did. He mostly used a wheelchair. Sometimes he was carried by his sons or aides. Other times he crawled on the floor.

But he did perfect the illusion of walking—believing that otherwise his political ambitions were dead. He could stand upright only with his lower body painfully wrapped in steel braces. He moved forward by swinging his hips, leaning on the arm of a family member or aide. It worked for only a few feet at a time. It was dangerous. But it was enough to convince people that FDR was not a "cripple." FDR biographer Hugh Gallagher has called this effort, and other tricks used to hide his disability. "FDR's splendid deception."

This deception was aided and abetted by many others. The press were coconspirators. No reporter wrote that FDR could not walk, and no photographer took a picture of him in his wheelchair for that matter, thousands saw him struggle when he walked. Maybe they did not believe or understand what they saw.

In 1928, FDR ended his political exile, and was elected Governor of New York. Four years later, he was President. On March 4, 1933, standing at the east front of this Capitol, he said, "The only thing we have to fear is fear itself." He was 35 feet from his wheelchair. Few people knew from what deep personal experiences he spoke.

Perhaps the only occasion where FDR fully acknowledged the extent of his disability in public was a visit to a military hospital in Hawaii. He toured the amputee wards in his wheelchair. He went by each bed, letting the men see him exactly as he was. He did not need to give any pep talks—his example said it all.

FDR—DISABILITY HERO

Mr. President, earlier I called FDR a "disability hero." But it was not for the reasons some might think. It would be easy to cite his courage and grit. But FDR would not want that. "No sob stuff," he told the press in 1928 when he started his comeback. Even within his own family, he did not discuss his disability. It was simply a fact of life.

In my view, FDR is a hero for his efforts on behalf of others with a disability. In 1926, he purchased a run-down resort in Warm Springs, GA, and over the next 20 years turned it into a unique, first class, rehabilitation center. It was based on a new philosophy of treatment—one where psychological recovery was as important as medical treatment.

FDR believed in an independent life for people with disabilities—at a time when society thought they belonged at home or in institutions.

Warm Springs was run by people with polio, for people with polio. In that spirit, FDR is the father of the modern independent living movement—which puts people with disabilities in control of their own lives.

He also founded the National Foundation for Infantile Paralysis—today known as the March of Dimes—and raised millions of dollars to help others with polio and find a cure. On April 12, 1955, on the 10th anniversary of his death, the March of Dimes announced the first successful polio vaccine, engineered by Dr. Jonas Salk. Today, polio is virtually extinct in the United States. Next week, the March of Dimes will celebrate the 40th anniversary of the vaccine in Ann Arbor.

In public policy, FDR understood that Government help in rehabilitating people with disabilities is good business—often returning more in taxes and savings than it costs. It is unfortunately a philosophy that even today we often pay more lip service than practice.

DISABILITY TODAY AND TOMORROW

Mr. President, our Nation has come a long way in its understanding of disability since the days of President Roosevelt. For example, we recognize that disability is a natural part of life. We have begun to build a world that is accessible. No longer do we accept that buildings—either through design or indifference—are not accessible, which is a "Keep Out" sign for the disabled.

We have come a long way in another respect—in attitudes. Fifty years ago,

we had a President, Franklin Roosevelt, who could not walk and believed it was necessary to disguise that fact from the American people. Today I trust that Americans would have no problem in electing as President a man or woman with a disability.

Mr. President, let us not fool ourselves—this work is not done. Not by a long shot. And I think this is something that we can all agree on, Republican or Democrat.

So, next week, as we honor President Roosevelt, let us remember him as a disability hero and dedicate ourselves to this unfinished business.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

CLOTURE MOTION

Mr. DOLE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Hatfield amendment No. 420 to H.R. 1158, the supplemental appropriations bill, signed by 17 Senators as follows:

Senators Mark Hatfield, Pete Domenici, Rick Santorum, Larry Pressler, Mitch McConnell, Slade Gorton, Rod Grams, Ben Nighthorse Campbell, Conrad Burns, Mike DeWine, Nancy Kassebaum, Ted Stevens, Jesse Helms, Robert F. Bennett, Spencer Abraham, Dirk Kempthorne, and Fred Thompson.

MORNING BUSINESS

AMERICAN FIRM COMPETES FOR TRANSMISSION PROJECT IN QATAR

Mr. DOLE. Mr. President, the State of Qatar is planning a major expansion of its electric transmission system, which will be carried out under its phase IV transmission extension project. This project, with a value of more than $500 million, is being pursued by the energy group of Black & Veatch, which has headquarters in Overland Park, KS. Many of the firm's employees are constituents of mine. We are proud of this competitive American company. It is a world leader in the field of electrical power generation and distribution, and is recognized for the technological and managerial quality of power projects that it has undertaken over the years in more than 50 countries around the globe.

Companies like Black & Veatch are part of the answer to bringing down our trade deficit, which is now running at an all-time high. The world needs U.S. Technology and U.S. Services, and we should do everything we can to ensure that our companies get the chance to compete in overseas markets.

I have asked the Crown Prince of Qatar to give serious consideration to Black & Veatch's proposal for the electric transmission system project, and I ask unanimous consent that a copy of my letter to the Crown Prince be printed in the RECORD. I thank the Chair.

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

U.S. SENATE,
Washington, DC, March 22, 1995.

His Highness SHEIKH HAMAD BIN KHALIFA AL-THANI,
The Crown Prince, State of Qatar.

YOUR HIGHNESS: I wish to express my hope that the State of Qatar will give serious consideration to the proposal for the Transmission Extension Project by Black & Veatch International.

I am aware that United States Secretary of Commerce Ron Brown has visited with Your Highness and other top level officials of the State of Qatar on this matter. In addition, Secretary Brown has expressed his support of the Black & Veatch International offer in a letter to Sheikh Hamad bin Jassim bin Jahor al-Thani.

Black & Veatch International is well known to me and to many other U.S. Government officials for its high quality services for infrastructure projects. Many of the firm's principals and employees are constituents of mine. The firm's worldwide dominance of electric power projects can advance the State of Qatar's position in exporting LNG.

I respectfully request that you consider Black & Veatch International for the Phase IV Transmission Extension Project.

Sincerely,

BOB DOLE.

NATIONAL MENTAL HEALTH COUNSELING WEEK

Mr. HEFLIN. Mr. President, I come to the floor today to acknowledge the importance of mental health to everyone's and society's well-being and to call our attention to counseling as a vital part of maintaining good mental health.

Mental health counseling is provided along a continuum of patient needs, from educational and preventive services, to diagnosis and treatment of mental illness, to long-term and acute care. It assists individuals and groups with problemsolving, personal and social development, decisionmaking, and self-awareness.

Such counseling is offered through community mental health agencies, private practices, psychiatric hospitals, college campuses, and rehabilitation centers. It is often provided in conjunction with other mental health professionals, including psychiatrists, psychologists, social workers, psychiatric nurses, and marriage and family therapists so that the most appropriate treatment for each patient is assured. It is provided by professionals with advanced degrees in counseling or related disciplines, practicing within the scope of their training and experience. They are currently licensed in 40 States and the District of Columbia.

I want to congratulate the American Mental Health Counselors Association on their designation of April 30 to May 6, 1995 as "National Mental Health Counseling Week," and urge each and every American to seek the assistance of a qualified mental health counselor when needed. After all, our mental health is just as important as our physical health.

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

ENROLLED BILL SIGNED

At 2:56 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 831. An act to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes.

At 4:25 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1345. An act to eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following measure was read the first and second times by unanimous consent and placed on the calendar:

H.R. 1345. An act to eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–707. A communication from the Deputy Assistant Secretary for Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, a report relative to Federal Acquisition Regulation Part 50; to the Committee on the Judiciary.

EC–708. A communication from the Senior Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting, pursuant to law, the calendar year 1994 report of the Agency's activities under the Freedom of Information Act; to the Committee on the Judiciary.

EC–709. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the fiscal year 1994 report relative to the Arts and Artifacts Indemnity Program; to the Committee on Labor and Human Resources.

EC–710. A communication from the Secretary of Labor, transmitting, pursuant to law, the 1993 annual report relative to veterans' employment and training; to the Committee on Veterans' Affairs.

EC–711. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to rescissions submitted by the President of the United States on February 6, 1995; referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition, and Forestry, to the Committee on Banking, Housing and Urban Affairs, to the Committee on Commerce, Science and Transportation, to the Committee on Environment and Public Works, to the Committee on Labor and Human Resources, and to the Committee on Small Business.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–87. A resolution adopted by the Board of Commissioners of the County of Granville, North Carolina relative to tobacco; to the Committee on Labor and Human Resources.

POM–88. A resolution adopted by the Senate of the Commonwealth of Pennsylvania; to the Committee on Labor and Human Resources.

"RESOLUTION NO. 10

"Whereas, The Low-Income Energy Assistance Program (LIHEAP) is a federally funded program to help low-income families pay their heating bills; and

"Whereas, Eligibility for the program is set at 135% of poverty level (maximum income of $19,900 for a family of four) and LIHEAP reaches fewer than one-half of the eligible households in Pennsylvania; and

"Whereas, Persons can receive one LIHEAP I grant a year and crisis payments to a maximum amount of $250 for emergency situations with the average LIHEAP I grant being $167 and average crisis grant amounting to $231; and

"Whereas, LIHEAP serves Pennsylvania citizens with great needs. Thirty-two percent of the persons receiving aid are Social Security recipients, 26% are welfare recipients, 20% are working poor, 11% are supplemental security income recipients and 3% receive unemployment benefits; and

"Whereas, Due to funding reductions, the program is no longer available during times of greatest need, thereby exacerbating health and safety needs; and

"Whereas, For example, the average LIHEAP grant assisted the neediest gas utility customers with 40.6% of their gas bills in 1985, but only provided assistance for 17.4% of the gas bills in 1994, one of the worst winters in the history of the country; and

"Whereas, This heating season, 1994–1995, the Federal appropriation for LIHEAP in Pennsylvania is 87.9 million dollars, the lowest in the history of the program; and

"Whereas, Sources of funds used by states to supplement LIHEAP such as the Energy Conservation Assistance Fund (ECAF) will be exhausted in 1995; therefore, be it

"*Resolved*, That the Senate of the Commonwealth of Pennsylvania urge the President of the United States to maintain the 1994–1995 funding levels for LIHEAP and to refrain from any further reductions; and be it further

"*Resolved*, That Congress is urged to reject any proposal to reduce LIHEAP funding; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania."

POM–89. A joint resolution adopted by the Legislature of the Commonwealth of Virginia; to the Committee on Labor and Human Resources.

"SENATE JOINT RESOLUTION NO. 335

"Whereas, the Personal Responsibility Act, a bill introduced in the United States Congress, includes provisions that would consolidate all nutrition programs into block grants to the states with funding reduced to 95 percent of their Fiscal Year 1995 appropriation level; and

"Whereas, this block grant would include the food stamp program, the school lunch program, the Women, Infant and Children's Nutrition Program (WIC), and the Senior Nutrition components of the Older Americans Act; and

"Whereas, the Senior Nutrition Program has two service components: (1) meals at congregate sites as the base for a comprehensive program of wellness and recreation activities, educational programs and access to other services, and (2) home delivered meals (Meals on Wheels); and

"Whereas, the Senior Nutrition Programs are a fundamental part of a comprehensive service system aimed at keeping older people at home, supporting family caregivers, and avoiding unnecessary and costly institutionalization; and

"Whereas, although the current program is not means-tested, it does serve those with the greatest economic need and maintains the dignity of participants by providing mechanisms for participants to contribute according to their ability to pay; and

"Whereas, Senior Nutrition Programs have been long established in the community and are supported through a vast network of volunteers of all ages and through case and in-kind support from the private sector; and

"Whereas, Senior Nutrition Programs are time-tested, successful examples of low cost, locally managed programs; and

"Whereas, the Senior Nutrition Program is consumer focused and has broad community support due to its flexibility and its role as point-of-contact and link to the broader aging services system; now, therefore, be it

"*Resolved by the Senate, the House of Delegates concurring*, That the United States Congress be urged to maintain the integrity of the already established comprehensive aging service system by deleting the portion of the bill that would remove the Senior Nutrition Programs from this service system, thereby preserving the integrity of the Older Americans Act; and, be it

"*Resolved further*, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia."

POM–90. A joint resolution adopted by the Legislature of the State of Wyoming; to the Committee on Labor and Human Resources.

"ENROLLED JOINT RESOLUTION NO. 2

"Whereas, there is an urgent need to modify federal mandates because the implementation of these mandates by the state wastes the financial resources of Wyoming school districts, the citizens of Wyoming and the state and does not properly respect the rights of the state, its school districts and citizens; and

"Whereas, the Tenth Amendment to the United States Constitution directs that powers not delegated to the United States are reserved to the states or to the people; and

"Whereas, Wyoming, as one of the sovereign states within the union, has constitutional authority to enact laws protecting the environment of the state and safeguarding the public health, safety and welfare of the citizens of Wyoming; and

"Whereas, this authority has too often been ignored by the federal government which has intruded more and more into areas better left to the states; and

"Whereas, it is essential that the dilution of the authority of state and local governments be halted and that the provisions of the Tenth Amendment be accorded proper respect; and

"Whereas, current federal mandates, as reflected in P.L. 103–382, often do not reflect the realities of the Rocky Mountain region and federal regulators frequently do not understand the needs and priorities of the citizens of Wyoming; and

"Whereas, the citizens of this state can create and wish to create innovative solutions to Wyoming's problems, but Wyoming is currently denied the flexibility necessary to address these problems: Now, therefore, be it

"*Resolved by the members of the legislature of the State of Wyoming:*

"Section 1. The members of the Wyoming legislature strongly request the United States Congress to repeal the Gun-Free Schools Act of 1994, P.L. 103–382.

"Section 2. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of

the House of Representatives of the United States Congress, to United States Secretary of Education and to the Wyoming Congressional Delegation."

POM-91. A joint resolution adopted by the Legislature of the State of Wyoming; to the Committee on Labor and Human Resources.

"A LEGISLATIVE RESOLUTION

"Whereas, the people of Wyoming have benefited from the development of stronger and more accessible arts activity in every county of the state because of the assistance provided by the Wyoming Arts Council with support from the National Endowment for the Arts; and

"Whereas, NEA funding of $601,300 in Fiscal Year 1994 combined with $296,281 provided by the State helped generate $12.3 million in cash from local Wyoming communities; and

"Whereas, the Fiscal Year 1994 audience for arts activities in Wyoming exceeded 1,135,000 citizens and tourists; and

"Whereas, beyond the intrinsic value of arts education, the teaching of art in the schools develops higher order thinking, creativity and problem solving in students or skills that carry over into all area of study; and

"Whereas, thousands of Wyoming school children of all ages benefit from quality arts activities assisted by NEA funding awarded through the Wyoming Arts Council; and

"Whereas, funding by the National Endowment for the Arts through the Wyoming Arts Council helps Wyoming artists gain regional and national attention; and

"Whereas, Direct National Endowment for the Arts funding assists some of Wyoming's major arts institutions who bring national and international attention to the state for their artistic achievements; and

"Whereas, National Endowment for the Arts funding in Wyoming and in other parts of the nation has enabled arts organizations to win matching support from private sources; and

"Whereas, all great nations support the arts knowing the arts are vital to a society's well-being and Congress in 1965 noted 'An advanced civilization must . . . give understanding of the past, a better analysis of the present, and a better view of the future.': Now, therefore, be it

"*Resolved*, that the 1995 Wyoming House of Representatives and the Wyoming Senate do hereby encourage the Congress of the United States of America to reauthorize continuation of the National Endowment for the Arts and its sister agencies, the National Endowment for the Humanities and the Institute for Museum Services, and to provide adequate funding to enable them to continue their leadership roles in our nation on behalf of our country's culture.

"*It is further resolved*, that the Secretary of State or Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation."

POM-92. A resolution adopted by the Legislature of the Commonwealth of Massachusetts; to the Committee on Veterans' Affairs.

"RESOLUTIONS MEMORIALIZING CONGRESS TO PREVENT THE EROSION OF VETERANS' BENEFITS.

"Whereas, the veterans of the armed services of the United States have consistently risen above and beyond the call of duty to our Nation; and

"Whereas, in the selfless defense of democracy and the rights inherent in all men and women, the veterans of our Nation have made incalculable and unyielding sacrifices in the face of adversity and during the hardship of military conflict; and

"Whereas, the scars of war remain in the minds and bodies of those who have served our country bravely; and

"Whereas, the price of democracy and freedom is eternal vigilance and our Nation must always call and rely upon our armed services to preserve and expand these blessings; and

"Whereas, today, military personnel serve our Nation throughout the world in such places as Korea, the Middle East, Haiti and Somalia; and

"Whereas, there are those in our Nation presently who would propose to alter, modify or diminish our solemn covenant to provide for the needs of those who perform military service on our behalf; and

"Whereas, the Congressional Budget Office, the Concord Coalition, the Bipartisan Commission on Entitlement and Tax Reform and the Office of Management and Budget have all recently advanced proposals before the Congress and the administration to reduce, restrict or eliminate those benefits provided to our veterans; and

"Whereas, this Nation owes a great debt to those men and women who have served and continue to serve on its behalf; Now, therefore, be it

"*Resolved*, That the Massachusetts General Court expresses its grateful appreciation to those men and women who willingly gave their last ounce of devotion to their country to keep the light of freedom glowing for this and future generations and in furtherance of that appreciation the Massachusetts General Court urges the United States Congress to recognize the sacrifices of these men and women and to prevent the further erosion of those benefits provided to the veterans of our Armed Forces; and be it further

"*Resolved*, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the presiding officers of each branch of Congress and to the Members thereof from this Commonwealth."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATFIELD, from the Committee on Appropriations:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1995" (Rept. No. 104-26).

By Mr. ROTH, from the Committee on Government Affairs:

Special Report entitled "Activities of the Committee on Governmental Affairs" (Rept. No. 104-27).

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 384. A bill to require a report on United States support for Mexico during its debt crisis, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works:

Shirley Ann Jackson, of New Jersey, to be a Member of the Nuclear Regulatory Commission for a term of five years expiring June 30, 1999.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DORGAN:

S. 663. A bill to modernize the Federal Reserve System, to provide for a Federal Open Market Advisory Committee, and for other purposes; to the Committee on Banking, Housing, and Urban affairs.

By Mr. COHEN:

S. 664. A bill to ensure the competitive availability of consumer electronics devices affording access to telecommunications system services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SIMON:

S. 665. A bill to amend the Internal Revenue Code of 1986 to increase motor fuel taxes by 8 cents a gallon, the resulting revenues to be used for mass transit, AMTRAK, and interstate, State, and local roads and bridges, and for other purposes; to the Committee on Finance.

S. 666. A bill to amend chapter 93 of title 31, United States Code, to provide additional requirements for a surety corporation to be approved by the Secretary of the Treasury, to provide for equal access to surety bonding, and for other purposes; to the Committee on the Judiciary.

By Mr. BRYAN (for himself and Mr. SHELBY):

S. 667. A bill to amend the Securities Exchange Act of 1934 in order to reform the conduct of private securities litigation, to provide for financial fraud detection and disclosure, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER:

S. 668. A bill to authorize the establishment of the National Capital Region Interstate Transportation Authority, to define the powers and duties of the Authority, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GLENN (by request):

S. 669. A bill to revise and streamline the acquisition laws of the Federal Government, and for other purposes; to the Committee on Governmental Affairs.

By Mr. GLENN (for himself and Mr. PRYOR):

S. 670. A bill to amend the Internal Revenue Code of 1986 to prevent the unauthorized inspection of tax returns or tax return information; to the Committee on Finance.

By Mr. HATCH:

S. 671. A bill to provide a fair and balanced resolution to the problem of multiple imposition of punitive damages, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. MCCONNELL, and Mr. THOMAS):

S. 672. A bill to provide a fair and balanced resolution to the problem of multiple imposition of punitive damages, and for the reform of the civil justice system; to the Committee on the Judiciary.

By Mrs. KASSEBAUM (for herself, Mr. INOUYE, Mr. DOMENICI, and Mr. STEVENS):

S. 673. A bill to establish a youth development grant program, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. EXON (for himself, Mr. DORGAN, Mr. KERRY, and Mr. MOYNIHAN):

S. 674. A bill entitled the "Rail Investment Act of 1995"; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON:

S. Res. 100. A resolution to proclaim April 5, 1995, as National 4-H Day, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN:

S. Res. 101. A resolution expressing the sense of the Senate in support of extending some of the benefits of enhanced economic relations enjoyed by the United States and Israel to those countries that sustain a "warm" peace with Israel; to the Committee on Finance.

By Mr. BROWN (for himself, Ms. MIKULSKI, Mrs. FEINSTEIN, Mr. HELMS, and Mr. PELL):

S. Res. 102. A resolution to express the sense of the Senate concerning Pakistan and the impending visit of Prime Minister Bhutto; to the Committee on Foreign Relations.

By Mr. BROWN (for himself and Mr. SIMON):

S. Con. Res. 10. A concurrent resolution expressing the sense of the Congress that the United States should take steps to improve economic relations between the United States and the countries of Eastern and Central Europe; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN;

S. 663. A bill to modernize the Federal Reserve System, to provide for a Federal Open Market Advisory Committee, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE FEDERAL RESERVE BOARD REFORM ACT OF 1995

Mr. DORGAN. Mr. President, today I rise to introduce a piece of legislation that I want to describe briefly for the Senate.

On my behalf, and on behalf of Senator REID from Nevada, we introduced this morning a piece of legislation called the Federal Reserve Reform Act of 1995.

Anyone who has listened to the debate in the Senate the last year understands that I have had major differences with the Federal Reserve Board and its policies. We all know that the Federal Reserve Board has raised interest rates seven times over the past year or so. And its decision to tighten the money supply has had an enormous impact on the economic well-being of this country. But despite its central role in our economy, the Federal Reserve still dwells only in the shadows of public debate.

This organization, located downtown in a concrete temple, meets in secret to make interest rate decisions that have an enormous impact on our economy. The Federal Reserve is the last dinosaur in what is supposed to be a democratic Government because it, behind closed doors, makes decisions that affect every single American family, with no democratic input or debate. So for seven times in the last year or so they have decided we have a major storm brewing called inflation, and therefore they should increase interest rates in order to stem the tide of inflation.

Of course there is no credible evidence that inflation is on the horizon in any significant way. For the last 4 successive years, inflation has been declining. So what is the Federal Reserve Board doing? It is serving its constituency, the big money center banks, at the expense of American families.

But members of the Fed still meet in secret to make decisions that are critical to the lives of every American. Until recently, the Fed would not even disclose its monetary policy decisions to the public in a timely manner. Also, the Fed's entire budget is not published in the budget of the U.S. Government. And there are currently no formal channels established through which the Fed can coordinate its monetary policy goals with the fiscal policies of the President and Congress. Finally, regional Fed bank presidents, who are not accountable to the American people, are casting votes on interest rate decisions. In my judgment, these conditions are not what Congress intended when it created the Federal Reserve in the early 1900's.

My legislation would do the following to rectify these problems:

First, the President's top economic advisers would be required to meet three times a year with the Board of Governors of the Federal Reserve. This includes the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and the Director of the Office of Management and Budget.

Second, the President would be empowered to appoint a new Chairman of the Federal Reserve near the beginning of his term rather than toward the end. The Fed is crucial to the success of any economic policy and the President should have the opportunity to appoint a Chairman of the Fed near the beginning of the Presidential term.

Third, the Fed would be required to disclose immediately any changes in its targets for the money supply. This would provide all investors, large and small, with equal and timely information about monetary policy decisions. The provision merely codifies what the Federal Reserve is doing in recent practice.

Fourth, the Fed would be required to publish all of its budget in the budget of the U.S. Government. Only a small fraction of Federal Reserve budget is published in the Federal budget; the rest is published in a variety of Federal Reserve publications. The legislation requires that it all be published in one place for public review.

Fifth, the Comptroller General would be permitted to conduct more thorough audits of Fed operations, including policy procedures and processes. For many years the Fed was totally exempt from any such audits to uncover misdoing or waste. Today the General Accounting Office [GAO] is prohibited from auditing many of the Fed's operations, including actions on monetary policy and transactions made under the direction of the current Federal Open Market Committee. This bill will remove many of these restrictions.

Sixth, only those members of the Board of Governors, who have been appointed by the President and confirmed by the Senate, will be permitted to vote on monetary policy matters. This will help take back the Nation's monetary policy from the heads of the money center bankers who are accountable only to their shareholders, and restore it to those Fed officials who are accountable to the general public, as the framers of the original Federal Reserve Act intended.

My legislation is not designed to politicize monetary policy or politicize the Federal Reserve Board. But, I do want the Federal Reserve Board to be more accountable to the American people.

If the Federal Reserve Board is a public agency—if it belongs ultimately to the people of this country—then the people ought to be able to know what is going on there, and all its voting members ought to answer to the American people.

I might say, as an aside, I am also thinking of introducing legislation that renames the Open Market Committee. My central thesis is if the Open Market Committee is going to be closed, then let us rename it the Closed Market Committee until such time as it is open. The American people deserve to know what goes on behind closed doors in the construct of monetary policy—policy, incidentally, that affects every single American family.

I know words do not always have specific meaning here in public policy and in politics, but they ought to. Why should we close the door and then call the committee that closes the door, in law, the Open Market Committee? Let us just call it the Closed Market Committee.

That is for another day. I do not include that recommendation in this legislation. But the Federal Reserve Reform Act of 1995 is something I am pleased to offer on behalf of myself and Senator REID from Nevada.

By Mr. COHEN:

S. 664. A bill to ensure the competitive availability of consumer electronics devices affording access to telecommunications system services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

COMPETITIVE CONSUMER ELECTRONICS AVAILABILITY ACT OF 1995

Mr. COHEN. Mr. President, all consumers like choice. When companies are allowed to compete and consumers are given more choices, products and services inevitably become more affordable and of higher quality. For this reason, the major thrust of the various telecommunications bills that have been offered this year is to create a more competitive environment for communications products and services. I support this goal.

Today, I am introducing legislation that is focused on one particular area of telecommunications that I believe truly needs more competition—cable television.

Less than 20 years ago, we had little choice as to where we could obtain our phones. Each of us rented a standard, ordinary phone from our local telephone company. This monopoly ended with the break-up of AT&T. Today, most people own their telephones, and the types of phones we can choose are endless. Callers, for example, can go to any number of local retailers to buy phones that are more sophisticated than those previously offered by the telephone company. Consumers now can purchase car phones, phones that are connected to an answering machine, or cellular phones. Moreover, today's phones are considerably cheaper than the rotary dial phones of the 1950's. Innovation, greater choice, and lower prices have been the result of intense competition in the telephone market.

Unfortunately, consumers today do not have the same choices with regard to the devices necessary to obtain cable television. Cable customers are in the same situation phone customers found themselves 20 years ago. Virtually all cable users get their cable set-top boxes and other hardware, which have security features, only from one source—the local cable company. There is no competition for these devices.

The bill I am introducing today would allow cable customers to buy their converter boxes and other communications access devices from their local retail stores. Cable users in Maine and elsewhere in the country would no longer be at the mercy of cable operators to get their cable boxes. They could buy or rent them from anyone they choose—just as they do currently with telephones.

This bill, which is identical to legislation already introduced in the House by Representative BLILEY, would require the Federal Communications Commission [FCC] to adopt regulations to ensure that converter boxes and other interface equipment could be sold commercially by non-cable operators. Cable users, of course, could still choose to rent boxes from their cable operator if they desired.

In the near future, the Senate will consider legislation designed to increase competition in all telecommunications markets. My bill would bring competition to a segment of the telecommunication market that desperately needs it. By allowing consumers to choose how they get their cable box, prices on the boxes and other interface equipment will likely drop, and manufacturers and retailers of converter boxes will become more innovative and responsive to the needs of consumers.

Cable companies argue that they need a monopoly over cable devices to protect against theft of cable programming. I fully agree that cable operators should be able to protect their signals so that only paying customers get the benefit of their services. I do not, however, believe that a monopoly over the cable device market is necessary to achieve this purpose.

It should be noted that the phone companies once made the same argument. They argued that if phone customers were allowed to purchase phones from anyone other than the phone company, there would be widespread theft of phone services. This, however, has not turned out to be the case.

Likewise, I am confident that the sale of cable devices by non cable businesses would not lead to the theft of cable programming.

Today's technology will allow cable operators to protect their signals without monopolizing the hardware and restricting consumers' ability to choose how they will get a box. Cable companies can prevent theft of their signals without controlling the distribution of converter boxes. For example, the Electronic Industries Association has developed a draft standard that would allow codes to be put on magnetic cards, similar to credit cards. This card, which could be used with a commercially sold box, would ensure that only those customers who have paid for services actually get them.

Under my legislation, the FCC would determine the rules—after significant public comment—that would promote competition in the cable device market while safeguarding against the theft of cable programming. My legislation gives the FCC significant discretion in meeting this goal, but requires them to make it a high priority.

Competition for converter boxes and other devices can only benefit consumers. As it did in the telephone market, competition will lead to innovation, greater choice, as well as lower prices for converter boxes.

By Mr. SIMON:

S. 665. A bill to amend the Internal Revenue Code of 1986 to increase motor fuel taxes by 8 cents a gallon, the resulting revenues to be used for mass transit, AMTRAK, and interstate, State, and local roads and bridges, and for other purposes; to the Committee on Finance.

FUEL TAX LEGISLATION

• Mr. SIMON. Mr. President, today I am introducing a bill calling for an 8 cents a gallon tax increase on gasoline and diesel fuel.

Revenue gained from this tax would be used for mass transit, AMTRAK, and interstate, State, and local roads and bridges. As the administration and the Congress consider proposals to downsize the Federal Government and increase the responsibilities of State governments, returning some Federal taxes to States and cities would be a very sensible step.

We are all aware of the need for increases in transit and surface transportation investment. And returning revenue to State and local governments for infrastructure and capital improvement projects would help State and local governments, promote job creation and improve the Nation's economic well-being in general. This motor fuel tax increase would go a long way toward meeting this goal. An increase in public investment is long overdue, Mr. President. I urge my colleagues to support this legislation.•

By Mr. SIMON:

S. 666. A bill to amend chapter 93 of title 31, United States Code, to provide additional requirements for a surety corporation to be approved by the Secretary of the Treasury, to provide for equal access to surety bonding, and for other purposes; to the Committee on the Judiciary.

THE EQUAL SURETY BOND OPPORTUNITY ACT OF 1995

Mr. SIMON. Mr. President, I am pleased to introduce the Equal Surety Bond Opportunity Act of 1995. This bill is designed to further equal opportunity for surety bond applicants and to equip bond applicants—particularly small business applicants—with information to help them to strengthen their businesses.

Construction firms must have surety bonds to bid on all Federal projects in excess of $25,000 and all federally assisted projects in excess of $100,000. In fact, bonding is now required for most State and local government construction projects and an increasing number

of private construction projects. Clearly, access to surety bonding is essential to the livelihood of the majority of construction companies.

Surety bonds ensure that a contractor is capable of completing the specified work and has the financial ability to pay its bills on time. If the bonded contractor fails to complete the project, the surety firm steps in to fulfill the contract.

Furthermore, surety firms minimize their own risk by determining, before they issue a bond, whether the applicant is capable of completing the particular project in question. The principal source of bonds—for-profit corporate surety firms—use undisclosed underwriting standards to make this determination. Essentially, they assess an applicant's three C's—cash, capacity to do work, and character. But the personal character of a contractor may be evaluated in a very subjective manner, which can result in discrimination.

Although classified as a type of insurance, these bonds are really more like a line of credit. If a surety firm has to step in to fulfill the bonded company's obligation under a contract, it expects to be reimbursed. Unfortunately, as with other types of lines of credit such as mortgage financing, women and minority contractors face serious problems in obtaining surety bonds. Several studies of mortgage lending rates in Detroit, Atlanta, and Washington, DC, have revealed a significant race-related mortgage lending gap even after adjusting the data for legitimate business concerns. These studies were based in part on data that banks and other lending institutions are required to report to the Federal Government. Federal law does not require surety firms to report any similar data for applications received or granted.

I sponsored and held hearings on the Equal Surety Bond Opportunity Act in the 102d Congress. Witnesses at that hearing included representatives of the Women Construction Owners and Executives and the National Association of Minority Contractors who testified in support of the bill. According to these witnesses, bond applicants have been rejected simply for being a woman, or being a minority. Clearly, these are unacceptable reasons for rejecting a bond applicant.

The American Subcontractors Association also presented testimony at that hearing. They agreed that women and minority-owned construction companies face special problems in getting bonds, as do many small and emerging construction firms. They noted, however, that all of these companies would benefit if surety companies were required to give an explanation for rejecting a bond application. This would allow them to take corrective action for future applications.

By law, the U.S. Treasury Department maintains a list of federally approved surety firms authorized to issue bonds on Federal projects. My bill, which is modeled after the Equal Credit Opportunity Act, would make it unlawful for a Treasury-approved surety to discriminate against applicants based on race, color, religion, national origin, sex, marital status, or age. Simply put, the bill makes it clear that the three C's cannot be determined by reference to an applicant's race, color, religion, national origin, sex, or marital status.

The bill would also require Treasury-approved firms to provide denied applicants, upon request, full written disclosure of the reasons for their denial. A written explanation will give all construction firms the opportunity to take appropriate corrective action—an opportunity now available to all prospective Federal small business contractors when denied by an agency contracting officer. The written explanation would also help curb denials of bonding based on nonlegitimate reasons.

Again, the legislation will benefit all construction firms. It does not dictate underwriting standards for the surety industry. It does not require sureties to report data on applications received or bonds written. Nor does it inflict onerous regulations on the industry. But it will give businesses the information they need to improve their businesses. Moreover, the bill will ensure that surety firms comply with the same nondiscrimination laws that apply to banks and other lending institutions. If a surety firm is in compliance with these laws, it has nothing to fear from this legislation.

Mr. President, I urge my colleagues to support this very simple, but important legislation.

Mr. President, I ask unanimous consent that the text of my bill be included in the RECORD.

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

S. 666

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 "Equal Surety Bond Opportunity Act of 1995".

SEC. 2. ADDITIONAL REQUIREMENTS REGARDING APPROVAL OF SURETIES.

(a) IN GENERAL.—A company may not be approved as a surety by the Secretary of the Treasury under section 9304 of title 31, United States Code, or provide any surety bond pursuant to such section unless the company maintains full compliance with the requirements of section 9310 of title 31, United States Code.

(b) REQUIREMENTS RELATING TO ENFORCEABILITY.—

(1) SIGNED STATEMENT OF COMPLIANCE WITH APPLICATION.—Section 9305(a) of title 31, United States Code, is amended—

(A) by striking "and" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(3) a statement of compliance with section 9310, which is signed under penalty of perjury by the president and the secretary of the corporation.".

(2) COMPLIANCE AS A CONDITION FOR APPROVAL OF APPLICATION.—Section 9305(b) of title 31, United States Code, is amended—

(A) by striking "and" at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(4) the corporation is in full compliance with section 9310.".

(3) SIGNED STATEMENT OF COMPLIANCE WITH QUARTERLY REPORTS.—Section 9305(c) of title 31, United States Code, is amended by inserting "and a statement of compliance with section 9310," before "signed and sworn".

(4) ENFORCEMENT AUTHORITY OF SECRETARY OF THE TREASURY.—Section 9305(d) of title 31, United States Code, is amended—

(A) in paragraph (1), by striking "9304 or 9306" and inserting "9304, 9306, or 9310"; and

(B) by striking "and" at the end of paragraph (2);

(C) by striking the period at the end of paragraph (3) and inserting "; and"; and

(D) by adding at the end the following new paragraph:

"(4) may, after the end of the 1-year period beginning on the effective date of any revocation under paragraph (1) of the authority of a surety corporation for noncompliance with section 9310, reauthorize such corporation to provide surety bonds under section 9304.".

(5) REVOCATION FOR FAILURE TO PAY CERTAIN JUDGMENTS.—Section 9305(e) of title 31, United States Code, is amended—

(A) by striking "and" at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

"(2) the corporation does not pay a final judgment or order against the corporation for noncompliance with section 9310, or fails to comply with any order under that section; and".

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 9304(a)(3) of title 31, United States Code, is amended by striking "9305 and 9306" and inserting "9305, 9306, and 9310".

SEC. 3. INFORMATION FOR BOND APPLICANTS AND NONDISCRIMINATION.

(a) IN GENERAL.—Chapter 93 of title 31, United States Code, is amended by adding at the end the following new section:

"SEC. 9310. INFORMATION FOR BOND APPLICANTS; NONDISCRIMINATION.

"(a) REASONS FOR ADVERSE ACTION; PROCEDURE APPLICABLE.—

"(1) NOTICE REQUIRED.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), any surety approved under section 9304 shall notify an applicant for a bid bond, payment bond, or performance bond of its action on a completed application not later than 10 days after receipt of the application.

"(B) EXTENSION.—The notification required by subparagraph (A) may be furnished not later than 20 days after receipt of the application, if the surety has not issued a bond to the applicant in the 12-month period preceding the date of receipt of the application.

"(2) STATEMENT OF REASONS.—

"(A) IN GENERAL.—Each applicant against whom adverse action is taken shall be entitled to a statement of reasons for such action from the surety.

"(B) ACCEPTABLE FORMS OF STATEMENT.—A surety satisfies the requirements of subparagraph (A)—

"(i) by providing a statement of reasons in writing as a matter of course to applicants against whom adverse action is taken; or

"(ii) by giving written notification of adverse action which discloses—

"(I) the applicant's right to a statement of reasons not later than 30 days after receipt by the surety of a written request made by the applicant not later than 60 days after such notification; and

"(II) the identity of the person or office from which such statement may be obtained.

"(C) ORAL STATEMENT PERMITTED.—A required statement of reasons for adverse action may be given orally if written notification advises the applicant of the applicant's right to have the statement of reasons confirmed in writing upon the applicant's written request.

"(3) SPECIFICITY OF REASONS.—A statement of reasons meets the requirements of this section only if it contains specific reasons for the adverse action taken.

"(4) APPLICABILITY IN CASE OF THIRD PARTY APPLICATIONS.—In the case of a request to a surety by a third party to issue a bond directly or indirectly to an applicant, the notification and statement of reasons required by this section may be made directly by such surety, or indirectly through the third party, if the identity of the surety is disclosed to the applicant.

"(5) APPLICABILITY IN CASE OF SURETIES WHICH ACCEPT FEW APPLICATIONS.—The requirements of paragraphs (2), (3), and (4) may be satisfied by oral statements or notifications in the case of any surety which acted on not more than 100 applications during the calendar year in which the adverse action is taken.

"(b) NONDISCRIMINATION.—

"(1) ACTIVITIES.—It shall be unlawful for any surety to discriminate against any applicant, with respect to any aspect of a surety bond transaction—

"(A) on the basis of race, color, religion, national origin, sex, marital status, disability, or age (if the applicant has the capacity to contract);

"(B) because the applicant has in good faith exercised any right under this chapter;

"(C) because the applicant previously obtained a bond through an individual or personal surety; or

"(D) because the applicant previously obtained a bond through—

"(i) any bonding assistance program expressly authorized by law;

"(ii) any bonding assistance program administered by a nonprofit organization for its members or an economically disadvantaged class of persons; or

"(iii) any special purpose bonding program offered by a profitmaking organization to meet special needs.

"(2) ACTIVITIES NOT CONSTITUTING DISCRIMINATION.—It shall not constitute discrimination for purposes of this section for a surety—

"(A) to make an inquiry of marital status if such inquiry is for the purpose of ascertaining the surety's rights and remedies applicable to the granting of a bond and not to discriminate in a determination of bondability;

"(B) to make an inquiry of the applicant's age if such inquiry is for the purpose of determining the amount and probable continuance of bondability; or

"(C) to make an inquiry as to where the applicant has previously obtained a bond, in order to determine bonding history, or other pertinent element of bondability, except that an applicant may not be assigned a negative factor or value because such applicant previously obtained a bond through—

"(i) an individual or personal surety;

"(ii) a bonding assistance program expressly authorized by law;

"(iii) any bonding program administered by a nonprofit organization for its members or an economically disadvantaged class of persons; or

"(iv) any special purpose bonding program offered by a profitmaking organization to meet special needs.

"(3) ADDITIONAL ACTIVITIES NOT CONSTITUTING DISCRIMINATION.—It is not a violation of this section for a surety to refuse to issue a bond pursuant to—

"(A) any bonding assistance program authorized by law for an economically disadvantaged class of persons;

"(B) any bonding assistance program administered by a nonprofit organization for its members or an economically disadvantaged class of persons; or

"(C) any special purpose bonding program offered by a profitmaking organization to meet special needs,

if such refusal is required by or made pursuant to such program.".

(b) DEFINITION OF ADVERSE ACTION.—Section 9301 of title 31, United States Code, is amended—

(1) by striking the period at the end of paragraph (1) and inserting a semicolon;

(2) by striking the period at the end of paragraph (2) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) 'adverse action'—

"(A) means a denial of a bond, a change in the terms of an existing bonding arrangement, or a refusal to issue a bond in the amount or on substantially the terms requested; and

"(B) does not include any refusal to issue an additional bond under an existing bonding arrangement where the applicant is in default, or where such additional bond would exceed a previously established bonding limit.".

SEC. 4. CIVIL PENALTIES.

Section 9308 of title 31, United States Code, is amended—

(1) in the first sentence by striking "A surety corporation" and inserting the following:

"(a) LIABILITY TO THE UNITED STATES.—A surety corporation";

(2) in the second sentence by striking "A civil action" and inserting the following:

"(c) JURISDICTION.—A civil action";

(3) in the third sentence by striking "A penalty imposed" and inserting the following:

"(d) EFFECT OF PENALTIES ON CONTRACTS.—A penalty imposed"; and

(4) by inserting after subsection (a) (as designated by paragraph (1)) the following new subsection:

"(b) LIABILITY FOR DISCRIMINATORY ACTION.—Any surety corporation that fails to comply with section 9310(b) shall be liable to the applicant for—

"(1) any actual damage sustained by such applicant (individually or as a member of a class); and

"(2) in the case of any successful action under this subsection, the costs of the action, together with reasonable attorney's fees, as determined by the court.".

SEC. 5. REGULATIONS.

The Secretary of the Treasury shall issue such proposed regulations as may be necessary to carry out this Act not later than 270 days after the date of the enactment of this Act. The final regulations shall become effective not later than 1 year after the date of enactment of this Act.

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act shall become effective on the earlier of—

(1) the effective date of final regulations promulgated pursuant to section 5; or

(2) the end of the 1-year period beginning on the date of enactment of this Act.

By Mr. BRYAN (for himself and Mr. SHELBY):

S. 667. A bill to amend the Securities Exchange Act of 1934 in order to reform the conduct of private securities litigation, to provide for financial fraud detection and disclosure, and for other purposes; to the Committee on Banking, Housing and Urban Affairs.

THE SECURITIES ENFORCEMENT ACT OF 1995

• Mr. BRYAN. Mr. President, today Senator SHELBY and I are introducing the Private Securities Enforcement Improvement Act of 1995 to improve the Federal securities litigation process. I believe our legislation provides a balance between protecting the rights of defrauded investors and providing relief to honest companies who may find themselves the target of a frivolous lawsuit.

I have serious concerns that in a rush to judgment Congress may err too far and end up curtailing suits that have merit and thus undermine the American public's confidence in the integrity of our financial markets. There is no greater harm Congress could do to the capital markets.

The issue of securities litigation reform came to my attention several years ago when a constituent was defrauded in a real estate limited partnership. On numerous occasions he raised concerns over the time periods individuals had to file securities lawsuits. Little could he have known that a short while later the Supreme Court would rule in the Lampf case that the statute of limitations in a major section of securities law would be shortened to 1 year after discovery or 3 years after the fraud actually took place—whichever came first.

I do not believe the Court felt this was the appropriate amount of time to uncover financial fraud but was all they could provide in a strict interpretation of the statute. To make matters worse, the Court applied the shortened time period retroactively, thereby imperiling hundreds of legitimate fraud cases—many of which were in the midst of years of litigation.

In 1992, we were successful in fixing the retroactive cases by applying the statute of limitations that was applicable when the cases were filed. Unfortunately, we were not able to fix the standard prospectively.

The legislation we are introducing today would help rectify this problem

by establishing a statute of limitations of 2 years after discovering the fraud or 5 years after the fraud took place. I find it hard to believe reasonable people could object to such a timetable. Our experience with financial crooks like Charlie Keating have demonstrated how easy it is to conceal financial crimes. You would be hard pressed to find anyone who thinks that financial crimes are on the decline. In fact, the evidence shows financial crimes are escalating.

This legislation is designed to improve private securities litigation in a number of ways: eliminating certain abusive litigation practices; deterring and providing sanctions against the filing of meritless cases; instituting procedural reforms to screen out weak cases nearly in the judicial process and enhancing the detection of financial fraud.

These measures are carefully crafted so as not to discourage meritorious suits yet attack several areas of potential abuse. As Securities and Exchange Chairman Arthur Levitt recently noted that "[p]rivate securities litigation plays a prominent role in checking the market excesses. To change that, we would need to recalibrate our entire system checks and balances."

The fundamental purpose of Federal securities laws is to provide investor protection and thereby foster investor confidence and encourage the investment necessary for capital formation, economic growth and job creation. Our system of private litigation under the Federal securities laws has functioned effectively as a necessary and essential supplement to the enforcement program of the Securities and Exchange Commission.

The provisions of this bill should ensure that defrauded investors can recover their damages, that criminals are brought to justice, and that corporations are protected from unwarranted litigation in a system that is quicker, less costly and more fair to all concerned.

Mr. President, I look forward to passing legislation that will correct some of the abuses present in the current securities litigation system and address the issues raised by Supreme Court rulings in legislation that President Clinton can sign.●

By Mr. WARNER:

S. 668. A bill to authorize the establishment of the National Capital Region Interstate Transportation Authority, to define the powers and duties of the Authority, and for other purposes; to the Committee on Environment and Public Works.

THE NATIONAL CAPITAL REGION INTERSTATE TRANSPORTATION AUTHORITY ACT OF 1995

● Mr. WARNER. Mr. President, I introduce legislation today to establish the National Capital Region Interstate Transportation Authority.

This Authority, representing Virginia, Maryland, and the District of Columbia, will serve the region's need to focus attention and to build a partnership between the Federal Government, the Commonwealth of Virginia, the State of Maryland, the District of Columbia, local governments, and other interested persons to move forward with a new Potomac River crossing on the Capital Beltway at the Woodrow Wilson Memorial Bridge.

This legislation will establish one entity to devote its full time and attention to facilitating the construction of a replacement bridge, or bridge and tunnel project, for the aging Woodrow Wilson Memorial Bridge.

Mr. President, State and local governments have long recognized the importance of the Woodrow Wilson Bridge to the region's economic vitality and its critical link to providing efficient interstate travel from Maine to Florida.

The Congress also recognized the needs of this facility and its relationship to the efficient movement of people and commerce in the region during the development of the Intermodal Surface Transportation Efficiency Act of 1991. That legislation established the Interstate Transportation Study Commission and charged the Commission with the responsibility of recommending "new mechanisms, authority, and/or agreements to fund, develop, and manage the transportation system of the National Capital Region, primarily focusing on the interstate highway and bridge systems."

The 13 members of the Commission extensively examined the existing transportation needs of the National Capital region and concluded that the immediate demand was to focus attention on examining every option to provide for a new Potomac River crossing at the Woodrow Wilson Bridge. To accomplish this, the Commission recommended the creation of a new interstate authority to assume ownership and responsibilities of the bridge and to move forward with the financing of a new facility as recommended by the Woodrow Wilson Bridge Coordination Committee and approved by the National Capital Region Transportation Planning Board.

The Woodrow Wilson Bridge Coordination Committee is a working partnership to identify options for the future of the bridge and to develop a consensus plan on fixing or replacing the deteriorating Woodrow Wilson Bridge. The Coordination Committee is following an open participatory process to examine alternatives to improve this vital crossing and is scheduled to identify a preferred alternative, complete an environmental impact statement and issue a record of decision by mid-1996.

It is not my intention for the Authority established by this legislation to interfere with or disrupt this valuable ongoing work. The Authority will provide the next critical step in these tight fiscal times—a financing mechanism—which will provide the means necessary to finance, operate, and maintain a new river crossing.

It is important for my colleagues to remember that the Federal Government constructed the Woodrow Wilson Bridge in 1954 and remains responsible for the needs of the existing facility and the financing, planning, and design work required for a new facility.

Today the Woodrow Wilson Memorial Bridge is the only segment of the 44,000 mile Interstate System that is owned by the Federal Government. The bridge was designed 40 years ago to carry 75,000 vehicles per day, with 10 percent of the traffic consisting of heavy trucks. Today, the bridge carries 165,000 vehicles per day, and 11 percent of the volume is truck traffic. This facility is the only drawbridge on the regional interstate network, the only piece of the region's eight-lane Capital Beltway that is limited to six lanes, and the only segment of the Capital Beltway with a remaining lifespan of less than 10 years.

Recent studies by the Federal Highway Administration confirm that annual repairs to the existing bridge fail to extend the use life of the facility and are no longer cost effective. Safety experts for the Federal Highway Administration advise me that unless a new facility is constructed within the next 9 years, the Department may be required to enforce truck size and weight restrictions on this segment of the Capital Beltway.

Mr. President, the solution is clear. The Woodrow Wilson Bridge, a critical line in the region's transportation network and a vital link in our Nation's intermodal transportation system, needs to be rebuilt with the capacity to handle the significant demands being placed upon it every day. The National Capital Region Interstate Transportation Authority is the first step in addressing a problem that has gone unresolved for far to long.

Recent census data reveals that half of all workers in this region live and work in different jurisdictions and one-third live and work in different States. The National Capital Region Transportation Planning Board forecasts that between 1990 and 2020 the volume of traffic in our region will increase by more than 70 percent, while the current planned highway capacity will expand by only 20 percent. Between now and 2020, our traffic volume could triple during the heaviest part of the evening rush hour.

Traffic congestion translates into wasted productivity and dollars. A recent study by the Texas Transportation Institute found that in 1987 traffic congestion in the Metropolitan Washington area cost each of us an estimated $570 a year in lost time and

wasted fuel. Today, it is estimated that our traffic congestion is costing each of us at least $1,000 per year. This is a cost both to residents and to the region's business community.

Because of the gridlock that occurs on our region's roadways during the morning and evening rush hours, our residents are not resistant to using public transit. Indeed, we currently have the highest percentage of high-occupancy vehicle [HOV] users in the Nation and are tied for second place with Chicago for the highest percentage of mass transit users. While I fully support expanding public transportation options and building upon our HOV road network, these efforts alone will not solve our region's problems with inadequate highways and bridges.

The National Capital Region Interstate Transportation Authority will enhance the ability of the system to meet expanding economic growth and help our Nation's Capital thrive in the increasingly competitive global marketplace. Almost 85 percent of the Nation's freight travels at least part of its journey over a highway. As American companies rely more and more on just-in-time-delivery to get raw materials to manufacturing facilities, and American wholesalers and retailers count on rapid delivery to keep their inventories lean, the economic importance of an efficient national transportation infrastructure is actually growing.

Mr. President, I look forward to working with my colleagues and the Commonwealth of Virginia, the State of Maryland, and the District of Columbia as we advance this legislation.●

By Mr. GLENN (by request):

S. 669. A bill to revise and streamline the acquisition laws of the Federal Government, and for other purposes; to the Committee on Governmental Affairs.

THE FEDERAL ACQUISITION IMPROVEMENT ACT OF 1995

Mr. GLENN. Mr. President, I rise today to introduce a bill, the Federal Acquisition Improvement Act, by request of the administration. I am glad to do it, because this bill represents the next step of reforming the way Government buys its goods and services.

Last year, the Congress passed the Federal Acquisition Streamlining Act, better known as FASA. That was the first major piece of procurement reform legislation in over 10 years. The passage of the act constituted a critical victory in the war against Government inefficiency and one of the most significant accomplishments of the Governmental Affairs Committee during the 103d Congress.

FASA is a comprehensive Governmentwide procurement reform effort aimed at streamlining the acquisition process by reducing paperwork burdens through revision and consolidation of acquisition statutes to eliminate redundancy, provide consistency and facilitate implementation.

The law is the culmination of years of legislative and oversight effort led by the Governmental Affairs Committee, in conjunction with the Armed Services and Small Business Committees of both the Senate and the House, to make sense out of the complex process of supplying the Federal Government with the goods and services it needs just to operate.

Figuring significantly also were recommendations of the Vice President's National Performance Review regarding increased reliance on acquisitions of commercial items and increased simplified acquisition threshold of $100,000, and other recommendations mirroring those in the report of the advisory panel on streamlining and codifying acquisition laws pursuant to section 800 of the National Defense Authorization Act for fiscal year 1991. That was the so-called 800 panel.

Mr. President, this really was a culmination of a number of different activities that came together to pass the legislation last year. We had been working in the Governmental Affairs Committee on this problem of streamlining acquisition, making it more efficient for all of Government, not just the armed services.

At the same time, the Armed Services Committee, of which I am also a member, asked the Pentagon to do a study of their own procurement practices, and that was done with what became known as the 800 panel.

Then, when the new administration was elected, the Vice President headed up the National Performance Review. And it, once again, got into areas of procurement reform. So we all combined our efforts, and that culminated then in passage last year of FASA.

That was quite an accomplishment. As if that were not enough, I am pleased today to be a sponsor of a bill which I hope will mark the beginning of serious Senate efforts in the 104th Congress to make even further reforms to our procurement system.

People in the agencies and industry have already begun to refer to this new set of proposed reforms as FASA 2, but its actual title is the Federal Acquisition Improvement Act. I think that is symbolic of what the administration is trying to do. Yes, this is a further streamlining effort, but the administration is also trying to improve on and refine the endeavor which began last year with the passage of FASA.

I believe this bill is a good starting point for this second round of reforms, and we are definitely headed in the right direction for this venture.

It appears that the administration is trying to finish what it started last year with FASA, as well as pursuing some bold new objectives with this bill, and I want to commend them personally for that.

For instance, one theme in the bill appears to be furthering the work begun in FASA of attempting to bring the Government more in line with the commercial world exemplified by provisions clarifying the definition of commercial services and shortening the time it takes to complete a procurement. That is a major item.

Consistent with this theme is the desire expressed in this bill to further streamline the award process, something also begun in FASA. Significant provisions we will be watching in this realm involve the lowering of agency approval levels and delegation of authorities for using noncompetitive procedures; limiting competitive range determinations to as few as the three highest-ranked offerors; and the authorization of two-phase selection procedures for certain information technology in design-build contracts.

The administration has also begun to tackle the controversial, highly charged issue of reform of the protest system by attempting to streamline it and reduce the number of protests filed. Included are provisions on making statutory and consistent the standards of review used for development and evaluation of the protest record; preaward debriefings for unsuccessful offerors; and consolidation of the judicial protest forum. I will be watching suggestions in this area with particular interest, especially since I know that the proposals in this area do not begin and end with those made in this bill.

There are also some very beneficial concepts in this bill related to ethics; recoupment of fees paid to the U.S. Government on foreign sales of military products and technologies developed under Government contracts; FACNET, the newly established electronic commerce system created under FASA for procurements under the simplified acquisition threshold; and more pilot programs to test out new and different concepts.

This list barely scratches the surface, and it is easy to see that the administration is attacking some tough and very diverse issues with this bill. We will be scrutinizing each and every one of these provisions for their wisdom and for their prudence.

As I said, at this juncture I may not support every single provision of this bill. Most of the proposals I am sure I will support. Others I support the concept behind but feel the language may need some work and will be glad to do that. There are also ideas in the bill with which I may disagree altogether, and I am sure we count on being blessed with new ideas as we go along. In general, though, I think we are headed in the right direction with this new bill, and I am very glad to be submitting it on behalf of the administration.

The bill is being introduced today and the legislative process can begin to

work and we can begin to consider opinions from all interested parties on each provision so that we can put forth the best possible measure for the President's signature. I know that the General Accounting Office, GAO, and others, have testified before the House Government Reform and Oversight Committee offering many valuable suggestions along this line. I look forward to engaging in that process again, as I did last year.

Mr. President, I want to reiterate that I believe the administration's bill is a very good place to start working on the next round of reforms to streamline our procurement system. We have a challenge ahead of us to flesh out this bill, but I am excited that the administration continues to focus attention in this area.

By Mr. GLENN (for himself and Mr. PRYOR):

S. 670. A bill to amend the Internal Revenue Code of 1986 to prevent the unauthorized inspection of tax returns or tax return information; to the Committee on Finance.

TAXPAYER BROWSING PROTECTION ACT

Mr. GLENN. Mr. President, this bill is entitled the Taxpayer Browsing Protection Act. We have a problem. Criminal penalties and sanctions do currently apply when IRS employees look at taxpayer returns that they are not authorized to do for work purposes and willfully disclose that information to third parties. However, there is a nebulous loophole for when IRS employees engage in such browsing for their own curious interests but do not disclose that information to others.

The bill that we are submitting here today is based on recommendations by the IRS and the Department of Justice, which began looking at this issue following hearings last year which publicly disclosed this activity. This bill would provide in the Internal Revenue Code that unauthorized inspection of returns or return information is an offense punishable by a fine not to exceed $1,000, or imprisonment of not more than 1-year, or both, together with costs of prosecution.

If the offense is committed by an officer or employee of the United States, they are immediately fired upon conviction.

Third, it will clarify that the unauthorized inspection, as well as the unauthorized disclosure, of returns or return information is a violation of the code's confidentiality provisions for returns and return information.

Mr. President, this bill addresses something that came out in our hearings last year where we found that some employees were just browsing through accounts on which they were not doing work. They were just curious about what was in the accounts. We had some that actually got into accounts and changed some of the figures in there and received kickbacks for what they were doing. Some of those people are already in jail now. So that area is covered.

We want to tighten this up, and the IRS very much favors this. Commissioner Margaret Richardson said this morning at our hearing that she does favor this, and we worked with her on this. She feels it covers a loophole in the legislation that needs to be covered. I am glad to submit it and help close that loophole so that we will make it absolutely unequivocally illegal for IRS employees to be browsing through other people's accounts, whether for voyeuristic reasons, or just plain curiosity, or whatever the motives are. But people should expect that when they file their tax returns and that information is in the internal revenue system, those returns are confidential and will be worked on only by people that are dealing with business matters on their accounts and nothing more. That is what this legislation does. I hope we can have support on it after it has been through the committee process.

The PRESIDING OFFICER. The bill will be appropriately referred.

Mr. PRYOR. Mr. President, I am very proud that I was here at the moment when Senator GLENN was introducing his two proposals, especially the proposal on browsing by the Internal Revenue Service.

It has been my pleasure to have served as the chairman of the Finance Committee's Committee on Oversight of the Internal Revenue Service for a period of years. During that period of time, I might say that the committee in the House and the Senate, in their wisdom, did in fact adopt the 1988 Taxpayers Bill of Rights. The Taxpayer's Bill of Rights was the very first piece of legislation ever in the history of this Republic, or in the history of the Internal Revenue Service, to spell out the specific powers of the individual taxpayer.

We have now introduced something we call T–2, Mr. President, which is the taxpayers Bill of Rights II.

This legislation goes even several steps further in the protection of the rights afforded to the individual taxpayer in this country.

Senator GLENN's proposal is an answer to, and is a direct result of, testimony which was unearthed and information which has been gathered by Senator GLENN's committee, his very competent staff, on the issues and the alarming fact that, in the past—and maybe even in the present—certain overzealous Internal Revenue Service employees have taken the liberty to abuse the system by looking at individual taxpayer records and accounts and sharing those facts with other individuals. I think what Senator GLENN is doing today is a true service. I stand behind him all the way, and I hope that the Senator will put me down as an original cosponsor.

Mr. GLENN. I will be glad to do so. If the Senator will yield for a moment, Mr. President. To put this in a broader context, the Senator from Arkansas, Senator PRYOR, is the one who on our Governmental Affairs Committee took the lead in putting together the Taxpayer Bill of Rights. It has served us well and the taxpayers of this country should be glad for what he did. I am sure they are, whether they realize they are in his debt or not. What I have done here is expand a little on his efforts. To put it in an even larger context, we are coming into a time with the information age, the information flow, time period in history that replaces the agriculture revolution, the industrial revolution. Now we are into the information revolution. Along with that is going the computerization of all of the taxpayer records that formerly were all in on a piece of paper in the file. They were not as accessible as they are now to computers and hackers and other people.

One of our biggest problems in keeping confidentiality is making sure that as we move into the taxpayer system modernization program, the TSM Program, a very expensive modernization program—and it will be another 3 or 4 years before completion—that will completely modernize the IRS. We need protections like this and like the protections the Senator from Arkansas put the initiative on in putting it together. So he is to be complimented for his efforts in times past on this. As he said, he has T–2, the Taxpayer Bill of Rights II, which is being prepared.

This bill I put in today is one that covers one loophole that we had discerned was there and which the IRS agreed we should close, and we are glad the Senator from Arkansas is a cosponsor because he did a lot of the original work and deserves a lot of the credit for it.

By Mr. HATCH:

S. 671. A bill to provide a fair and balanced resolution to the problem of multiple imposition of punitive damages, and for other purposes; to the Committee on the Judiciary.

THE MULTIPLE PUNITIVE DAMAGES FAIRNESS ACT

Mr. HATCH. Mr. President, I rise today to introduce legislation which will at last deal with one aspect of one of the most serious problems facing our civil justice system today—out of control punitive damage awards.

Punitive damages constitute punishment and an effort to deter future egregious misconduct. Punitive damages are not awarded to make whole the victim of wrongdoing. Punitive damages reform is not about shielding wrongdoers from liability, nor does such reform prevent victims of wrongdoing from being rightfully compensated for their damages.

Safeguards are needed to protect against abuse in the award of punitive damages. In a 1994 opinion authored by Justice Stevens, the Supreme Court noted, "Punitive damages pose an acute danger of arbitrary deprivation of property." [*Honda Motor Co.* v. *Oberq*, 114 S. Ct. 2331, 2340]

One particular problem is multiple awards of punitive damages. While I do not argue that a person or company that acts maliciously should not be subject to punitive damages, it is neither just nor fair for the repeated imposition of punitive damages in several States for the same act or conduct, as our system currently permits. Moreover, exorbitant and out-of-control punitive damage awards have the effect of punishing innocent people as well: employees, other consumers, and shareholders.

This is not a hypothetical problem. This past September, for example, a State court let stand a multimillion dollar punitive damage award against an automobile distributor who failed to inform a buyer that his new vehicle had been refinished to cure superficial paint damage.

The victim, a purchaser of a $40,000 BMW automobile, learned 9 months after his purchase that his vehicle might have been partially refinished. As a result of the discovery, he sued the automobile dealer, the North American distributor, and the manufacturer, for fraud and breach of contract. He also sought an award for punitive damages. He won and hit the jackpot.

At trial, the jury was allowed to assess damages for each of the partially refinished vehicles that had been sold throughout the United States over a period of 10 years. As sought by the plaintiff's attorney, the jury returned a verdict of $4,000 in compensatory damages and $4 million in punitive damages.

On appeal to the State supreme court, the punitive damage award was reduced to $2 million, applicable to the North American distributor. The U.S. Supreme Court has accepted this case for review of the constitutionality of the $2 million punitive damage award.

I should note that this same defendant can be sued again and again for punitive damages by every owner of a partially refinished vehicle. In fact, according to defense counsel, the same plaintiff's attorney has filed 24 other similar lawsuits.

Defendant and consumers are not the only ones hurt by excessive, multiple punitive damage awards. Ironically, other victims can be those the system supposedly is intended to benefit, the injured parties themselves. Funds that might otherwise be available to compensate later victims can be wiped out at any early stage by excessive punitive damage awards.

The imposition of multiple punitive damage awards in different States for the same act is an issue that can only be addressed through Federal legislation. If only one State limits such awards, other States still remain free to impose multiple punitive damages. Accordingly, a Federal response is necessary.

Mr. President, I hope Senators will join me in supporting this initiative.

By Mr. HATCH (for himself, Mr. MCCONNELL, and Mr. THOMAS):

S. 672. A bill to provide a fair and balanced resolution to the problem of multiple imposition of punitive damages, and for the reform of the civil justice system; to the Committee on the Judiciary.

THE CIVIL JUSTICE FAIRNESS ACT

Mr. HATCH. Mr. President, one of the few things on which most Americans can agree today is the need for reform of our civil justice system. In plain English, which is itself something too often absent from our courthouses and law offices, America's civil justice system has gotten out of control.

In too many cases, the system fails to deliver justice to the parties. For most Americans, rich or poor, private citizen, small business person, or major corporation, the prospect of going to court, regardless of the merits of the case, is about as welcome as root canal work or an IRS audit.

The litany of problems is no secret; they include excessive legal fees and costs, dilatory and sometimes abusive litigation practices, the increasing use of junk science as evidence, a veritable tidal wave of frivolous lawsuits by prison inmates, and a risk of unduly large punitive damage awards.

The problems with our current civil justice system have resulted in several perverse effects. First, all too often the system fails to accomplish its most important function—to compensate adequately deserving plaintiffs. Second, it imposes unnecessarily high litigation costs on all parties—costs that are passed along to consumers, to each and every American, in the form of higher prices for products and services we buy—costs that ultimately harm our Nation's business competitiveness in the increasingly global economy.

It's time Congress faced up to the problem and enacted meaningful legislation reforming our civil justice system, to eliminate its abuses and procedural problems and to restore to the American people a civil justice system deserving of their trust, confidence, and support. To achieve this goal, I am today introducing the Civil Justice Fairness Act, along with Senators MCCONNELL and THOMAS.

I would like to review the major provisions of this legislation and to explain how they would correct some of the more serious problems in our present civil justice system.

This legislation would address the problem of multiple punitive damage awards. We all know that punitive damage awards are out of control in this country. The imposition of multiple punitive damages for the same wrongful act in particular, raises great concern about the fairness of punitive damages and their ability to serve the purposes of punishment and deterrence for which they are intended.

This past September, for example, a State court let stand a multimillion-dollar punitive damage award against an automobile distributor who failed to inform a buyer that his new vehicle had been refinished to cure superficial paint damage. The jury was allowed to assess damages for each of the nearly 1,000 other vehicles that had been sold throughout the United States.

Conceivably, the company can still be sued for punitive damages in every other State where it sold one of its vehicles for the same act.

Moreover, multiple punitive damage awards can hurt injured parties. Funds that would otherwise be available to compensate later victims can be wiped out at any early stage by excessive punitive damage awards. A Federal response is critical: if only one State limits such awards, other States still remain free to impose multiple punitive damages. Accordingly, my bill limits these multiple punitive damage awards.

My legislation also addresses abuses of punitive damages litigation. It includes a heightened standard of proof to ensure that punitive damages are awarded only if there is clear and convincing evidence that the harm suffered was the result of conduct either specifically intended to cause that harm, or carried out with conscious, flagrant indifference to the rights or the safety of the claimant.

This bill also provides that punitive damages may not be awarded against the seller of a drug or medical device that received premarket approval from the Food and Drug Administration.

Additionally, this legislation would allow a bifurcated trial, at the defendant's request, on the issue of punitive damages and limits the amount of the award to either $250,000 or three times the economic damages suffered by the claimant, whichever is greater.

This legislation would also limit a defendant's joint liability for noneconomic damages. In any civil case for personal injury, wrongful death, or based upon the principles of comparative fault, a defendant's liability for noneconomic loss shall be severable only and shall not be joint. The trier of fact will determine the proportional liability of each person, whether or not a party to the action, and enter separate judgments against each defendant.

Another provision of this bill would shift costs and attorneys fees in circumstances in which a party has rejected a settlement offer, forcing the litigation to proceed, and then obtained a less favorable judgment. This

provision encourages parties to act reasonably, rather than pursue lengthy and costly litigation. It allows a plaintiff or a defendant to be compensated for their reasonable attorneys fees and costs from the point the other party rejects a reasonable settlement offer.

Another reform included in this legislation is a provision aimed at abusive litigation practices. This bill restores earlier provisions of rule 11 of the Federal Rules of Civil Procedure, to make sanctions for abusive litigation practices mandatory, and to require attorneys to make reasonable inquiries into the factual allegations before they file a pleading in court. This bill also eliminates the so-called safe harbor rule that allows an offending party to withdraw his offending pleading and clarifies that sanctions would also serve to compensate a prevailing party under rule 11.

Another problem in our civil justice system that has been widely reported is abuse in contingency fee cases. This bill encourages attorneys to disclose fully to clients the hours worked and fees paid in all contingency fee cases. The bill calls upon the Attorney General to draft model State legislation requiring such disclosure to clients. It also requires the Attorney General to study possible abuses in the area of contingency fees and, where such abuses are found, to draft model State legislation specifically addressing those problems.

This legislation restricts the use of so-called "junk science" in the courtroom. This long overdue reform will improve the reliability of expert scientific evidence and permit juries to consider only scientific evidence that is objectively reliable.

This legislation also includes a provision for health care liability reform. It limits, in any health care liability action, the maximum amount of noneconomic damages that may be awarded to a claimant to $250,000. This limit would apply regardless of the number of parties against whom the action is brought, and regardless of the number of claims or actions brought. To avoid prejudice to any parties, the jury would not be informed about the limitations on noneconomic damages.

This legislation would also establish a reasonable, uniform statute of limitations for the bringing of health care liability actions.

Further, if damages for losses incurred after the date of judgment exceed $100,000, the court shall allow the parties to have 60 days in which to negotiate an agreement providing for the payment of such damages in a lump sum, periodic payments, or a combination of both. If no agreement is reached, a defendant may elect to pay the damages on a periodic basis. Periodic payments for future damages would terminate in the event of the claimant's return to work, or upon the claimant's death. There is an exception for the portion of such payments allocable to future earnings, which shall be paid to any individual to whom the claimant owed a duty of support immediately prior to death, to the extent required by law at the time of the claimant's death.

This legislation also allows States the freedom to experiment with alternative patient compensation systems based upon no-fault principles. The Secretary of Health and Human Services would award grants based on applications by interested States according to enumerated criteria and subject to enumerated reporting requirements. Persons or entities participating in such experimental systems may obtain from the Secretary a waiver from the provisions of this legislation for the duration of the experiment. The Secretary would collect information regarding these experiments and submit an annual report to Congress, including an assessment of the feasibility of implementing no-fault systems, and legislative recommendations, if any.

Our court system, at both the Federal and State level, is facing an ever-mounting tide of lawsuits, many totally frivolous, filed by prison inmates. This bill improves the ability of our courts to dismiss nonmeritorious in forma pauperis claims and requires the exhaustion of available administrative remedies in prisoner civil rights cases before a lawsuit is filed in court. Also, the bill requires that inmates bear at least some of the cost of initiating litigation, by enabling the courts to require the payment of at least a partial fee, or the payment of court fees in installments where the inmate cannot afford the entire fee.

Mr. President, I ask for unanimous consent that a section-by-section description of the bill be printed in the RECORD.

I urge my colleagues to take a serious look at these problems within our civil justice system. I believe this bill addresses these issues in a common sense way, and I hope my colleagues will join me in sponsoring this legislation.

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

SECTION-BY-SECTION DESCRIPTION OF THE CIVIL JUSTICE FAIRNESS ACT

TITLE I—PUNITIVE DAMAGES REFORM

Sec. 101: Definitions. This section defines various terms and phrases used in Title I of the bill.

Sec. 102: Multiple Punitive Damages Fairness. This section generally prohibits the award of multiple punitive damages. With one exception, it prevents courts from awarding punitive damages based on the same act or course of conduct for which punitive damages have already been awarded against the same defendant. Under the exception, an additional award of punitive damages may be permitted if the court determines in a pretrial hearing that the claimant will offer new and substantial evidence of previously undiscovered, additional wrongful behavior on the part of the defendant, other than injury to the claimant. In those circumstances, the court must make specific findings of fact to support the award, must reduce the amount of punitive damages awarded by the amounts of prior punitive damages based on the same acts, and may not disclose to the jury the court's determination and action under the section. This section would not apply to any action brought under a federal or state statute that specifically mandates the amount of punitive damages to be awarded.

Sec. 103: Uniform Standards for Award of Punitive Damages. This section sets the following uniform standards for the award of punitive damages in any State or Federal Court action: (1) In general, punitive damages may be awarded only if the claimant establishes by clear and convincing evidence that the conduct causing the harm was either specifically intended to cause harm or carried out with conscious, flagrant indifference to the rights or the safety of other persons. (2) Punitive damages may not be awarded in the absence of an award of compensatory damages exceeding nominal damages. (3) Punitive damages may not be awarded against a manufacturer or product seller of a drug or medical device which was the subject of pre-market approval by the food and Drug Administration (FDA). This FDA exemption is not applicable where a party has withheld or misrepresented relevant information to the FDA. (4) Punitive damages may not be pleaded in a complaint. Instead, a party must establish at a pre-trial hearing that it has a reasonable likelihood of proving facts at trial sufficient to support an award of punitive damages, and may then amend the pleading to include a prayer for relief seeking punitive damages. (5) At the defendant's request, the trier of fact shall consider in separate proceedings whether punitive damages are warranted and, if so, the amount of such damages. If a defendant requests bifurcated proceedings, evidence relevant only to the claim for punitive damages may not be introduced in the proceeding on compensatory damages. Evidence of the defendant's profits from his misconduct, if any, is admissible, but evidence of the defendant's overall wealth is inadmissible in the proceeding on punitive damages. (6) In any civil action where the plaintiff seeks punitive damages under this title, the amount awarded shall not exceed three times the economic damages or $250,000, whichever is greater. This provision shall be applied by the court and shall not be disclosed to the jury. (7) This section applies to all civil actions in which a trial has not commenced before the effective date of this Act.

Sec. 104: Effect on Other Law. This section specifies that certain state and federal laws are not superseded or affected by this legislation. Choice-of-law and forum nonconveniens rules are similarly unaffected.

TITLE II—SEVERAL LIABILITY

Sec. 201: Several Liability for Noneconomic Loss. This section limits a defendant's joint liability for non-economic damages. In any civil action for personal injury, wrongful death, or based upon principles of comparative fault, a defendant's liability for noneconomic loss shall be several only and shall not be joint. The trier of fact will determine the proportional liability of each person, whether or not such person is a party to the action, and enter separate judgments against each defendant.

TITLE III—CIVIL PROCEDURAL REFORM

Sec. 301: Sanctions for Abusive Litigation Practices. This section restores key provisions to Federal Rule of Civil Procedure 11. It requires a party to conduct a reasonable pre-filling inquiry into allegations and factual assertions contained in a pleading or motion, and makes the issuance of sanctions for frivolous or abusive tactics mandatory rather than permissive. It also gives the courts wider latitude to impose sanctions on attorneys for filing abusive pleadings by eliminating the so-called "safe harbor" rule. The safe harbor rule allows a party moved against to withdraw the offending pleading within 21 days of a Rule 11 motion—an indulgent free bite at the apple. The section also clarifies that the purpose of sanctions is to deter repetition of abusive litigation practices and to compensate a party injured by the conduct.

Sec. 302: Trial Lawyer Accountability. This section contains two major provisions. The first provides that it is the sense of the Congress that each State should require attorneys who enter into contingent fee agreements to disclose to their clients the actual services performed and hours expended in connection with such agreements. The second provision directs the Attorney General to study and evaluate contingent fee awards and their abuses in State and Federal court; to develop model legislation to require attorneys who enter into contingency fee agreements to disclose to clients the actual services performed and hours expended, and to curb abuses in contingency fee awards based on the study; and to report the Attorney General's findings and recommendations to Congress within one year of enactment.

Sec. 303: Honesty in Evidence. This section amends Federal Rule of Evidence 702 to reform the rules regarding the use of expert testimony. It clarifies that courts retain substantial discretion to determine whether the testimony of an expert witness that is premised on scientific, technical, or medical knowledge is based on scientifically valid reasoning, is sufficiently reliable, and is sufficiently established to have gained general acceptance in the particular field in which it belongs. The section codifies the standard for admissibility of expert testimony enunciated in *Daubert* v. *Merrell Dow Pharmaceuticals, Inc.*, 113 S. Ct. 2786 (1993). It also restores the common law *Frye* rule that requires that scientific evidence have "general acceptance" in the relevant scientific community to be admissible. This section further clarifies that expert witnesses have expertise in the particular field on which they are testifying. Finally, this section mandates that the testimony of an expert retained on a contingency fee basis is inadmissible.

Sec. 304: Fair Shifting of Costs and Reasonable Attorney Fees. This section modifies Federal Rule of Civil Procedure 68 to allow either party, not just the defendant, to make a written offer of settlement or to allow a judgment to be entered against the offering party. It expands the time period during which an offer can be made from 10 days before trial to any time during the litigation. If within 21 days the offer is accepted, a judgment may be entered by the court. If, however, a final judgment is not more favorable to an offeree than the offer, the offeree must pay attorney fees and costs incurred after the time expired for acceptance of the offer. Thus, this is not a true "loser pays" provision where a loser pays the winner's attorney's fees, but rather a narrower attorney fee- and cost-shifting idea applicable only when a party has made an offer of settlement or judgment. This section also significantly expands the definition of recoverable costs. Currently, costs are narrowly defined and do not create enough of a financial incentive for a party to make an offer that allows judgment to be entered. Finally, this section also allows a party to make an offer of judgment after liability has already been determined but before the amount or extent has been adjudged.

TITLE IV—HEALTH CARE LIABILITY REFORM

Sec. 401: Limitations on Noneconomic Damages. In any health care liability action the maximum amount of noneconomic damages that may be awarded to a claimant is $250,000. This limit shall apply regardless of the number of parties against whom the action is brought, and regardless of the number of claims or actions brought. The jury shall not be informed about the limitations on noneconomic damages.

Sec. 402: Uniform Statute of Limitations. This section provides a reasonable uniform statute of limitations for health care liability actions, with one exception for minors. The general rule is that an action must be brought within two years from the date the injury and its cause was or reasonably should have been discovered, but in no event can an action be brought more than six years after the alleged date of injury. This section also allows an exception for young children. The rule for children under six years of age is that an action must be brought within two years from the date the injury and its cause was or reasonably should have been discovered, but in no event can an action be brought more than six years after the alleged date of injury or the date on which the child attains 12 years of age, whichever is later.

Sec. 403: Periodic Payment of Future Damages. This section allows for the periodic payment of large awards for losses accruing in the future. If damages for losses incurred after the date of judgment exceed $100,000, the court shall allow the parties to have 60 days in which to negotiate an agreement providing for the payment of such damages in a lump sum, periodic installments, or a combination of both. If no agreement is reached within those 60 days, a defendant may elect to pay the damages on a periodic basis. The court will determine the amount and periods for such payments, reducing amounts to present value for purposes of determining the funding obligations of the individual making the payments. Periodic payments for future damages terminate in the event of the claimant's recovery or return to work; or upon the claimant's death, except for the portion of the payments allocable to future earnings which shall be paid to any individual to whom the claimant owed a duty of support immediately prior to death to the extent required by law at the time of death. Such payments shall expire upon the death of the last person to whom a duty of support is owed or the expiration of the obligation pursuant to the judgment for periodic payments.

Sec. 404: Non-Fault Based Patient Compensation System Demonstration Project. This section allows states to experiment with alternative patient compensation systems based upon no-fault principles. Grants shall be awarded by the Secretary of Health and Human Services based on applications made by interested states according to enumerated criteria and subject to enumerated reporting requirements. Persons or entities involved in the demonstrations involved may obtain a waiver from the Secretary from the provisions of this Title for the duration of the experiment, which shall be not greater than five years. The Secretary shall collect information regarding these experiments and submit an annual report to Congress including an assessment of the feasibility of implementing no-fault systems and legislative recommendations, if any.

Sec. 405: Definitions. This section defines various terms and phrases used in Title IV of the bill.

TITLE V—CONTROL OF ABUSIVE PRISONER LITIGATION TACTICS

Sec. 501: Reform of In Forma Pauperis Determinations. This section reforms *in forma pauperis* determinations by permitting courts to require a prisoner to make either partial payment of fees or the payment of fees in installments where the court determines that a prisoner is unable to pay the total fees. This section also requires that, where a prisoner files an *in forma pauperis* affidavit, the prisoner must also file (1) an affidavit listing the prisoner's assets, and (2) a statement, signed by prison officials, specifying the prisoner's income and assets during the preceding year.

Sec. 502: Improving Courts' Abilities to Dismiss Nonmeritorious Claims. This section improves courts' abilities to dismiss nonmeritorious *in forma pauperis* claims by permitting courts to dismiss such claims at any time where the allegation of poverty is untrue, where those claims are frivolous or malicious, where the complaint fails to state a claim on which relief can be granted, or where the claim is insubstantial in that the plaintiff suffered no injury or an insubstantial injury.

Sec. 503: Exhaustion of Administrative Remedies in Prisoner Litigation. This section amends Section 7 of the Civil Rights of Institutionalized Persons Act to require the exhaustion of available administrative remedies where a prisoner files a lawsuit under 42 U.S.C. §1983. It also makes minor changes in the assessment of whether administrative remedies are adequate, to grant greater flexibility to the Attorney General. Currently, courts are required to continue a case for no longer than 90 days to allow a prisoner to exhaust his administrative remedies. Prisoners often merely wait out the time period and make no effort to pursue an administrative remedy. Thus, this section requires *exhaustion* of a prisoner's plain, speedy, and effective administrative remedy.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601: Federal Cause of Action Precluded. This section provides that the bill does not provide any new basis for federal court jurisdiction. The resolution of punitive damages claims is left to state courts or to federal courts that currently have jurisdiction over those claims.

Sec. 602: Effective Date. Except as otherwise provided, this section provides that this Act shall be effective 30 days after the date of its enactment and shall apply to all civil actions commenced on or after that date, including actions in which the harm occurred before the effective date of this Act.

By Mrs. KASSEBAUM (for herself, Mr. INOUYE, Mr. DOMENICI, and Mr. STEVENS):

S. 673. A bill to establish a youth development grant program, and for other purposes; to the Committee on Labor and Human Resources.

THE YOUTH DEVELOPMENT COMMUNITY BLOCK GRANT ACT OF 1995

• Mrs. KASSEBAUM. Mr. President, I introduce the Youth Development

Community Block Grant Act of 1995 on behalf of myself, Senator DOMENICI, Senator INOUYE, Senator STEVENS. The purpose of this initiative is to reallocate existing Federal funding for preventive youth program into a more effective and cohesive network of community-based youth development services for 6- to 18-year-olds.

The United States has concentrated most of its efforts on behalf of youth on specific problems that have captured the attention of the American public. This well-intentioned response has had two major results: First, the creation of a maze of narrowly defined categorical programs to address the specific needs of a particular population; and second, a lack of local flexibility in determining how best to respond to the needs of youth in the community. These two factors, combined with our concern about the increasing vulnerability of the American family, have lead to the development of the Youth Development Community Block Grant Act.

The central goal of the youth development community block grant [YDCBG] is to promote and support positive youth development. The bill will fund services focused on prevention—programs that help children and youth develop the values and life skills they need to succeed. It reflects the belief of leaders in the field of youth development, including the Carnegie Council on Adolescent Development and the Center for Youth Development and Policy Research, that youth programs should address the social, moral, emotional, and physical development of youth, in addition to their ability to think and reason.

Likewise, the legislation reflects the strong consensus among these experts that youth development services should focus on the needs of youth in general, rather than segregate them into various categories of risk. It also emphasizes the use of participatory, hands-on-techniques which have been shown to be effective in getting youth involved and interested in learning critical life skills.

Rather than wait until young people are in crisis, this legislation will fund preventive services. Rather than forcing service providers to define the needs of a youth to conform to the labyrinth of rules and regulations of a categorical program, they can identify the youth's needs based on what is actually needed. The youth development community block grant represents a comprehensive, coordinated approach to youth and to funding community-based services.

The YDCBG incorporates many of the principles which policymakers and service providers have identified as necessary for effective Federal support for community-based human services—local control, flexibility, coordination, and accountability.

Most existing youth development programs are provided not by government agencies but by community-based organizations. The youth development community block grant builds on the strength, credibility, and expertise of existing community-based resources.

There is a broad and growing consensus among youth policy experts about the importance of increased investment in positive youth development programs. For example, in major studies, both the Chaplin Hall Center for Children at the University of Chicago and the Carnegie Council have concluded that, if youth are to succeed, there must be a well-developed infrastructure of youth development services in their communities. Provisions in the legislation concentrate on improving the quality of community-based youth development programs and improving the capacity of communities to design and deliver successful services for our youth.

The YDCBG was developed in conjunction with the National Collaboration for Youth, a 15-member coalition of major youth-serving organizations. These organizations collectively provide direct services to over 25 million children and youth each year.

Members of the National Collaboration for Youth endorsing the Youth Development Community Block Grant Act include: the American Red Cross, Association of Junior Leagues International, Big Brothers/Big Sisters of America, Boy Scouts of America, Boys and Girls Clubs of America, Camp Fire Boys and Girls, Child Welfare League of America, 4-H Extension Service, Girl Scouts of the USA, Girls Inc., National Network of Runaway and Youth Services, The Salvation Army, WAVE Inc., YMCA of the USA, and YWCA of the USA.

While these and other community-based youth organizations are providing important services to millions of youth, millions more go unserved or underserved. It is critical that the existing Federal dollars allocated for youth prevention be used in the most effective and efficient way—to build a cohesive network of locally driven services and programs.

The legislation authorizes the youth development community block grant for 3 years at $2 billion per year. This authorization level represents a 10-percent savings over current Federal spending for the various programs consolidated under the YDCBG, the sum of the fiscal year 1995 appropriations for existing programs combined with the estimated appropriations level for crime bill programs aimed at youth prevention, less 10 percent.

I hope other Members of the Senate join with us as cosponsors of the Youth Development Community Block Grant Act.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

SUMMARY—YOUTH DEVELOPMENT COMMUNITY BLOCK GRANT

The Youth Development Community Block Grant (YDCBG) is an effort to reallocate existing federal funding for preventive youth programs into a more effective and efficient response to the needs of young people, aged 6–18. The goal of youth development programs is helping children and youth learn the life skills which they need to succeed. This legislation establishes a community driven, coordinated network of positive youth development to accomplish this goal.

In short, the youth development community block grant:

Is community-based and flexible, with program accountability

Invests money in prevention rather than crisis intervention

Transforms current categorical programs into a cohesive network

Can serve as a catalyst in building stronger communities to support children and their families

FEATURES OF THE YOUTH DEVELOPMENT COMMUNITY BLOCK GRANT

Community control of local programs

This legislation supports the idea that the best place to design and implement youth programs is within the community. When created within the context of the community and by a partnership of community members, the programs can draw upon the strengths of existing resources and address the specific needs of the youth living there.

All YDCBG-funded programs must address community youth development priorities as defined by the Local Board; recognize the role of the family in youth development; involve parents, youth, and community leaders in the program; coordinate services with other programs in the community; and establish process and outcome objectives responding to local needs.

Focus on prevention rather than crisis intervention

The second part of the equation is that it is important to redirect resources to prevention activities. Most government funds are focused on solving problems rather than preventing problems from occurring. There are a variety of activities which help youth develop their social, emotion, and physical abilities, along with their ability to think and reason. These activities can involve mentoring, sports and recreation, peer counseling, youth clubs, leadership development, educationally based youth employment, and a variety of other non-academic pursuits. youth development programs provide youth with hands on, active way to learn life skills which will help them make a successful transition from childhood to adulthood.

In addition, because these activities are not focused on correcting a specific problem, but on providing basic life skills, the programs do not need to be restricted to "high risk" youth or a special target population. Local communities and youth development agencies may choose to focus the activities on a special group of children and youth, such as low-income or at risk youth, in response to a particular need of the community.

Funds go Directly to Communities

Nearly 95% of the YDCBG funds are funneled directly to local communities; states serve as a pass through and monitoring mechanism. Through a planning and priority

setting process, local communities determine the types of activities which will be funded and who will provide those services. Program accountability is demonstrated by measuring the community's progress in meeting goals set in the planning and priority setting process. This provides communities broad flexibility to define local priorities and support local initiatives, while at the same time encouraging community partnerships comprehensive planning, and service integration.

Existing funds are consolidated into a cohesive strategy

Funding for the YDCBG is drawn from existing federal youth prevention programs. The majority of existing youth development and prevention programs are funded through categorical grants awarded on a discretionary basis by the federal agency administering the initiative. These categorical programs are designed to respond to an identified problem such as substance abuse or teen pregnancy. The YDCBG recognizes that those problems are symptoms not only of youth but of an ineffective service delivery system—and that the new funding structure must transform the current potpourri of narrowly defined categorical programs into a cohesive community based strategy for youth. Current budget constraints demand that existing federal funds be more efficiently administered and more effectively used.

Although the legislation includes the repeal of several federal initiatives, a "grandfather" clause in the bill permits communities to continue funding for any local program currently receiving funding from the repealed programs. While the federal administration and legislation will be terminated, the programs themselves can continue to operate at the community level—where the service is delivered.

Funds will be allocated based on a formula, rather then good grantwriting skills

The majority of programs consolidated within the YDCBG are currently distributed through the discretionary grant process. Distribution among states and communities varies widely and is determined, in large part, by the grantwriting skills of the grantees. Through a formula based allocation of YDCBG funds, every county will receive some level of funding for youth development activities. This allocation formula gives equal weight to the size of the youth population aged 6–18, the proportion of the youth population living below the poverty line, and increases in the rate of serious juvenile crime. A small state minimum and set aside for Native American populations is included in the legislation.

Administrative structures are streamlined

The primary administrative structure of the YDCBG is the Local Board. This Board, appointed jointly by the Chief Executive Officer of the County and a representative of the local youth development community, is responsible for setting the goals, determining strategies for achieving those goals, and distributing funds for youth development services in the community. The state serves as a pass through for distributing funds to counties based on the federal allocation formula. In addition, the state is responsible for basic monitoring, reporting and technical assistance functions to assist the counties implementation of the act. The federal role in the YDCBG consists of program oversight as well as state and local capacity building through technical assistance, and research-based demonstration projects.

Provisions in the bill promote the use of existing administrative structures on the federal, state, and local levels. Multi-county and other partnership efforts are encouraged.

Sources for federal funding of the YDCBG

Department of Health and Human Services:

Youth Gang Prevention Program.

National Youth Sports Program.

Demonstration Partnership Program.

Community Coalition Demonstration Projects to Support HHS Needs for Minority Males.

Demonstration Grants for the Prevention of Alcohol and Other Drug Abuse among High Risk Youth.

Drug Abuse Prevention for Runaway and Homeless Youth.

Drug Abuse Prevention and Education Relating to Youth Gangs.

Department of Labor: Summer Youth Employment and Training Program.

Department of Education:

School Drop-Out Demonstration Assistance.

Drug Free and Safe Schools and Communities National Programs.

Drug Free and Safe Schools and Communities—State Grants.

Drug Free and Safe Schools and Communities—Regional Centers

Drug Free and Safe Schools and Communities—Emergency Grants.

Department of Justice-Office of Juvenile Justice and Delinquency Prevention:

Youth Gangs.

Juvenile Mentoring.

Delinquency Prevention Grants.

From the Crime bill:

Ounce of Prevention Council.

Local Crime Prevention Block Grant Program.

Family and Community Endeavor Schools Grant Program.

Assistance for Delinquent and At-Risk Youth.

Local Partnership Act.

Urban Recreation and At-Risk Youth.

Gang Resistance Education and Training.

The $2 billion authorization amount for the YDCBG is the sum of the fiscal year 1995 appropriations for existing programs combined with the estimated appropriations for the crime bill programs less 10%.

YOUTH DEVELOPMENT COMMUNITY BLOCK GRANT ACT OF 1995—SECTION-BY-SECTION DESCRIPTION

Section 1: Short Title; Table of Contents: This section contains the table of contents for the Youth Development Community Block Grant Act of 1995.

Section 2: Findings: Section 2 enumerates Congressional findings for the Youth Development Community Block Grant Act of 1995.

Section 3: Purposes: The purpose of this Act is set forth in Section 3. The Act is designed to create a single, comprehensive Federal strategy for community-based youth development services, and to support communities in designing community strategic plans for worthwhile youth development.

Section 4: Definitions: Section 4 defines all relevant terms and phrases referred to in the Act.

Section 5: Distribution of Funds: Section 5 authorizes appropriations up to $2,000,000,000 per fiscal year 1996 through 1998. This appropriation is to be allocated in the following manner: 95.5 percent for allotments to States (for distribution to the community boards); 1.5 percent for grants to Native American organizations; and 3 percent for activities by the Administration for Children and Families. The formula for distributing the funds to states and to counties equally weights three factors—youth population, level of poverty, and increases in violent juvenile crime since 1990.

Section 6: Community Youth Development Board: Section 6 establishes a Community Youth Development Board and a multi-county Community Board. These boards shall prepare and submit to the State a community strategic plan for youth development, shall be responsible for establishing monitoring and evaluation procedures; and shall award grants. This section also sets forth guidelines for the composition, administration, and duties of community boards.

Section 7: Duties of the State: State responsibilities are set forth in Section 7. These duties include the designation of a state entity to administer and conduct State activities; the development of a mechanism through which to process information, coordinate activities, assess program effectiveness, and for the preparation and submission of an annual report.

Section 8: Duties of the Assistant Secretary: This section specifies duties of the Assistant Secretary. The Assistant Secretary shall establish and implement a mechanism to receive information necessary to improve the effectiveness of Federal youth development activities. Moreover, the Assistant Secretary shall issue national policy goals and a national strategic plan; shall monitor, evaluate, and coordinate activities funded under this Act; and shall submit reports to the President and Congress.

Section 9: Repeals: Section 9 enumerates provisions of law which are repealed by the Act. Several provisions in the Violent Crime Control and Law Enforcement Act of 1994 are repealed, along with several Department of Education Programs. Various provisions from other programs are also repealed.

Section 10: Conforming Amendments: Section 10 sets forth conforming amendments in the Elementary and Secondary Education Act of 1965, the Anti-Drug Abuse Act of 1988, the Job Training Partnership Act, and the National School Lunch Act.

Section 11: Transfer of Funds: Section 11 outlines the transfer of funds. The total amount of funds shall be transferred to the budget account for this Act. Any amounts in the budget account that exceed $2,000,000,000 shall be returned to the Treasury of the United States.•

• Mr. DOMENICI. Mr. President, I am pleased to join the Senator from Kansas, the distinguished chairwoman of the Senate Labor Committee, and the Senator from Hawaii as an original sponsor of this legislation. Senator KASSEBAUM has summarized what is in this bill far more eloquently that I can, so I won't bother to summarize this bill section-by-section. But I would like to take a moment to review the provisions of this bill that I think deserve special attention.

It has become especially obvious in recent years that there is no such thing as one size fits all when it comes to providing services to youth. Many of the programs we have put into place have the same noble intention of providing services to children and youth who need them, but vary in their approaches to delivery. Some programs work very well, others less so. Youth who qualify for one program out of the

Department of Labor may not necessarily qualify for a program out of the Department of Human Services. Additionally, we have front-loaded the process with countless regulations to be followed and forms and applications to be completed. As a result, our good intentions are often followed with confusing procedure and time-consuming oversight and management procedures. Plainly, the current system is not delivering.

Our bill is based upon two encroaching realities. First, that many of the problems in our current system are not always due to the nature of the population served, but because of an ineffective, confusing, contradictory, or overwhelming method of delivering services. Second, that States and local communities know best what works best in their States and local communities. Clearly, a new approach to delivering these services is needed.

With this in mind, we did not approach this problem with the intent of block granting a number of Federal programs just for the sake of block granting. I know there are some who question the wisdom of block-granting programs, and I share the view that there are some programs which, due to their comprehensive nature, do not belong in a block grant. The issue is one of appropriateness—we should not lump together programs which are unrelated or serve substantially different populations, or deliver unrelated services. In other words, don't block grant your apples with your oranges.

I am pleased, therefore, that our legislation focuses on block granting appropriate, and related, programs. These are programs with overlapping jurisdictions or which duplicate programs available in other agencies. And, unlike some proposals that often set our phones to ringing, the bill consolidates apples only with apples. The block grant established under this legislation would consolidate funding from existing Federal youth prevention programs. The list isn't long, and it may even turn out that we didn't include a program in here that others may think should be included. So, I think if you look carefully at what we have included in this block grant, you will see that we did not create a block grant just because everyone is doing it. We were very careful in the programs we chose.

We are proposing a much simpler approach to delivering services to young people, and one that gives communities a much greater voice in determining what services are appropriate in their area. We are rejecting the current practice of moving funding for youth programs through a number of assistant secretaries at the Federal and State level, then gluing on layer after burdensome layer of regulations from a number of different agencies onto those funds. Instead, our bill would ensure that money flows directly to the States—and then directly to communities—and not to the Federal Government. Ninety-five percent of the funds available under this bill go directly to local communities, who know best what their specific needs are.

The State would serve mainly as a flow-through point, with an appropriate entity in place to administer and conduct a few activities, including monitoring, reporting, and technical assistance to counties. Administration of the program is left largely to local boards, which would be appointed in each community by the chief executive officer of the county and a representative of the local youth development community. These boards would determine the goals of the programs within their community, how the community would pursue these goals, and then distribute the funds for the youth development services in the community.

Further, the funds for this program are allocated to the States by formula, not through a discretionary grant process. We have found this approach is one that works in other large grants, such as the Community Development Block Grant. A formula ensures that every State, regardless of size or grant-writing ability, will receive some funding for their youth programs. We have also included a mandatory set-aside for native American, Hawaiian, and Alaskan populations to ensure that the young people in these populations will continue to receive services. I know Senator KASSEBAUM worked closely with members of the Indian Affairs Committee on this language, including the distinguished ranking member who is sponsoring this legislation with us, and I appreciate that committee's assistance in this matter as well.

Unlike the current system, the funds made available under this block grant are not targeted at a narrowly defined group of young people. The nontargeted nature of this block grant means that communities do not necessarily have to target their programs to only at-risk, or only high-risk, or only no-risk youth. Rather, they can develop programs that serve all the youth in their community. These activities can be as broad or as narrow as the community chooses.

Another objective of this legislation is to provide for our young people before they become lost in the system. Under our current system, we focus our efforts mainly on solving an existing problem. Now, I would certainly agree that there is an appropriate role for the Government in this area, but I do not think I exaggerate when I say that many of our programs are the equivalent of ambulance chasing. We seem to always arrive after the fact to help pick up the pieces.

Again, I agree that this is an important function of Government—and our bill would certainly not prevent communities from operating these kinds of programs—but I think we serve our children and our communities better if we focus our efforts on preventing problems from occurring in the first place. Therefore, our bill is heavily tilted toward preventative programs, and would consolidate funding from a number of prevention programs under the jurisdictions of Labor, Health and Human Services, Education, and Justice.

Let me reassure my colleagues that there is no hidden agenda here. We are not out to get any one of these programs. In fact, I have been a staunch supporter of many of the programs block granted in this bill, including the National Youth Sports Program under the Department of Health and Human Services, the Summer Youth Employment and Training Program under the Department of Labor, and Safe and Drug Free Schools under the Department of Education. However, I'm certain there are some in New Mexico listening to me right now who are saying, "Wait a moment, Senator—you're proposing to put into your block grant a program that we already have. What will happen to our program?" The answer to that is, nothing. The purpose of this bill is to let communities continue to make available and expand upon the kinds of services these programs provide, but without the Federal Government peeking over their shoulders. We have grandfathered existing programs, allowing the communities to continue funding for any local program currently in place, but without the Federal administration.

Now, in all the talk about block grants, there is always the concern that we will be letting the States have completely free reign, with no accountability, and therefore States will be spending the money from block grants on unrelated items. I want to assure my colleagues and anyone listening that this cannot happen under our bill. Funds must be spent on youth development programs in the State. Period. Also, we will maintain some—minimal, but some—oversight of the program, as well as assisting the States in training and technical assistance, as needed.

It has become alarmingly obvious that we will be unable to continue to fund programs at their existing rate of growth. However, we believe that under our proposed delivery system, States will be able to perform more with less funding. The funding authorized for this program is based on the current authorization levels for the 23 programs we consolidate, minus 10 percent. That amounts to $2 billion. That is not a huge reduction in funding, and we believe that without having to worry about complying with the strict letter of the law, without having to worry about complying with regulation after regulation, and without having to worry about reams of paperwork, the

States will find they can continue to deliver services at their current rate, and may surprise themselves in finding they can do even more.

Finally, I want to acknowledge a number of groups who are lending their support to this legislation, and who have been very helpful during this process. My thanks go especially to the Boys and Girls Club of America, Big Brothers/Big Sisters, the American Red Cross, YMCA, YWCA, and the Boy Scouts of America. These are groups I have worked with closely on my efforts with the Character Counts Coalition, and their support for this effort means as much to me as it does for my efforts with Character Counts. I look forward to continuing to work with them.

I believe ours is a responsible approach that can work. I encourage my colleagues to give it a chance to do so.●

By Mr. EXON (for himself, Mr. DORGAN, Mr. KERRY, and Mr. MOYNIHAN):

S. 674. A bill entitled the "Rail Investment Act of 1995"; to the Committee on Commerce, Science, and Transportation.

RAIL INVESTMENT ACT

Mr. EXON. Mr. President, I am pleased to introduce the Rail Investment Act of 1995. This legislation will ensure that America's rail infrastructure continues to meet the needs of the Nation. This bill is an update version of S. 2002 which the Senate Commerce Committee unanimously approved last year and combines several important rail initiatives including the reauthorization of Amtrak, the reauthorization of the Local Rail Freight Assistance Program and other rail initiatives of critical importance to a number of Members of the Senate.

The bill before the Senate takes into account the cost-saving measures taken by the Amtrak Board and includes new provisions to help Amtrak generate more nontax revenues through advertising, concessions and intermodal coordination with America's bus companies. I know that this legislation is a starting place and not a finishing place. Many painful choices regarding Amtrak are just around the bend. With a few modifications, however, it is where the Senate left off last year.

As the former chairman of the Surface Transportation Subcommittee, I am proud of the work we did last year. I have updated the effort to reflect the new political and financial realities which face both Amtrak and this body.

The Senate Commerce Committee held a very good hearing on Amtrak and it is clear to me that there continues to be strong bipartisan support for a national passenger rail system. I look forward to working with both the new chairman of the full committee and the subcommittee to assure that Amtrak has a future.

The key features of the Rail Investment Act include:

First, an addition to the Amtrak mission statement that Amtrak should treat all passengers with respect, courtesy, and dignity and that Amtrak should manage its capital investment to provide world class service;

Second, a study of proposed changes of the State-requested service program;

Third, a renewal of the authorization for the Northeast Corridor Improvement Program [NECIP];

Fourth, a technical amendment to settle a title problem for Reno, NV, rail properties;

Fifth, the Missouri River Corridor Development Program to study the feasibility of service between Kansas City and Omaha, to authorize station projects and fund operation of new service in and around the States bordering the Missouri River;

Sixth, a provision to assist Rhode Island with its double-stack freight service problems;

Seventh, a provision which allows Amtrak to better manage its finances;

Eighth, a provision to study D.C. to Bristol, VA, passenger rail service;

Ninth, the addition of a passenger representative to the Amtrak Board of Directors;

Tenth, a pilot program to generate more nontax revenues from advertising and concession sales; and

Eleventh, a provision to authorize a rail project integral to service between Massachusetts and Maine;

Twelfth, a continuation of the Amtrak labor management safety task force.

The bill also includes the text of legislation I introduced with Senators DASCHLE, PRESSLER, HARKIN, CONRAD, KERREY, and DORGAN last year to reauthorize the Local Rail Freight Assistance Program [LRFA] for $30 million each year. In addition, the LRFA Program is amended to give authorization for emergency appropriations, and to add explicit language to permit LRFA money to be used for crossing closures and upgrades.

I urge my colleagues to endorse this much needed legislation.

ADDITIONAL COSPONSORS

S. 240

At the request of Mr. DOMENICI, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 240, a bill to amend the Securities Exchange Act of 1934 to establish a filing deadline and to provide certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the act.

S. 351

At the request of Mr. HATCH, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of S. 351, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for increasing research activities.

S. 360

At the request of Mr. SMITH, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 360, a bill to amend title 23, United States Code, to eliminate the penalties imposed on States for noncompliance with motorcycle helmet and automobile safety belt requirements, and for other purposes.

S. 390

At the request of Mr. BIDEN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 390, a bill to improve the ability of the United States to respond to the international terrorist threat.

S. 451

At the request of Mr. NICKLES, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 451, a bill to encourage production of oil and gas within the United States by providing tax incentives and easing regulatory burdens, and for other purposes.

S. 629

At the request of Mr. THOMAS, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 629, a bill to provide that no action be taken under the National Environmental Policy Act of 1969 for a renewal of a permit for grazing on National Forest System lands.

S. 641

At the request of Mr. KENNEDY, the names of the Senator from Washington [Mrs. MURRAY], the Senator from Arkansas [Mr. PRYOR], the Senator from Arkansas [Mr. BUMPERS], the Senator from Nebraska [Mr. KERREY], the Senator from Nevada [Mr. REID], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from Louisiana [Mr. JOHNSTON] were added as cosponsors of S. 641, a bill to reauthorize the Ryan White CARE Act of 1990, and for other purposes.

S. 644

At the request of Mr. CAMPBELL, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 644, a bill to amend title 38, United States Code, to reauthorize the establishment of research corporations in the Veterans Health Administration, and for other purposes.

S. 650

At the request of Mr. SHELBY, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 650, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

SENATE RESOLUTION 91

At the request of Mr. PELL, the name of the Senator from Illinois [Mr.

SIMON] was added as a cosponsor of Senate Resolution 91, a resolution to condemn Turkey's illegal invasion of Northern Iraq.

AMENDMENT NO. 425

At the request of Mr. PRESSLER, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of amendment No. 425 proposed to H.R. 1158, a bill making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

SENATE CONCURRENT RESOLUTION 10—RELATIVE TO EASTERN AND CENTRAL EUROPE

Mr. BROWN (for himself and Mr. SIMON) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 10

Whereas the countries of Central and Eastern Europe, including Poland, Hungary, the Czech Republic, Slovakia, Lithuania, Latvia, Estonia, Slovenia, Bulgaria, and Romania, are important to the long-term stability and economic success of a future Europe freed from the shackles of communism;

Whereas the Central and Eastern European countries, particularly Hungary, Poland, the Czech Republic, and Slovakia, are in the midst of dramatic reforms to transform their centrally planned economies into free market economies and to join the Western community;

Whereas it is in the long-term interest of the United States to encourage and assist the transformation of Central and Eastern Europe into a free market economy, which is the solid foundation of democracy, and will contribute to regional stability and greatly increased opportunities for commerce with the United States;

Whereas trade with these countries accounts for less than one percent of total United States trade;

Whereas the presence of a market with more than 140,000,000 people, with a growing appetite for consumer goods and services and badly in need of modern technology and management, should be an important market for United States exports and investments; and

Whereas the United States has concluded agreements granting most-favored-nation status to most of the countries of Central and Eastern Europe: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should take steps to negotiate international agreements for free trade between the United States and the countries of Central Europe, including Poland, Hungary, the Czech Republic, Slovakia, Lithuania, Latvia, Estonia, and Slovenia, and should take vigorous actions to lay the groundwork for such an agreement, including—

(1) developing closer commercial contacts;

(2) eliminating tariff and nontariff discriminatory barriers in United States trade with these countries;

(3) developing framework agreements that chart a course toward a free trade agreement;

(4) establishing bilateral investment treaties;

(5) stimulating increased United States exports and investments to the region;

(6) obtaining further liberalization of investment regulations and protection against nationalization in these foreign countries; and

(7) establishing fair and expeditious dispute settlement procedures.

SENATE RESOLUTION 100—RELATIVE TO NATIONAL 4-H DAY

Mrs. HUTCHISON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 100

Whereas the Senate is proud to honor the National 4-H Youth Development Program of the Cooperative State Research, Education, and Extension Service for 85 years of experience-based education to young people throughout the United States;

Whereas this admirable Program seeks to provide a learning experience for the whole child (including head, heart, hands, and health) and help children of the United States to acquire knowledge, develop life skills, and form attitudes to enable the children to become self-directed, productive, and contributing members of society;

Whereas the 5,500,000 urban, suburban, and rural participants in the Program, ranging from 5 to 19 years of age, hail from diverse ethnic and socioeconomic backgrounds and truly represent a cross-section of the United States;

Whereas the Program could not have achieved success without the service of the more than 65,000 volunteers who have given generously of their time, talents, energies, and resources; and

Whereas throughout proud history of the Program, the Program has developed positive roles models for the youth of the United States and (through its innovative and inspiring programs) continues to build character and to instill the values that have made the United States strong and great: Now, therefore, be it

Resolved, That the Senate—

(1) proclaims April 5, 1995, as National 4-H Day;

(2) commends the 4-H Youth Development Program and the many children and volunteers who have made the Program a success; and

(3) requests the President to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 101—RELATIVE TO ISRAEL

Mr. BROWN submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 101

Whereas the Congress approved a free trade agreement with Israel on April 29, 1985;

Whereas the free trade agreement with Israel was designed to increase United States economic ties with Israel;

Whereas the goal of United States policy in the Middle East is to achieve a lasting peace that brings economic integration and development in the region;

Whereas economic integration and development in the Middle East can only be achieved through a "warm" peace in which diplomats are exchanged, the Arab boycott of Israel has been eliminated, close cooperation between Israel and her neighbors to combat terrorism and international criminal activity has been established, mutual security agreements have been concluded, and agreements have been reached that mutually reduce barriers to the free flow of goods, people, and ideas; and

Whereas a "warm" peace in the Middle East between Israel and her neighbors should be based upon trade and expanding economic development: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should—

(1) expand the free trade agreement between the United States and Israel to include those countries that sustain a "warm" peace with Israel;

(2) prior to such expansion, and annually thereafter, certify to the Congress that such country or countries have entered into a "warm" peace with Israel that includes—

(A) the recognition of Israel and establishment of full diplomatic relations with Israel, including the exchange of ambassadors;

(B) eliminating all levels of the Arab boycott of Israel;

(C) a commitment to a quick response to condemn and punish acts of international terrorism and those who perpetrate them;

(D) working closely with United States and Israel to remove havens for international terrorists;

(E) mutual security agreements with Israel;

(F) extradition agreements with Israel on reciprocal treatment of terrorists; and

(G) agreements with Israel which ensure the mutual reduction of barriers to the free flow of goods and people; and

(3) not extend any preferences or trade inducements to a country that is a state-sponsor of terrorism.

SENATE RESOLUTION 102—RELATIVE TO PAKISTAN

Mr. BROWN (for himself, Ms. MIKULSKI, Mrs. FEINSTEIN, Mr. HELMS, and Mr. PELL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 102

Whereas Pakistan and the United States have been allies since 1947, and throughout the difficult days of the Cold War;

Whereas Pakistan was a front-line state against Soviet totalitarian expansionism and worked with the United States to successfully end the Soviet occupation of Afghanistan;

Whereas Pakistan has been in the forefront of United Nations peacekeeping operations, recently being the largest contributor of forces to United Nations peacekeeping operations;

Whereas Pakistan has cooperated with the United States in the apprehension and swift extradition of Ramzi Ahmed Yousef, the alleged mastermind of the terrorist attack on the World Trade Center in New York City;

Whereas Pakistan's economy is being increasingly liberalized and opened to outside investors and businesses;

Whereas there are increasing opportunities for economic cooperation between Pakistan and the United States as a result of private sector agreements for investment in Pakistan's energy sector and other pending agreements;

Whereas Prime Minister Benazir Bhutto, who has worked to strengthen Pakistan's close relationship with the United States, was reelected to office in October, 1993 and is scheduled to visit the United States on an official visit in April; Therefore be it

Resolved, That the United States Senate—

(1) welcomes the visit of Prime Minister Benazir Bhutto to the United States as a sign of the warm, enduring friendship between the U.S. and Pakistan; and

(2) pledges to work with the government of Pakistan to strengthen the U.S.-Pakistan relationship in the years ahead.

AMENDMENTS SUBMITTED

EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT

WELLSTONE AMENDMENT NO. 450

Mr. WELLSTONE proposed an amendment to the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes; as follows:

At an appropriate place in the bill, insert the following:

"SEC. . It is the Sense of the Senate that before the Senate is required to vote on the question of whether the WIC program and other nutrition programs should be converted to block grant programs to be administered by the states, a full and complete investigation should be conducted by the Senate Committee on Agriculture to determine whether, and if so, to what extent, such a proposed substantial change in national policy is the result of the improper influence of the food industry and lobbyists acting on the industry's behalf."

DOLE (AND MCCONNELL) AMENDMENT NO. 451

Mr. DOLE (for himself and Mr. MCCONNELL) proposed an amendment to amendment No. 450 proposed by Mr. WELLSTONE to the bill H.R. 1158, supra; as follows:

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

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans to Jordan issued by the Export-Import Bank or by the Agency for International Development or by the Department of Defense, or for the cost of modifying: (1) concessional loans authorized under Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and (2) credits owed by Jordan to the Commodity Credit Corporation, as a result of the Corporations's status as a guarantor of credits in connection with export sales to Jordan; as authorized under subsection (a) under the heading, "Debt Relief for Jordan", in title VI of Public Law 103-306, $275,000,000, to remain available until September 30, 1996: Provided, That not more than $50,000,000 of the funds appropriated by this paragraph may be obligated prior to October 1, 1995.

BINGAMAN AMENDMENT NO. 452

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to proposed by him to amendment No. 420 proposed by Mr. HATFIELD to the bill H.R. 1158, supra; as follows:

On page 35, lines 21 through 23, strike all beginning with "$15,200,000" through "title III-B, $5,000,000, and", and insert "$5,200,000 are rescinded as follows: from the Elementary and Secondary Education Act of 1965,".

On page 43, line 17, strike "$1,300,000,000" and insert "$1,310,000,000".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, April 4, at 9:30 a.m., in SR-332, to discuss market effects of the Federal farm policy.

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

COMMITTEE ON ARMED SERVICES

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, April 4, 1995, at 2:30 p.m. in open session to receive testimony on the Department of Energy national security issues and the fiscal year 1996 budget request and future years' Defense program.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be granted permission to conduct a business meeting Tuesday, April 4, 10 a.m. to consider the nomination of Shirley Ann Jackson to be member, Nuclear Regulatory Commission.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 4, 1995, at 1:30 p.m. to hold a hearing on Western Hemisphere drug control strategy.

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

COMMITTEE ON FINANCE

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet on Tuesday, April 4, 1995, beginning at 9:30 a.m. in room SD-215, to conduct a hearing on the trade policy agenda and trade agreements program.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. SANTORUM. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Tuesday, April 4, 1995 at 10 a.m. for a hearing on the subject of earned income tax credit.

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

COMMITTEE ON THE JUDICIARY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, April 4, 1995, at 10 a.m. to hold a hearing on punitive damages tort reform.

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

COMMITTEE ON SMALL BUSINESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Tuesday, April 4, 1995, at 10 a.m., in room SH-216 to conduct a hearing focusing on the Small Business Administration's 8(a) Minority Business Development Program.

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

SUBCOMMITTEE ON CONSUMER AFFAIRS, FOREIGN COMMERCE AND TOURISM

Mr. SANTORUM. Mr. President, I ask unanimous consent that the subcommittee on consumer affairs, foreign commerce and tourism of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on April 4, 1995, at 9:30 a.m. on S. 565, Product Liability Fairness Act of 1995.

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

SUBCOMMITTEE ON SEAPOWER

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet at 9:30 a.m. on Tuesday, April 4, 1995, in open session, to receive testimony on surface shipbuilding programs and the Department of the Navy's plans for modernization and recapitalization in review of the defense authorization request for fiscal year 1996 and the future years' defense program.

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

ADDITIONAL STATEMENTS

TRADE WITH KOREA

• Mr. FRIST. Mr. President, I rise today, the day United States Trade Representative Mickey Kantor is testifying before the Senate Finance Committee about overall United States trade policy, to bring to the attention of the Senate an injustice to American companies exporting to South Korea. Time after time, American companies are confronted with nontariff barriers that impede their ability to compete in the South Korean market.

One of my constituents, the M/M Mars' Co., which makes Mars candy bars and employs over 900 Tennesseans, is a strong example of an American company exporting their product, attempting to comply with the domestic requirements in South Korea and encountering headache after headache in the process. I am disturbed about this problem not only because it affects many Tennesseans, but because it also strains the relationship between American companies and South Korea.

The most recent incident is a new labeling requirement imposed by the South Korean Ministry of Health. If Korea had notified the appropriate parties and given the company a reasonable amount of time to comply with the new regulations, then I would not be here today. However, despite United States protest and Korean acknowledgement of its "failure to notify," the Korean Ministry of Health refuses to agree to a moratorium on the requirement, which would allow the company sufficient time to comply with the new regulations.

Mr. President, I am not asking for South Korea to change its policy. I am asking for them to comply with their obligation under article X of the World Trade Organization and publish regulations affecting trade and administer them in a "uniform, impartial and reasonable manner." I am also asking them to realize this injustice and provide a moratorium to allow entry to the remaining unlabeled shipments of M/M Mars products and give the company time to relabel their products, which they have agreed to do on or before August 1, 1995.

American companies, such as M/M Mars, do not want special treatment. They want the opportunity for their products to compete fairly in the international market.•

CONGRATULATIONS TO THE BOSTON UNIVERSITY MEN'S HOCKEY TEAM ON WINNING THE NCAA DIVISION I NATIONAL CHAMPIONSHIP

• Mr. KERRY. Mr. President, I just want to take a moment to offer my congratulations to the Boston University men's hockey team who won the NCAA Division I national championship last weekend in Providence.

Led by Dorchester's own Chris O'Sullivan, who scored two goals and was named the Most Outstanding Player, the Terriers manhandled the powerful University of Maine Black Bears to win the championship. Goalie Tom Noble made 21 saves, Center Steve Thornton scored a goal and had an assist, and Capt. Jacques Jourbet scored a goal.

The Terriers were superb in the clutch this year, winning the Beanpot, the last at the hallowed Boston Garden, the hockey east championship, and now the national championship, Mr. President, you can not do any better than that.

Coach Jack Parker brings the NCAA ice hockey championship back to Boston University for the first time since 1978. He has done much to generate pride at B.U., and this year's accomplishment is something else that justly continues that tradition.

The B.U. hockey team has made all of us proud with their outstanding play. I offer my congratulations to the team, the head coach and his colleagues, and the university.•

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, REGARDING EDUCATIONAL TRAVEL

• Mr. MCCONNELL. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received notification under rule 35 for Drew Onufer, a member of the staff of Senator SIMON, to participate in a program in Korea sponsored by the Korean Ministry of Foreign Affairs.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Onufer in this program.

The select committee received notification under rule 35 for Sharon Waxman, a member of the staff of Senator LAUTENBERG, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 10 to 18, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Waxman in this program.

The select committee received notification under rule 35 for Jeremy Preiss, a member of the staff of Senator PACKWOOD, to participate in a program in Chile sponsored by the Chilean-American Chamber of Commerce from April 17 to 20, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Preiss in this program.

The select committee received notification under rule 35 for Michelle Raines, a member of the staff of Senator COATS, to participate in a program in Taiwan sponsored by the Soochow University.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Raines in this program.

The select committee received notification under rule 35 for David Miller, a member of the staff of Senator BROWN, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to 23, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Miller in this program.

The select committee received notification under rule 35 for Philip Bechtel, a member of the staff of Senator D'AMATO, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to 23, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Bechtel in this program.

The select committee received notification under rule 35 for Tom Harvey, a member of the staff of Senator SIMPSON, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to 23, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Harvey in this program.

The select committee received notification under rule 35 for Tamara Somerville, a member of my staff, to participate in a program in Taiwan sponsored by the Tamkang University April 9 to 16, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Somerville in this program.

The select committee received notification under rule 35 for Allison Cleveland, a member of the staff of Senator CRAIG, to participate in a program in Taiwan sponsored by the Chinese Cultural University from April 14 to 21, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Cleveland in this program.

The select committee received notification under rule 35 for Alison Carroll, a member of the staff of Senator LOTT, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to 23, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Carroll in this program.

The select committee received notification under rule 35 for Edward Gresser, a member of the staff of Senator BAUCUS, to participate in a program in Taiwan sponsored by the Tamkang University from April 9 to 16, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Gresser in this program.

The select committee received notification under rule 35 for Erica Gum, a member of the staff of Senator DOMENICI, to participate in a program in Korea sponsored by the A-san Foundation from April 15 to 22, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Gum in this program.

The select committee received notification under rule 35 for Walter Lohman, a member of the staff of Senator MCCAIN, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 10 to 18, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Lohman in this program.

The select committee received notification under rule 35 for Mary Irace, a member of the staff of Senator MACK, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to 21, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Irace in this program.

The select committee received notification under rule 35 for Todd Menotti, a member of the staff of Senator PRYOR, to participate in a program in Taiwan sponsored by Tamkang University from April 9 to 16, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Menotti in this program.●

TRIBUTE TO VINCE YANNONE

● Mr. BAUCUS. Mr. President, I rise today to honor a man who has made a lifework in preserving one of Montana's hallmarks, one of the things that has earned it renown as "the Last Best Place"—our wildlife.

This May Vince Yannone retires from the Department of Fish, Wildlife, and Parks. But he is not retiring from working with wildlife and our fellow Montanans. And his legacy will certainly live on, as the schoolchildren he has worked with rediscover the joys of the Montana outdoors and the value of our wilderness.

Vince is legendary in Helena and throughout Montana. For a quarter century now, Vince has educated Montanans, young and old alike, on the ways of the wild. He spearheaded Montana's Project WILD, which teaches Montana's youth how to think about natural resource issues. He has received commendations from the Governor and from local media.

Vince will not have an easy time escaping Helena's limelight. He is a public personality, having hosted a daily television program called "Nature Today" for 12 years. He currently hosts another show called "Getting Out in Montana." Almost daily, Vince serves as the master of ceremonies at some local banquet or gathering.

But the notoriety Vince has received during his service has not affected his friendly Montanan attitude. As he walks along the streets of Helena, everyone recognizes him. He makes a stranger feel like a welcome friend. That is what people notice first about him: Vince is a good person and a good friend—two qualities that mean a lot more in Montana than being a public personality.

Vince received the "call of the wild" at an early age. And it is not a calling he is soon to get rid of—since in his so-called retirement he will be working for the Rocky Mountain Elk Foundation and completing the construction of a new wild animal shelter in Helena. He has been with what used to be known as the Montana Department of Fish and Game since his twenties.

Vince does not protect wildlife in some abstract, theoretical way—say, by preaching about the importance of species protection without ever visiting the Flathead National Forest. He helps place orphaned wildlife in zoos and shelters across the country. He also takes injured animals into his home, and helps the ailing critters back to health.

The State highway patrol has his number on their dashboards. Not because he is on the most wanted list. It is because whenever they find road kill near his home in Clancy, Vince uses the remaining carcass to feed whatever wild things might be lurking in his back yard—which these days consists of some eagles, owls, and ravens.

The thing that strikes a person most about Vince is his well developed sense of compassion. It is that sense of purpose that has kept him going through the years. It has made the late-night calls from bar-room wranglers arguing animal trivia more tolerable.

The Helena Independent Record, my hometown newspaper, did a series of stories about Vince when he announced his retirement. The one that caught my attention was about a 180-pound moose calf that Vince was raising on his property.

Vince was away at a movie with his wife, Sue, as the babysitter watched his two daughters, Jennifer and Christine. The babysitter ended up having to take care of the moose as much as the kids. When it got hungry for milk, the moose snuck into the window of their home.

Vince was more than a little surprised when he received a call at the theater, even more surprised when it was his babysitter telling him that Bullwinkle was roaming his house.

But events like these are all in a day's work for Vince. I hear he is writing a book about his memorable events in raising wild animals. If the moose incident is any indication, I am anxious to read the rest of his memoirs.

With his book project and other jobs to be done, I do not think it needs to be said that Vince Yannone is not settling snugly into retirement. Like other great Montanans—Mike Mansfield, who at 92 decided to cut back his schedule to a 5 day workweek, and Norman Maclean, who preached an anti-shuffleboard philosophy up until his death—Vince continues to work to improve the lives of those around him. Human and animal. I wish him and his family the best.●

DIESEL TAX

● Mr. GORTON. Mr. President, I am pleased to join my distinguished colleagues, Senator BREAUX and Senator CHAFEE, by cosponsoring S. 478, a bill that will correct the diesel fuel problem affecting the boating community, ports, and marinas in my home State of Washington and across the nation.

The problem results from the 24.4 cents per gallon tax imposed by the Omnibus Budget Reconciliation Act of 1993 on diesel fuel used in recreational boats. The bill mandated two types of fuel: clear, taxable fuel used in recreational boats and dyed, nontaxable fuel used in commercial boats. By law, the dyed nontaxable commercial diesel fuel cannot be sold to the recreational boaters.

These changes have wreaked havoc on the boating communities in Washington State. Many marinas are not equipped with the two separate tanks necessary to store the two different types of fuel. Unable to afford the exorbitant expense of new fuel tanks and dispensing equipment, these marinas are faced with the difficult choice of whether to sell only dyed fuel, tax free to commercial vessels, or taxable, clear fuel, to recreational vessels.

Since many marinas rely on commercial boats for a majority of their business, they choose to sell diesel fuel to commercial vessels. This leads to a severe shortage of diesel fuel available to recreational boaters.

This is not only a problem for recreational boaters, but also for marinas, which are forced to turn away part of their consumer base. These regulations do not promote jobs and economic opportunities for the employees of these businesses. It is outrageous for a small business owner to have to turn away good business.

Faced with a severe shortage of fuel, recreational boaters are forced to travel hundreds of miles to find fuel. This creates a safety hazard, as boaters could end up stranded on their way to find fuel or be required to carry large amounts of extra fuel on board.

Last year, I introduced an amendment that would have temporarily resolved the burdensome problem facing boaters and marinas. The amendment

passed overwhelmingly in the Senate, but, unfortunately, was killed in the House. Therefore, we have the same problem today as we did last summer. The only way to permanently fix this problem is to pass S. 478.

S. 478 will allow marinas to purchase the dyed fuel, collect the tax from the recreational boaters and pay the tax directly to the Government. It will solve the problem of inadequate fuel facilities for recreational boaters and remedy the problems faced by marinas and ports.

With the boating season soon approaching, we need to correct this problem now. That is why I cosponsored S. 478. I encourage my colleagues to help me pass this bill and bring relief to our boating communities.●

TRIBUTE TO THE CHATTANOOGA NEIGHBORHOOD ENTERPRISE

● Mr. FRIST. Mr. President, I rise today to commend the Chattanooga Neighborhood Enterprise, Inc. for its innovative approach to revitalizing old neighborhoods and providing affordable housing and low and moderate income families.

The neighborhood enterprise was created in 1986 to provide the opportunity for all Chattanoogans to live in decent, fit, and affordable housing, and CNE is fulfilling that mission by lending money to homebuyers, advocating homeownership, developing and managing affordable housing, and helping revitalize old neighborhoods.

Mr. President, more than 71 percent of all families within the city limits of Chattanooga make $35,000 or less each year. With many of the city's older residential neighborhoods in decline, the Chattanooga Neighborhood Enterprise realized that community and local business investment could revive these areas and allow more families to achieve their dreams of owning a home.

Since 1986, CNE has produced, rehabilitated or financed more than 2,500 units of housing in Chattanooga, and it manages more than 300 units of rental housing. Not only does it assist homeowners, homebuyers, the elderly, single-parent families, the disabled and the homeless in the inner-city area, CNE also helps families in the metro area and remote areas of Hamilton County. The neighborhood enterprise is helping to break the cycle of poverty for many permanent residents of public housing by giving them an affordable alternative. Currently, about 15 percent of CNE's customers were once residents in the city's public housing.

By making community involvement a top priority, the Chattanooga Neighborhood Enterprise has become a shining example of how public-private partnership can more effectively provide the same, if not better, services and help the people who truly need it. At a time when the Department of Housing and Urban Development has come under serious scrutiny, it is refreshing to know that low-income families in Chattanooga have an alternative.

Mr. President, this successful housing program receives funding from Government agencies, private corporation, and foundations alike. With a $21 million budget in 1994, Chattanooga Neighborhood Enterprise has much more money to spend on the city's housing than HUD does, and private sector involvement prevents if from becoming the ineffective bureaucracy characteristic of many government agencies.

In helping Chattanooga's residents find quality affordable housing, the neighborhood enterprise also helps the city of Chattanooga. As areas of the city are restored and families move in, the amount of tax money the city receives increases. In fact, each year, the city brings in more than $1.2 million in tax money that can be directly attributed to the work of the Chattanooga Neighborhood Enterprise.

The Chattanooga Neighborhood Enterprise has touched the lives of thousands of Chattanoogans and for that, Mr. President, I commend them for their hard work and dedication.●

MEASURE PLACED ON THE CALENDAR—H.R. 1345

Mr. DOLE. Mr. President, I ask unanimous consent that H.R. 1345, just received from the House, be placed on the calendar.

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

ORDERS FOR WEDNESDAY, APRIL 5, 1995

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Wednesday, April 5, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, that no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; and that there then be a period for routine morning business until the hour of 11:30 a.m. with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator DOMENICI for up to 20 minutes; Senator DASCHLE or designee for up to 30 minutes; Senator SIMPSON for up to 10 minutes; Senator KERREY for up to 10 minutes; Senator COVERDELL for up to 15 minutes; Senator NUNN for up to 10 minutes; and Senator COATS for up to 10 minutes.

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

Mr. DOLE. I further ask that at the hour of 11:30, the Senate resume consideration of H.R. 1158, the supplemental appropriations bill.

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

PROGRAM

Mr. DOLE. Mr. President, a cloture motion was filed on the substitute amendment to the appropriations bill today.

We have been, throughout the afternoon, trying to figure out if we can reach some agreement. We have been working with the Democratic leader, Senator DASCHLE, in good faith on both sides, to see if we can come to some closure.

We have also had discussions through Senator LOTT with some of the Members of the House that will be critical in trying to get a conference report finished on the rescission bill. It is my hope that tomorrow morning we may be able to reach some agreement. If not, the cloture motion then would ripen on Thursday morning.

I do not see any other way of dealing with 100 and some amendments at this point if we intend to complete action on this bill and on the other defense supplemental, on the DC bill, on paper simplification, and perhaps other items on which we can agree.

So a cloture motion was filed on the substitute amendment to the appropriations bill just a few moments ago, and if we cannot reach an agreement there will be a cloture vote on Thursday.

It is my hope that if Members feel constrained to offer amendments to the bill, they will be prepared to offer those amendments tomorrow to expedite action on the bill. And I would also say that if we complete action on everything on Thursday, we would probably either not be in session on Friday or have a session where there would be no legislative business conducted or only a pro forma session. It may be that some people might want to speak on Friday. Hopefully, we might have everything done so there would be no legislative business on Friday. But that will depend, of course, on the cooperation we have on both sides.

There are a number of things going on as we speak to see if there is some way we can come together and some way we could complete action on this bill. We are talking about a $15 billion rescission package in the Senate, $17 billion in the House. If it is not completed before the recess, it seems to me that much of that money will be spent by the time we are back so we could lose, it has been estimated, maybe $1.5 to $2 billion—if we do not act before the recess. So hopefully we could have final disposition fairly soon; we could still have the conference completed and vote on the conference report either Thursday night or Friday morning. And hopefully, if we did that on

Friday morning, it could be done without the necessity of a rollcall vote.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DOLE. Is there any further business to come before the Senate? If not, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:33 p.m., adjourned until Wednesday, April 5, 1995, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 4, 1995:

THE JUDICIARY

NANCY FRIEDMAN ATLAS, OF TEXAS, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE JAMES DE ANDA, RETIRED.

JOHN GARVAN MURTHA, OF VERMONT, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF VERMONT, VICE FRANKLIN S. BILLINGS, JR., RETIRED.

GEORGE A. O'TOOLE, JR., OF MASSACHUSETTS, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS, VICE AN ADDITIONAL POSITION IN ACCORDANCE WITH 28 USC 133(B)(1).

LELAND M. SHURIN, OF MISSOURI, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI, VICE SCOTT O. WRIGHT, RETIRED.

HOUSE OF REPRESENTATIVES—*Tuesday, April 4, 1995*

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore [Mr. FOLEY].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 4, 1995.

I hereby designate the Honorable MARK ADAM FOLEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. GIBBONS] for 5 minutes.

CROWN JEWEL OF THE CONTRACT

Mr. GIBBONS. Mr. Speaker, this week we are going to vote on what Speaker GINGRICH has called the crown jewel of the contract. I am here to tell you this morning why you should not vote for this crown jewel.

This crown jewel is a $700 billion tax cut. This is not the right time to cut taxes. This is the right time to cut the budget deficit.

Every economist that appeared before the Committee on the Budget, every well-known economist in this country will tell you that the business of Congress today should be cutting the budget deficit, not cutting taxes. So this is the wrong cut at the wrong time.

Let us go first to where we are in all of this. The chart that I have here to my right shows what has happened to all Americans during the last 20 years. These are families, family incomes divided into fifths, the lowest fifth on the far-right side, the highest fifth on the left-hand side.

If the cameras will look closely at this chart, you will see that the upper one-fifth has gained family income of almost 30 percent in the last 20 years, while the lowest fifth of American families have lost income of almost 15 percent, and the middle income right here in the middle has stood still. That is why American are upset.

And the principal reasons for this chart being as it is are two: One, the tax policy of the United States; and, two, the budget deficits that have run on chronically has stolen all of the gains that have been made, the losses that have been made have been contributed to by the budget deficits and by the tax policy. So this is the wrong time to cut the taxes. It is the right time to cut the deficit.

Why is it the wrong time? America's economy has been at full employment for the last few months and has had rising employment ever since 1991. We are right at full employment now.

Two, the second reason we should not be cutting taxes now is that we are at maximum capacity utilization in our industrial plant. That is the reason why the Federal Reserve has over the last 12 months raised interest rates by 7 percent, by seven times. The Federal Reserve in fighting inflation has raised the interest rates seven times in the last 12 to 14 months. So America's economy is bubbling along.

We want to continue that strong economic growth, but if we cut taxes now and do not cut the deficit we run a real chance of kicking off a serious round of inflation.

The second reason why we should not vote for this crown jewel, as Mr. GINGRICH calls it, is that it is the wrong kind of tax cut.

Now, let us have the next chart, please, This chart shows you who will benefit by this plan.

You will notice here on the right side in the upper chart, these are households in America, starting with the ones under $30,000 and ending with the ones over $200,000. The very strong green line on the left of this chart shows you what those with more than $200,000 worth of annual income will get per year out of this tax cut. They get over $11,000 in tax cuts. While those ones under the $30,000 will get $124, maybe.

The figure, the chart below the top chart shows how many families are involved in this, and you will notice that all the families are down here on the right; 44 million families at the bottom will get nothing; 2.8 million families at the top get an average of $11,300 a year.

Now, most of the families down here get very little in the tax cut, while the upper families get all of the tax cut.

Mr. Speaker, this is the wrong time to be cutting taxes. We should be cutting the deficit. This is the wrong tax bill because of inequitable distribution of the benefits of the bill.

TRUE LIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Colorado [Mr. HEFLEY] is recognized during morning business for 5 minutes.

Mr. HEFLEY. Mr. Speaker, Joe Dear, the head of the Occupational Safety and Health Administration recently testified before Congress that virtually all of the stories being told about OSHA—stories about OSHA outlawing the Tooth Fairy, prohibiting chewing gum on roofs, and fining employers for hazardous dishwashing detergents—are false.

Having focused on OSHA issues for years I find, the only thing false about these stories is their distortion by people who support OSHA. Let us look at the facts.

Specifically, Mr. Dear told the committee, "OSHA does not require material data safety sheets for the normal use of consumer products like Joy."

I have a $2,500 citation and notification of penalty from OSHA, issued just last year, which states, "The company did not have a written hazard communication program. The primary chemicals used are used in the kitchen and bathroom areas. Chemicals used, but not limited to: automatic dishwashing detergent and bleach."

This is not the first time OSHA has cited a small business for failing to have a MSDS sheet on ordinary household products. Contrary to Mr. Dear's assertion, it has happened more than once. OSHA has also issued citations for hazardous bricks, sand, gravel, chalk, et cetera.

Mr. Dear went on to say that "OSHA has not banned the tooth fairy; dentists can give children their extracted teeth." Although this statement may be true now, it was not always.

When OSHA published its final bloodborne pathogen rule on December 6, 1991, the regulation provided no exceptions for baby teeth or any other body part defined as contaminated waste. All contaminated waste—including baby teeth—was to be disposed of in the OSHA-defined proper manner.

It was only after America's dentists raised concern and several newspapers lampooned the new OSHA regulation that OSHA clarified that it would not

cite dentists for allowing children to keep their teeth.

Last, we have the question of gum chewing on roof tops. Once again, Mr. Dear provided Congress with a half-truth. He said, "OSHA does not prohibit workers from chewing gum, although we do restrict asbestos removal workers from ingesting food where a high level of asbestos is present, since ingestion of asbestos causes cancer and lung damage."

Setting aside the question of how ingesting asbestos causes lung damage—breathing asbestos is linked to lung damage, ingesting asbestos is linked to gastrointestinal cancers—Mr. Dear is simply wrong. OSHA itself has admitted that it prohibited chewing gum in asbestos workplaces, including rooftops where roofers were using tiles containing small amounts of asbestos.

In a memorandum to OSHA's regional administrators dated January 13, 1995, OSHA stated, "OSHA prohibited eating, drinking, chewing tobacco or gum, where activities take place involving removal or repair of asbestos containing building materials, regardless of measured breathing zone exposure levels."

The memorandum proceeds to admit that these regulations are excessive, will "result in negligible reduction of exposure," and therefore OSHA should not issue citations for their violation.

In other words, Joe Dear would have you believe that OSHA never prohibited chewing gum on rooftops when OSHA itself has not only admitted doing it, but issued a retraction as well.

The battle over OSHA reform is not about whether OSHA does stupid things. With over hundreds of regulations governing every possible hazard, real and imagined, OSHA cannot help but do stupid things. By challenging the veracity of OSHA's more notorious missteps, OSHA defenders are wasting their time and hurting their own credibility.

OSHA did fine people for failing to have material safety data sheets on common household products like Joy, its regulations—without clarification—did prohibit dentists from giving children back their baby teeth, and its regulations—once again, without clarification—did prohibit roofers from chewing gum.

To suggest otherwise is to fib, obfuscate, and otherwise distort the truth. In his testimony, Mr. Dear stated, "If these stories were true, I might be asking the same questions about the need for OSHA." Those stories are true, Mr. Dear. Start asking.

CONTRACT BILL FLAWS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I must say this is a very interesting week as we watch the 100 days come to a close. I am really astounded that there is going to be a circus coming to the Hill tomorrow. Think of the images you can have, bread and circuses, three-ring circuses.

But as we laugh about that and as we wonder who in the world thought that was a good image, let me talk about what we did last week and what we now know and how upset many of us on this side of the aisle are.

Last week, we passed a bill that finally, finally, gave working-class Americans the right to deduct their health care premiums. We absolutely should have, we should have done it long ago.

And one of the reasons ordinary people often do not get their tax benefits as soon is they are not here with PAC money and they are not special interests, and so they usually have to go to the end of the line. So we were all celebrating. Finally, we are getting this up. Is that not wonderful? Working-class Americans are going to finally be able to get some kind of deduction for their health care insurance. Hooray.

But now we have learned what was tucked in that little bill. And tucked in that little bill was a $63 million tax rebate jewel for none other than Rupert Murdoch.

Now, this 100 days began with Rupert Murdoch and a book deal with the Speaker, and it ends with him getting a $63 million tax rebate stuck on this tax bill for working-class Americans. I find that unconscionable when what we were told what we were doing was shutting off the special benefit to this entire class of people.

This was a special benefit dealing with selling of broadcasting stations. Well, apparently, we cut it off for everybody in the world except one guy, who is a little more equal than other guys. But when you contrast his status with working-class Americans, you can see why his needs got moved to the front and they found some way to sneak it through.

The other part of this bill that was so terribly disappointing was in the Senate they did some very good work. What did they do? They closed a loophole. They closed a loophole that had been allowing billionaires to move off shore, to move off shore and then avoid paying taxes. So they very correctly closed this loophole which would save the Treasury about $3 billion or more, roughly.

We have read over and over again how some tax lawyer kind of discovered this a couple years ago and so it has become the new exit way for all sorts of people to exit the IRS and their 1040 code, for those who have a lot at stake.

Obviously, there are many countries who would be very willing to welcome these billionaires because they think they will then spend their money in that country.

Well, unfortunately, even though we had three votes on this issue here, the House would not yield to them, so that is the other flaw in this bill dealing with working-class Americans trying to get their deduction for health care that they so, so deserve is that we did not close this other loophole because the House refused to close that loophole. So billionaires can still escape taxation by throwing their citizenship overboard. I find that horrifying.

I really hope what we do, now that we have discovered how flawed this is, is that we can get a commitment that the President would veto this bill, and we could just bring it back clean the way it should be.

I think the other interesting thing is that the President cannot knock out special privileges in tax bills. Because when you talk about being able to do line-item veto, the line-item veto has been allowed on the spending, but when it was offered to take out special tax benefits, then it was turned down.

Now, everybody knows a special tax benefit costs just as much money as a spending thing. Is it not interesting that we are willing to give the line-item veto for one thing but not the other? And I think it goes back to the same old business as usual, special interest being able to tromp all over all of us the way the elephants are going to tromp all over the grass tomorrow when the circus comes up here.

So I hope people put all of these things together, and I hope we all say enough is enough. We started the 100 days saying we are going to have real reform, and there was not going to be business as usual. We end it seeing business as usual all over the place.

I hope that we can bring this to closure and finally really do some housecleaning and get this place cleaned up and get this bill cleaned up and have working Americans move to the front of the line, not billionaires.

TAX FAIRNESS ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Georgia [Mr. NORWOOD] is recognized during morning business for 5 minutes.

Mr. NORWOOD. Mr. Speaker, I suppose it would be in order for me to say briefly, about the speech you heard 10 minutes ago about OSHA, that all of those horror stories that you heard were true. Having practiced dentistry for 25 years, I was one of the people under the gun when I would try to give back my children their baby teeth, and that is, in fact, a true story.

It is also additionally nice to hear the people on the other side of the aisle

be for the tax deduction for business people, for self-employed people for their health care insurance, but it does make one wonder whey we did not pass that last year when they were in charge of Congress.

But, Mr. Speaker, I rise today in support of the Tax Fairness Act because it will benefit average, hard-working Americans. I am particularly in support of the capital gains tax cut because when you strip away the rhetoric, reducing the capital gains tax is simply a good idea.

Mr. Speaker, when we move beyond the nonsensical class-warfare arguments against cutting the capital gains tax, the economic reality is clear. All Americans will benefit from cutting the capital gains tax. It will encourage investment and create jobs.

The capital gains tax penalizes investment and risk taking. Investors are discouraged from investing in startup ventures because they might actually make money. In turn, this makes it more difficult for entrepenuers trying to start a business to find investors. If they cannot start a business, they cannot create jobs. By penalizing successful investments through the capital gains tax, the Federal Government costs the economy jobs.

The Democrats will argue that cutting the capital gains tax is only a tax break for the rich. Of course, that is simply not true. If you own an asset like a house or a farm or a small business or any stocks or bonds, you will be subject to the capital gains tax if you sell that asset for more than you paid for it. Millions of Americans own assets that are subject to the capital gains tax, and that is why 70 percent of the people who will benefit from a cut in the capital gains tax will have incomes of less than $50,000. Maybe the Democrats think that is a tax break for the rich, but I call that commonsense help for hard-working Americans.

Mr. Speaker, the current high capital gains tax rate has been an utter failure as a tax policy. The economic forecasts the Democrats cite in attacking the capital gains tax cut have been thoroughly discredited by history. When Ronald Reagan cut the capital gains rate in the early 1980's, the amount collected from capital gains taxes soared. When the tax rate was raised in 1986, the revenues collected from capital gains taxes dropped like a rock. That the CBO's forecast for 1987 and beyond missed by a mile speaks volumes about the misconceptions that surround capital gains. Like the Democrats, the CBO believed that you could raise revenue by raising the capital gains tax. In reality, potential investors worked so hard to avoid the tax increase that revenues fell. The CBO's error in predicting capital gains tax revenue cost the Treasury $170 billion. Annual capital gains tax collections have been declining rapidly since 1986. The current capital gains tax rate is just not good economic policy.

Mr. Speaker, a good friend of mine named Bartow Morgan encouraged me long and hard to support the capital gains tax cut. He knew how much the capital gains tax hurt the economy and the potential investments that were suppressed by the capital gains tax. That Bartow Morgan did not live to see us cut the capital gains tax is terribly disappointing to me. Mr. Speaker, when we pass the Tax Fairness Act Thursday, I for one will be thinking of people like Bartow Morgan, who believed that cutting the capital gains tax would help all Americans, and never allowed themselves to be swayed by the class warfare that we so often hear from the Democrats. Mr. Speaker, cutting the capital gains tax is the right thing to do for all Americans and I strongly urge my colleagues to remember that when we vote on Thursday.

PASSAGE OF THE REPUBLICAN TAX RELIEF BILL IS A NECESSITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Texas, Mr. SAM JOHNSON, is recognized during morning business for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, the passage of the Republican tax bill is a necessity, a necessity because for too long the Federal Government has penalized Americans for working hard. That is what a tax does. It penalizes people for working hard and earning money.

A tax says go out and find a job, start a business, work hard, but do not succeed. Because, if you do, the Federal Government will come and take your money to Washington to feed the growth of yet another massive, wasteful bureaucratic agency.

This is the philosophical difference between Republicans and liberal Democrats. Democrats fear tax cuts because they reduce the amount of money they can spend on Government projects. Republicans embrace tax cuts because we believe if you work hard, you persevere and you succeed, you deserve, without question, to keep the money you worked hard to earn. This is what the American dream is all about.

Republicans also know you can create jobs and stimulate the economy if the money is in the citizens' pocket, not in the Government troughs. The only thing the Government knows how to do is spend more and rack up the debt.

The 40-year Democrat experiment of increased taxes, increased spending, and big Government has failed. The only thing Congress has to show for it today after 40 years is a $4.5 trillion debt and a $200 billion deficit each year forever, as far as you can see, and an inefficient, ineffective Federal Government. This, again, is why the Republican tax relief bill is a necessity now.

Now is the time once again to create capital, not suppress it; to reward success, not punish it; to promote business, not destroy it; and to restrain Government, not enlarge it.

The Republican tax relief bill is good for families, good for businesses, good for workers, and good for America.

LEGISLATION TO STIMULATE URBAN ECONOMIC REDEVELOPMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Florida [Mrs. MEEK] is recognized during morning business for 2 minutes.

Mrs. MEEK of Florida. Mr. Speaker, I am pleased to introduce a bill to stimulate urban economic redevelopment through environmental cleanup. This bill, without adding to the Federal budget, attacks unemployment in urban cities on several fronts. My bill provides business and job opportunities by providing low-interest loans to stimulate voluntary cleanup of contaminated sites; it provides incentives to individuals to establish environmental businesses in targeted urban areas through the reduction of the Social Security tax burden; it provides training to fill the positions created by the new businesses; and my bill authorizes Federal agencies to give preference to qualified businesses that hire targeted urban area dwellers.

Mr. Speaker, as we move to enact welfare reform, we must find creative ways to lessen the need for welfare. My bill, Mr. Speaker, does just that.

Mr. Speaker, I urge my colleagues to join me in this fight to revitalize our urban communities.

My bill creates meaningful jobs for the unemployed and those about to enter the work force.

Passage of this bill will significantly increase the pace of environmental cleanup by establishing a low-interest loan program to stimulate voluntary cleanup of industrial sites. The cleanup of these sites will benefit public health and welfare, and the environment by returning contaminated sites to economically productive uses.

This bill stimulates the creation of environmental jobs and business opportunities by individuals and small businesses in target urban areas through reduction of the Social Security tax burden.

ALTERNATIVE TAX PLANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Pennsylvania [Mr. GEKAS] is recognized during morning business for 5 minutes.

Mr. GEKAS. Mr. Speaker, to cut or not to cut, that is the taxing question. Whether it be nobler in the minds of

the people who attack the Republican plan to sling an arrow into death, that remains for the Democrat opposition or all those who favor deficit reduction as against tax reduction.

But let me record a little history for the CONGRESSIONAL RECORD. When the President was running for the Presidency, Bill Clinton's message included a tax cut for the middle class, which, of course, he never was able to implement or refused to implement or reneged on the promise to implement.

And so somewhere in 1993 and 1994, when we saw that the administration was going really the other way, not a tax cut for the middle class but a tax increase for most Americans, when that began to happen and we saw some signs of weakening in the economy, many of us thought that this would be ripe for a time for a tax cut cast in the image that we wanted to present.

So I, myself, prepared then in 1993 and 1994 a tax package, a tax cut package. It included reducing the payroll tax by 1 percent both for the employer and for the employee. This would spur savings, bring down the tax burden on the middle-class Americans, the working Americans.

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I couple that proposition with a capital gains reform.

Now, there was method in my madness. Research, just as some of the speakers have already alluded to, has indicated that a reduction of the capital gains rates spurs millions of transactions to occur almost overnight and produces revenues, stimulates transactions, and produces tax revenue. So, in a whirlwind of action, in my plan the capital gains reform would pay for the reduction of the payroll taxes of working Americans.

I thought it was a good plan, but I was not satisfied, Mr. Speaker, to just take my own judgment on it. I submitted the plan to the Institute for Research on the Economics of Taxation, a well-known and renowned and dependable think tank here in the Washington area whose sole reason for existence is to analyze methods of taxation and various plans.

When they received my plan, they reviewed it; and I received a commendatory letter. I must say it made my ego feel good about it that the plan was workable, and it emphasized that capital gains reform, coupled with my plan of reducing the payroll tax, would not only save money for the working family but spur investment and savings, both of which are vital to a good economy. So I felt pretty good about it.

Now, that brings us to the present. Since that time, many other plans have been presented. The President did come up after the election in 1994 with a tax reduction plan. So did the minority leader, the gentleman from Missouri. So did other Members of the minority. So did other Members of the Republican Party. But the main thrust of the Republican provision was contained in the Contract With America.

So I say here today that although I had a good idea and one that I will still pursue in months to come about reducing the payroll tax to stimulate the working American families, we have before us now a good alternative, the Contract With America provision that we will be supporting and voting for this week.

Why am I going to support it? And I plan to do so. Because it is part of the Contract With America. Because it does reduce the tax burden of middle-class families. Because it does stimulate savings. Because it will provide for the ability of families to work out their own destinies in how they want to spend their money for their families and will go a long way toward spurring the same kinds of results that we submitted to the think tank about economics of taxation.

Why? Because it will be coupled with capital gains reform. So the best of all worlds will have occurred as far as this Member is concerned. I will be voting for the Contract With America provisions because of capital gains reform, already approved by the people to whom I submitted my plan, and a middle-class tax cut, also approved in our plan.

CAMPAIGN PROMISES

The SPEAKER pro tempore (Mr. FOLEY). Under the Speaker's announced policy of January 4, 1995, the gentleman from Ohio [Mr. HOKE] is recognized during morning business for 5 minutes.

Mr. HOKE. Mr. Speaker, do you remember back in the Presidential campaign of 1992 when President Clinton made a number of promises to the American people? He promised that he was going to give us a middle-class tax cut. He promised that he was going to lift the senior citizens earning test. He promised that he would enact a line-item veto. He promised that he would balance the budget.

He did not say he was going to balance the budget overnight. He said he was going to balance the budget.

Let us look at the record. Let us look at the record.

He reneged on the middle-class tax cut promise. In fact, he raised taxes, attempted to raise taxes in a very, very broad form way. Did not get away with that in terms of the Btu tax but still, in fact, did raise taxes. He reneged on the middle-class tax cut.

No. 2, he did not lift the senior citizens earning test. Instead, what he did do was he cut Social Security benefits by $24.8 billion, $25 billion that he cut social security benefits by.

And when pushed to lift the senior citizens earning test which, by the way, Mr. Speaker, is the amount of money up to which you are not penalized for working as a senior, right now that ceiling that limit is $11,200. We are going to raise it tomorrow in a vote on this floor to $30,000. We are going to do what President Clinton said he was going to do when he was running for the President, see, and he stole it with promises that he broke.

No. 3, he promised a line-item veto. He never ever offered that as a bill. He never offered that legislation. He did not put himself into it when it did come up on the floor of the 103d Congress. It was not enacted. We got a kind of enhanced rescission package. We passed a line-item veto about a month ago, right here, 104th Congress.

Finally, he said he was going to balance the budget. He has not given a halfhearted attempt at that. The budget he just submitted increases the deficit by $200 billion a year for the next 5 years, and it starts to skyrocket at about $400 billion.

When we came out with these things: A balanced budget amendment, which we passed in this House; a line-item veto which we passed in this House; lifting the senior citizens earning limit and the middle-class tax cut; when we came out with that last fall as an agenda which we were willing to sign our names to, saying that if you give us the honor of representing you American people in the U.S. Congress, here is what we are going to do. We call this our Contract With America.

Those same four things that were in his promises broken, promises to the American people, how did he characterize them? How did he characterize them, Mr. Speaker?

I will tell you how he did. He called it a contract on America. The same promises that he had used falsely, falsely to get elected 2 years earlier he then characterized as a contract on America.

Well, Mr. Speaker, it is not a contract on America. In fact, it is a Contract With America. And not only that, but we are actually fulfilling the broken promises of Mr. Clinton from 2 years ago.

We are giving a middle-class tax cut. We are lifting the senior citizens earnings limit. We are restoring the $25 billion in cuts that he made to Social Security benefits. We have enacted the line-item veto, and we are balancing the budget.

I will yield to the gentleman.

Mr. KINGSTON. Well if the gentleman will yield, there is another key element, and that is the welfare reform. The President did say he would end welfare as we know it, yet never submitted a welfare bill. And so that would mean 5 planks in the 10-plank Republican Contract With America the President actually ran on as candidate Clinton in 1992.

Mr. HOKE. The gentleman is completely correct. As I was sitting here

making my notes, I was trying to remember what was the fifth item, and that is exactly right.

Mr. KINGSTON. If the gentleman will yield further, I think that, essentially, when you consider what happened to the balanced budget amendment in the other body, three Democrat Senators voted against the balanced budget amendment. If the President did not fight the balanced budget amendment I think it is very possible, given the fact that he is a great salesman, that he could twist some arms and pick up the one, two, three or four votes that are needed to get the thing over the top.

Mr. HOKE. As the gentleman well knows, not only did the President not fight to twist some arms to get the balanced budget amendment passed but, in fact, he worked day and night tirelessly, as hard as he possibly could, to make sure the balanced budget amendment failed.

Mr. KINGSTON. What is also ironic, while he is out saying the Republican welfare reform is mean or inadequate or whatever, not only has he not offered an alternative but then he goes on to talk about our program and how good it is. But he did not use the word Republican. He says, this is what we need: work programs and programs that will end the cycle and get the dad into the picture and identified and so forth.

I think it is disappointing, but you were talking about senior citizens and to increase the Social Security tax as your first year in office and then to fight trying to repeal that tax increase does have a degree of hypocrisy to it.

Mr. HOKE. What we are going to do tomorrow on the floor, we are going to repeal that device that the President passed just a year ago. And I see my time is expired, but we are going to repeal those cuts, and we are going to restore those cuts so that senior citizens get their due.

RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the House will stand in recess until 11 a.m.

Accordingly (at 10 o'clock and 7 minutes a.m.) the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 11 a.m.

PRAYER

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

Teach us, O God, to use our words as vehicles of communication and messengers of understanding so our conversations are truly heard by one another and there is an honest awareness of what is being said. Keep us from the easy platitudes that have the ring of truth, but do not communicate the realities that need to be discussed. And may the words we say with our lips, be believed in our own hearts, and all that we believe in our hearts, may we practice in our daily lives. Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 369, nays 36, answered "present" 1, not voting 28, as follows:

[Roll No. 282]

YEAS—369

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Bonilla
Bono
Borski
Boucher
Brewster
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cardin
Castle
Chabot
Chambliss
Christensen
Chrysler
Clayton
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Cooley
Costello
Cox
Coyne
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
de la Garza
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hall (OH)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Johnson (SD)
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velázquez
Vento
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—36

Abercrombie
Brown (CA)
Brown (FL)
Chapman
Clay
Clyburn
Collins (MI)
Crane
Engel
Fazio
Filner
Gillmor
Hastings (FL)
Hefley
Hilliard
Jacobs
Kennedy (MA)
Lewis (GA)
Maloney
McKinney
Menendez

Mineta	Roberts	Taylor (MS)
Oberstar	Roemer	Thompson
Owens	Sabo	Visclosky
Pelosi	Schroeder	Volkmer
Pickett	Stockman	Wolf

ANSWERED "PRESENT"—1

Harman

NOT VOTING—28

Becerra	Ford (TN)	Minge
Berman	Gejdenson	Pombo
Boehner	Gephardt	Reynolds
Bonior	Gibbons	Rush
Browder	Inglis	Sanders
Canady	Manton	Smith (MI)
Chenoweth	McCollum	Whitfield
Conyers	McDade	Williams
Cramer	McDermott	
Fattah	Mfume	

□ 1120

Ms. DELAURO changed her vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MINGE. Mr. Speaker, during rollcall vote No. 282 on the Journal I was at the George Washington University Hospital with my wife who was in surgery. Had I been present I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 282.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The gentleman from Mississippi [Mr. MONTGOMERY] will come forward and lead us in the Pledge of Allegiance.

Mr. MONTGOMERY led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 34. Concurrent resolution authorizing the use of the Capitol Grounds for the Ringling Bros. and Barnum & Bailey Circus Anniversary Commemoration.

PERMISSION FOR CERTAIN COMMITTEES AND SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Ms. PRYCE. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: Committee on Agriculture; Committee on Banking and Financial Services; Committee on Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on International Relations; Committee on National Security; Committee on Small Business; Committee on Transportation and Infrastructure; and Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

Mr. WISE. Mr. Speaker, reserving the right to object, the minority has been consulted in each of those cases and has no objection, and therefore, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

THE CONTRACT WITH AMERICA

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

Mr. HOKE. Mr. Speaker, our Contract With America states the following: On the first day of Congress, the Republican House will require Congress to live under the same laws as everyone else, cut committee staffs by a third, and cut the congressional budget. We have kept our promise.

In the first 100 days, we will vote on the following items: Balanced budget amendment, unfunded-mandates legislation, line-item veto, new crime package, National Security Restoration Act, government regulatory reform, commonsense legal reform, welfare reform to encourage work, congressional term limits.

We kept our promise on every one of those, passed every one except congressional term limits, which 82 percent Democrats voted against, 83 percent Republicans voted for.

Today we are going to vote on a tax package for family reinforcement, tax cuts for the middle class, and Senior Citizens Equity Act to allow our seniors to work without Government penalty.

Mr. Speaker, today we are going to restore the $24.8 billion in Social Security cuts that were passed by Democrats in the last Congress.

A SPECIAL BREAK FOR RUPERT MURDOCH

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

Mr. DOGGETT. Mr. Speaker, on the first day of Congress I joined the call for openness in this Congress, and frankly, we have not made very much progress.

During closed-door Senate-House negotiations last week, Republican legislators bestowed a multi-million-dollar tax break on Rupert Murdoch, yes, Rupert Murdoch. You have heard of him before. He is the same foreign plutocrat who came here to the Capitol to meet with Speaker GINGRICH just after the election. Yes, Rupert Murdoch, he is the one with the $4.5 million book deal.

And in this supposedly open House from this podium or any other, did we hear one word about Rupert Murdoch being the only beneficiary of this piece of legislation that was just announced as enrolled this morning? Not a word was uttered.

There were 19 business deals affected by this piece of special legislation worked out in secret. Eighteen of them failed to make the mark. But 18 of them were not owned by Rupert Murdoch. His was the only measure in the entire country to get this special break, and it did not happen without the blessing of his good buddy, NEWT GINGRICH.

TAX CUTS AND LOWER DEFICITS

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

Mr. EWING. Mr. Speaker, in response to the last speaker, I think we should give credit where credit is due, and that is to Senator CAROL MOSELEY-BRAUN of Illinois.

Mr. Speaker, tax cuts and lower deficits go hand in hand. Tax cuts of 1981 resulted in huge increases in Federal revenue. The problem was that Government spending rose at an even higher rate.

Here are the facts: In 1980 our tax revenues were $517 billion, while Government spending was $591 billion. In 1994, tax revenues were $1.2 trillion, but Federal spending was $1.4 trillion.

In other words, people were not taxed too little, but Washington would not stop spending too much.

Mr. Speaker, if we let people keep more of the money they earn, that creates jobs and stimulates investments. That means higher tax revenues without a tax increase.

I support the Tax Fairness Act of 1995.

CAUGHT IN THE MIDDLE

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

Mr. GUTIERREZ. Mr. Speaker, as we debate this so-called middle-class tax cut, there is going to be a lot of talk about just who is the middle class.

Well, I do not know if the people in my district meet your definition of middle class, but I do know that they keep getting caught in the middle.

My constituents are caught in the middle of a fight within the ranks of the Republican party about whether to cut taxes for the super rich or just the very rich.

My constituents are caught in the middle of two failures of phony fiscal policy from the GOP, trickle-down economics in the 1980's and its sequel in the 1990's, two budget busters that are squeezing working families like a vise.

And others in my district are caught in the middle because they are treated like pawns in this game, as the Republicans take money from education, nutrition, and health care to finance tax cuts for those who are already faring quite well.

We can disagree about who is the true middle class, but it is clear that those who work hard to get their families through the next day have a lot more class than those in this House who are simply trying to get through the next election.

TIME FOR THE GOVERNMENT TO TIGHTEN ITS BELT

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

Mr. HAYWORTH. Mr. Speaker, it is always interesting to listen to my friends, the liberals on the other side of the aisle, and they do some very creative writing as we just heard from the preceding speaker.

As we begin to debate this issue of tax cuts, I think it is important to keep one fact uppermost in our minds: Those who send their hard-earned money to Washington did not cause this deficit. Those liberal big spenders who sat and dominated this Chamber for so long, those are the folks who caused this deficit. It is an obvious but overlooked point.

So when the liberals say they cannot afford to cut taxes, what they are really saying is they will not cut spending.

This whole debate is evidence of a disturbing mind-set on the part of the liberals from the other side of the aisle which assumes all the money in America belongs to this Government and that this Government needs the money much more than America's families. Friends, it is the American people who need tax relief. They have been tightening their belts for years while the Government has continued its big-spending ways.

Mr. Speaker, it is time the taxpayer got a break, and it is time this Government tightened its belt.

STOP SENDING CASH TO RUSSIA

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

Mr. TRAFICANT. Mr. Speaker, the Pentagon has pleaded. They have begged. They have even offered Russia special projects. And Russia said, "Nyet. Forget it."

Russia will sell nuclear reactors to Iran. Now, think about it, Russia has already sold submarines to Iran. Now Russia is going to sell nuclear reactors to Iran.

Tell me, since when do these Communists-turned democrats deserve all of our American cash?

□ 1130

Last I heard, Mr. Speaker, they still had in Russia missiles pointed at New York.

Now look here. If Boris Yeltsin is now the new George Washington over there, I am a fashion leader, and I should be on the cover of GQ.

The bottom line is we have too many experts at the Pentagon drinking vodka with Boris. Either that, or they are smoking dope. But, if Congress wants to save money, stop sending cash to Russia.

Think about it.

LET US CUT TAXES THIS WEEK

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

Mr. CHABOT. Good morning. My name is STEVE, and I am a tax cutter. I never realized I had a problem with this compulsion when I was back home in the real world, but, when I landed inside the beltway, I knew I was in real trouble.

I had always believed that we should let working Americans keep more of their hard-earned paychecks. I had always thought we ought to give senior citizens in this country a break. I thought I was normal, but then I came to Washington, and the liberals and the bureaucrats have tried to show me the error of my ways. They have tried to convince me that the money I always thought belonged to the taxpayers really belongs to the Federal Government. They tried to convince me that bureaucrats know best, better than what the working men and women of this country do. They think that bureaucrats are smarter than the folks back home.

Well, that is baloney. Maybe being a tax cutter is not so bad. In fact, dogone it, I am proud to be a tax cutter.

Let us cut taxes like the Republicans want to do this week.

GAYS IN THE MILITARY

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

Ms. HARMAN. Mr. Speaker, I was encouraged when the U.S. District Court for the Eastern District of New York concluded on Thursday that the core of the Defense Department's don't-ask, don't-tell policy is unconstitutional. Judge Nickerson is right.

At least twice on this floor in the previous Congress, Mr. Speaker, I stated my belief that the ban and the Clinton administration's don't-ask, don't-tell policy violate the equal protection clause of the 14th amendment, the rights of free speech and assembly under the first amendment and the ninth amendment right of privacy.

This debate is still far from over. Over the weekend, Speaker GINGRICH said the House will again review this policy. He is making a mistake on the merits and on the politics. On the merits he is wrong because reinstating the ban is unconstitutional. On the politics he is wrong because the momentum of the first 100 days will quickly unravel as divisive social issues, like the gay ban, abortion rights, and school prayer are revisited.

Mr. Speaker, it is not easy to look the Joint Chiefs in the face and tell them how we think they should organize their forces and enforce the military chain of command. But it is time to recognize that gays and lesbians have always been a part of the military and that they have performed their duties with diligence, patriotism, and honor.

REPUBLICAN TAX CUTS ARE PRO-SENIORS, PRO-JOBS, AND PRO-FAMILY

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

Mr. FOX of Pennsylvania. Mr. Speaker, there are three parts of the Contract With America that are very important to the American people. Already passed, $180 billion for deficit reduction, $190 billion for spending cuts, and now we have tax cuts for individuals, families, seniors, and small business.

A key goal to move money and power out of Washington and back to families and communities, Americans are better off making their own decisions rather than having Federal bureaucrats making decisions for them.

The tax relief plan lets families keep more of their money to save for education, a first home, long-term care or retirement, lets small businesses invest without being penalized, and it will repeal the unfair Clinton tax on senior citizens' Social Security benefits and allow seniors to make more than $11,280 without deducting from their Social Security. Finally, Mr. Speaker, the tax cut will reduce the deficit, stimulate investment, and create jobs.

Let us pass the bill.

AT LEAST THE REPUBLICANS ARE CONSISTENT

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

Mr. ENGEL. Mr. Speaker, our Republican friends are continuing their pattern. Now it is an assault on college

student loans and financial aid in order to get money to finance tax breaks for the rich.

Just the other week we saw them taking school lunches out of the mouths of America's children in order to get money to finance tax breaks for the rich, and now we see them assaulting working people. They would not raise the minimum wage. They want to eliminate OSHA, which protects the standards in the workplace and the safety of American workers, and now they want to repeal Davis-Bacon, which assures construction workers a prevailing fair wage.

There is a rally today at 1 p.m. in front of the Capitol to protect the Davis-Bacon Act which will protect construction workers, and I hope my colleagues will attend.

Once again we see the same pattern. At least the Republicans are consistent: Assault the middle class, help the rich. Next they will go after Social Security, Medicare, and Medicaid. Medicaid in a block grant? Who is kidding whom?

Mr. Speaker, the Republicans just want to cut, cut, cut, cut the middle class and help their wealthy friends.

RESTORING SOCIAL SECURITY CUTS

(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, it will come as no surprise to most Americans that the American family and our senior citizens are overtaxed. It is certainly no surprise to my mom who is 83 years old. She is not surprised that senior citizens are taxed too much and protected too little. Yet, when the liberal defenders of big government want to find more money to fund their bureaucratic programs, they turn to those in our society who can least afford it, our senior citizens.

We have all heard the shocking numbers. Taxes for a family of four have gone up from $1 out of every $50 in 1950 to paying $1 out of every $4 to the Federal Government today and that many average income working seniors face tax rates double those that millionaires face. Taxes that high are simply not fair. Yet when President Clinton and the Democrats passed the largest tax increase in history disguised as a tax hike on the rich, they actually taxed our seniors by cutting Social Security.

This week we have the opportunity to do what is responsible and fair for our seniors. We have the opportunity to protect the American dream. We have the opportunity to restore Social Security cuts, and I ask that we do so.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The Chair reminds all persons in the gallery that they are here as guests in the House and that any manifestation of approval or disapproval of proceedings is a violation of the rules of the House.

LET'S CHANGE THIS JEWEL OF DENIAL

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

Mr. GENE GREEN of Texas. Mr. Speaker, there is a flaw in the jewel. We will begin debate today on a bill that will cut taxes, and the winners who will receive the majority of the cuts are families with incomes over $100,000. The losers will be deficit reduction, summer jobs, school lunches, and education funding. The Speaker calls this the crown jewel of the contract. Well, this crown jewel in 1999 will cause us deficits of over $200 billion.

There is a flaw in this jewel. Unfortunately, to pay for this jewel many young people will lose. Thousands of teenagers will be denied a summer job, school children will be denied a meal, legal immigrants will be denied services for the $66 billion welfare reform to the cracked crown jewel, seniors will be denied by cutting energy assistance, safe and drug-free schools will be denied $500 million, college students will be denied $13 billion to help pay for the flawed jewel. The contract was a deal with the rich including unpatriotic families who are leaving our country and taking their billions with them.

Let us change this jewel of denial.

IT IS TIME TO GIVE BACK MONEY TO THE AMERICAN PEOPLE

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

Mr. SHADEGG. My colleagues, we are engaged in a great debate, a great debate which could only occur inside the beltway. The American people have no doubt about tax cuts. To listen to my colleagues on the other side, they simply do not get it. There is one fundamental message in America today. It is that the Federal Government is too big, it taxes too much, it spends too much, and it regulates too much, and the American people have no debate about that issue. My opponents, when they talk about deficit creation and how this tax cut will create deficits, it is shocking. They created this deficit over the past 40 years, and now they want us to continue to pull an outrageous sum of money out of the pockets of the American people to pay for the deficit they created. Amazing.

It is time to give money back to the American people. We have increased the tax burden on American families twelvefold since 1950, the year I was born. Enough of that outrage. I say to my colleagues, "They say they know better how to spend your money. I say you, as the American people, know how better to spend your money. I call on my colleagues to support this tax cut today."

TRADING TOMORROW'S CAPS AND GOWNS FOR TODAY'S CAPITAL GAINS

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

Mr. MASCARA. Mr. Speaker, my friends on the other side of the aisle have decided to pitch caps and gowns for capital gains.

They have decided it is more important to grant a 50-percent capital gains tax cut to the wealthy rather than giving today's young adults a chance to build a better tomorrow.

Where I come from, high school students used to be able to count on a good-paying job in the mines or steelmills.

No more. Now their brighter tomorrows are dependent on high-technology industries. And if they want a chance to even get in the front door, a college degree is a must.

The $20 billion cut in student loan and grant programs proposed by the Republicans would close that door and end any chance many hard-working, middle-class families have of sending their children to college.

It is a poor tradeoff and wrong in my book.

Republicans do not seem to understand if you block the path to a college diploma today, there will be no new source of capital gains tomorrow.

CUT TAXES NOW

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

Mr. FUNDERBURK. Mr. Speaker, the debate on the contract's tax cuts proves one thing: The Democrat Party believes that taxpayers exist to serve the Government monster and they believe that the privilege of making and keeping your own money is a favor Washington hands out from time to time. That is the difference between the minority party and the new Republicans: We believe that the taxpayers come first—not the Government.

Mr. Speaker, the total tax burden on a family with a median income of $50,000 is about $26,000, an incredible 50

percent of their earnings; 50 percent of the money earned by the people in my rural district goes to pay for those who will not work. It goes to dumbed-down schools, and it feeds Uncle Sam's fat bureaucrats.

When the largest expense people in my district pay is taxes—and not food, shelter, medical care, and college for their children—that is an atrocity.

Mr. Speaker, let us finally do something right for working people. Let us cut taxes now.

SSI AND TRAINING CUTS

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

Ms. JACKSON-LEE. Mr. Speaker, I heard my Republican colleague, but my name is SHEILA, and I want to be here to represent what is best for the working man and woman in America, and not to support billionaire tax loopholes. The tax-cut package being offered by the leadership on the other side certainly does not respond to them. But aside from the fact that their plan ignores deficit reduction, the fact remains that their plan still looks to cut taxes for America's upper-income brackets while imposing greater burdens on working- and middle-class families.

Now, to pay for more billionaire-friendly tax breaks, the other side wants to cut $13 billion from student loan programs—student loans that make college dreams possible for millions of American students and their working- and middle-class parents.

Mr. Speaker, my family worked hard to capture a part of the American dream. They also worked hard to give their children a chance to succeed. Yet, if there were not Government-backed student loans, I would not have been able to go to college or get a graduate education.

I would like to think my education was a good investment for America. I have paid back my loans with interest, so I cannot understand why the other side seems bent on slashing the loan program now, just as America needs well-educated citizens and workers more than ever. But yet Rupert Murdoch can walk these Halls undercover, and the Republicans will give our tax dollars to his deal alone. I do not understand it, Mr. Speaker.

THE REPUBLICAN TAX CUTS ARE FOR EVERYONE

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

Mr. JONES. Mr. Speaker, the Republican tax fairness and deficit reduction proposal cuts taxes for everyone; individuals, families, and senior citizens. Most importantly, the proposal provides relief for working families. Since 1988, the working family has had their median income plunge approximately $2,500 while receiving a 2.5-percent increase in taxes. Over 75 percent of our tax relief proposal will focus on restoring fairness to the middle class. The remaining 25 percent will go directly to deficit reduction. The cuts are designed to lend a helping hand to the middle-class working family, the $500 per child family tax credit, the tax credit for adoption expenses, and the tax credit for small businesses.

Republicans are committed to reducing the burden of government on the working families.

STUDENT LOAN PROGRAMS

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

Mrs. CLAYTON. Mr. Speaker, many young people in America have made a choice, a choice to get an education, and to get a job and to pursue a career. They made the right choice that will give them a chance. The Republican Party, however, wants to take that chance from them. They want to take that choice.

□ 1145

They plan to abolish and restructure four major loans and grant programs that provide aid to college students, threatening to force those students into a direction that they may not have chosen.

Last year millions of students held jobs on the work-study, got low interest rates, and did not have the burden of paying interest while they were studying, and they received grants. They will not have the opportunity next year.

In total, over the next 5 years $13 billion will be taken away from college loans and grant programs. For what? To give the wealthiest Americans a tax break.

The closer we look at the Republican tax plan, it certainly is not fair. It is grotesque. They call these cuts in loans a savings. I call it a tragedy for America's future.

REPUBLICAN TAX REFORM BENEFICIAL TO SENIOR CITIZENS

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

Mr. ENGLISH of Pennsylvania. Mr. Speaker, while H.R. 1215, the Republican tax program, helps working families, promotes economic growth, and creates jobs, it also helps millions of working senior citizens.

Current law imposes harsh penalties on senior citizens, particularly those who continue to work beyond the age of 65.

Today working seniors face higher, more punishing tax rates than millionaires in our tax system. Currently seniors who work after age 65 lose $1 in Social Security benefits for every $3 they earn above $11,280.

These are not rich people. The Social Security earnings limitation has pushed many older Americans out of the work force and slowed economic growth. H.R. 1215 increases the earnings limitation by almost $19,000 to $30,000, thereby eliminating the bias against older Americans who want to remain attached to the work force and it does so without increasing the deficit.

LAST-MINUTE CHANGE IN TAX LEGISLATION TERMED "BUSINESS AS USUAL"

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

Mr. WARD. Mr. Speaker, I was just elected in 1994. I am a freshman, and I was in the Kentucky Legislature for 5 years before that. And, Mr. Speaker, we had a rule in the Kentucky Legislature, a hard-and-fast rule, that if language was changed in a bill when it went to conference, if language was different from the way we passed it when it came back from conference, we were told it was subject to what we call here a point of order. If we were not told what was in that change on the floor, in front of the entire body, in front of the public, in front of the people, it could not be considered.

What we have just seen, Mr. Speaker, is a change in a bill, a good bill, to provide self-employed people the opportunity to deduct the cost of their health care insurance, a bill we are all for, changed to help one person.

Well, Mr. Speaker, that is business as usual, and that is not why the voters changed what was going on up here.

THE VOTE TOMORROW

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

Mr. HASTERT. Mr. Speaker, tomorrow when we take up H.R. 1215, the Tax Fairness and Deficit Reduction Act of 1995, I urge my colleagues to ponder one question: Do they support working senior citizens in this country, or do they support taxing our seniors out of the work force?

If Members support our senior citizens, they will support the tax bill. A vote against the tax bill is a vote against senior citizens who want to work, who want to be productive.

Let me tell the Members why. This tax bill does two things that will help older Americans. First, it repeals President Clinton's Social Security tax that he passed over Republican objections last year; and, second, it increases the earnings test so that more

seniors will be able to work without getting taxed at a rate twice the amount that millionaires have to pay.

Mr. Speaker, the choice tomorrow is simple. Either they support our seniors or they do not. I urge my colleagues on the other side of the aisle to stop taxing older Americans and start giving them the relief they richly deserve.

THE RUPERT MURDOCH TAX BREAK

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

Mr. DEUTSCH. Mr. Speaker, there is an expression that most of us have heard: "If it walks like a duck and it sounds like a duck and it quacks like a duck and it smells like a duck, then it is probably a duck." But we might want to change that in this Chamber to say that "Maybe it is NEWT GINGRICH."

My, my, my—a special tax break for Rupert Murdoch, $63 million, and then blaming it on Senator MOSELEY-BRAUN. All of us might think so, but no one in America believes it.

Mr. Speaker, Mr. GINGRICH, no one in American believes that it was Senator MOSLEY-BRAUN. You know it was you. You know what was involved. It would not have happened without you, and it is wrong. It is business as usual in this Chamber, and it is wrong.

I urge the President to veto this legislation. He needs to veto it. It is not what the American people want. It is the absolute wrong way we ought to be conducting ourselves in this Chamber.

CUTTING TAXES FOR SENIOR CITIZENS

(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, I would just like to remind the previous speaker that it was Senator CAROL MOSELEY-BRAUN who was primarily responsible for that whole matter.

Mr. Speaker, 2 years ago the Democratic majority in the House muscled through the largest tax increase in U.S. history without one Republican vote.

Buried deep in tax language, the Democrats even included a cut in Social Security benefits for senior citizens. That's right, every senior citizen making $34,000 is rich according to the Democrats definition and guess what? They all got a cut in 1993.

I am proud to say that tomorrow we will restore Social Security benefits to their prior level and lessen the squeeze on the middle class.

Instead of finding clever ways to take more money from our senior citizens and middle-class Americans—we are restoring benefits, lowering taxes, encouraging investment and savings, and letting Americans keep more of their hard-earned money.

I have a question for my Democratic colleagues. Can you justify the current tax burden on our senior citizens? Can you justify the tax burden on working families? If the answer is no, then support our tax reduction package.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The Chair wishes to remind the Members that reference to Members of the other body is not encouraged and is not tolerated in the House.

CUTS IN PROGRAMS PAVE THE WAY FOR TAX BREAK FOR RUPERT MURDOCH

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

Mr. KLINK. Mr. Speaker, I have learned over the years as a journalist that where there is smoke there is fire, and I have learned as a Congressman that sometimes when there is a fire, it can quickly become an inferno.

We began talking at the beginning of this new Congress about the fact that there was something smelly about a $4.5 million book deal for Speaker NEWT GINGRICH being offered by Rupert Murdoch. Now we find out that it was indeed that same Rupert Murdoch who gets $63 million in special tax advantages hidden away in a bill that came through conference and was brought out on this floor last week.

I ask the Members, let us take a look at what we are doing. We are being asked to cut Stafford loans which would cause 4.5 million students' tuition to go up 20 to 30 percent, but we would give $63 million in tax breaks to Rupert Murdoch. We are being asked to cut work-study programs that pay 75 percent of the wages for students, 700,000 students, who are willing to work their way through school, but we have $63 million to give away to Mr. Murdoch.

Mr. Speaker, as we are taking money from women, infants and children, we seem to have money for Rupert Murdoch, a friend of the Speaker.

REPEAL OF CLINTON PENALTY TAX ON SENIOR CITIZENS IS PART OF TAX RELIEF BILL

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, in 1993, President Clinton and the liberal Democrats passed the largest tax increase in American history—$240 billion.

The 1993 tax bill included a provision that increased—from 50 to 85 percent—the tax on Social Security benefits received by senior citizens. Why the President chose to increase taxes on people who have worked hard and paid taxes all their lives is beyond belief. Ironically, this is the same President who used Social Security as his excuse to oppose the balanced budget amendment.

Liberal Democrats chose to raise taxes on our senior citizens instead of cutting their own spending. Republicans plan to repeal this onerous tax on seniors and at the same time balance the budget.

We do not have to tax seniors to reduce the deficit—we can and will cut our own spending. We must repeal the Clinton penalty tax on senior citizens. If you support seniors, then support the Republican tax relief bill.

TAX CUT PROPOSAL IS IRRESPONSIBLE

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

Mr. PAYNE of Virginia. Mr. Speaker, 2 months ago, Republican Members of this House joined me and almost 70 other Democrats in supporting the balanced budget amendment to the Constitution.

We came together out of a shared belief that we can't continue to saddle the American people with a national debt that saps our productive capacity, hinders job growth, and causes so much of our wealth to be used just to service the national debt.

We heard a lot during that debate about our responsibility to future generations, about the need for fiscal discipline, and about the need to make tough choices.

Well, what happened?

Here we are in April, and the leadership's idea of fiscal discipline is a 5-year, $188 billion tax cut.

Mr. Speaker, this tax cut is not the kind of tough choice that this deficit cries out for. It is not disciplined.

And it is plain bad economics.

Make no mistake: with this poorly times tax cut, the House is ready to repeat age-old Washington mistake of borrowing from our children to pay for what is popular right now.

I urge my colleagues to reject this costly and fiscally irresponsible proposal.

AN ODE ON TAX RELIEF

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

Mrs. MYRICK. Mr. Speaker, as we debate tax relief this week—I would like Members to consider the message of

this poem—sent to me by a constituent:

Tax his cow, tax his goat
Tax his pants, tax his coat,
Tax his crops, tax his work,
Tax his tie, tax his shirt,
Tax his chew, tax his smoke;
Teach him taxes are no joke.
Tax his oil, tax his gas,
Tax his notes, tax his cash;
Tax him good and let him know—
After taxes he has no dough.
If he hollers, tax him more
Tax him 'til he's good and sore.
Tax his coffin, tax his grave,
Tax the sod in which he lays.
Put these words upon his tomb;
"Taxes drove me to my doom."
And after he's gone he can't relax;
They'll still be after inheritance tax!

FEDERAL WORKERS UNDER ATTACK BY TERMS OF PENDING TAX BILL

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

Mr. MORAN. Mr. Speaker, the most egregious, unfair aspect of the tax bill that will come before us deals with the people who process our Social Security tax, who patrol our borders, who operate the Federal Bureau of Investigation, and who in fact do so many services that we take for granted—the Federal employees, a quarter of a million of whom have been cut, requiring those left to perform much more difficult work.

But the most egregious aspect of this is that we are going to take $12 billion from their retirement plan, which means that the average Federal employee will pay $760 more per year in taxes in order to provide a tax cut for the average American of $124. I want to repeat this. The average Federal employee will pay $760 more in taxes to provide a tax cut of $124 for the average American. And these are employees who were guaranteed 8 years ago that their retirement system would never be changed.

Mr. Speaker, this is an egregious assault not only on the integrity of the Congress but on the security of our Federal employees.

PROPOSED LEGISLATION WOULD PROVIDE EXTENSION OF GRAZING PERMITS FOR RANCHERS

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

Mr. COOLEY. Mr. Speaker, yesterday I introduced H.R. 1375, legislation that would stop the U.S. Forest Service from hurting hard-working, law-abiding ranchers that graze their herds on forest system lands.

My bill would extend Forest Service grazing permits until the Agency completes its obligations under the National Environmental Policy Act.

Half of the Forest Service's 9,000 grazing permits issued on 90 million acres of Federal land will expire by the end of 1996. Some of these permits have already expired, and ranchers—by no wrongdoing of their own—have been denied their right to graze their livestock due to bureaucratic red tape. This is a punitive action and is patently unfair.

The ranchers I know hold up their end of the bargain; they are good standards of the land, they fulfill their obligations, and they have every right to expect the Government to get its job done. They ought not be punished because our Nation's environmental laws are unreasonable and inflexible. My bill would extend their grazing permits until the Forest Service completes its NEPA documentation, so that no rancher is denied a permit because of bureaucratic delays.

□ 1200

TAX ON FEDERAL EMPLOYEES PAYING FOR TAX CUT

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

Mr. WYNN. Mr. Speaker, the debate this week is not about whether we ought to have a tax cut for the average American or for the seniors or for the hard-working folks back home. This debate is about whether we ought to give most of the tax break to the wealthiest people in America who make up to $200,000 a year. I say no.

To raise the money for this tax break, the Republicans have once again gone after the middle class, this time in the form of Federal employees who only make an average of $30,000 a year. They raised $12 billion by raising the pension contribution of Federal employees by 2.5 percent, which means that the average Federal employee making $30,000 will have to pay $750 in new taxes, because that is what it is, a tax on Federal employees.

So let me see if I have got this straight. In order to get a tax deduction of $500 per child, the Federal employee under the Republican plan will have to pay $750. I do not think that makes good sense.

Mr. Speaker, this debate is not about a tax break for the folks back home; this debate is about whether we ought to give a tax break to the wealthiest.

TIME FOR TAX RELIEF AND DEFICIT DEDUCTION

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

Mr. ENSIGN. Mr. Speaker, for weeks our colleagues from the other side of the aisle have accused Republicans of coddling the rich with tax cuts while ignoring the deficit. It is time for the truth to be heard. H.R. 1215 will not only provide badly needed tax relief for middle class American families and incentives for economic growth, but will provide the first down payment on our goal for balancing the budget by the year 2002.

This bill provides a $500 per child tax credit to America's families. The need for this is obvious. In 1950, $1 out of every $50 the American family earned went to the Federal Government. Now the average family of four sends $1 out of every $4 to Washington. It is time for the Federal Government to take its hands out of the wallets of American families and let Americans spend the money they earn.

H.R. 1215 not only provides essential tax relief for American families; it also provides $62 billion more in deficit reduction over 5 years than the President offered in his fiscal year 1996 budget. It is time for deficit reduction and tax relief for the hard-working taxpayers of America.

BUSINESS AS USUAL

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

Ms. WATERS. Mr. Speaker, shame, shame, shame. Remember the debate about the FCC rule that allowed major broadcasting first to sell their firms to minorities and women in exchange for tax credits in an effort to create diversity in the media? Remember our Republican friends who screamed no to that kind of affirmative action? They claimed they were against any preferences?

Well, it is business as usual. They went into the back room and they slipped a dirty little deal in the conference report. They allowed one token minority deal, and guess who surfaces again? NEWT GINGRICH's friend, Rupert Murdock, is going to get $63 million in tax breaks. You know, the same Murdock of the $4.5 million book deal with Speaker GINGRICH?

The President must veto this dirty little deal. Let us take a clean bill to the floor to provide health insurance to the self-employed and small business persons, without giving more tax breaks to the rich. For the Republicans it is business-as-usual, cut children, babies, seniors, students, working people, but they are taking care of NEWT GINGRICH's rich friends.

THE VICTIM IS TRUTH

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

Mr. WALKER. Mr. Speaker, over the last several months we have seen an assault on the truth from the liberal Democrats so vicious, so extraordinary, so mean, that it defies description.

All I can ask my colleagues on the other side of the aisle is have you no shame? Have you no confidence in your philosophy and beliefs to let the American people know the truth? From outright lies on the School Lunch Program and the school loan program to the scandalous muckraking regarding the Committee on Ethics, Democrats have willfully disregarded honest dialog.

Republicans have not cut the School Lunch Program; everyone knows that fact. Republicans have had no plans to cut the school loan program; everybody knows that fact. Republicans are defending the middle class; everyone knows that. When it comes to the supposed secret deal regarding Rupert Murdock that was just referred to by the gentlewoman from California and some others out here today, everyone knows that that deal was done by a liberal Democrat in the other body on behalf of the Chicago Tribune. It is shameful to suggest that it has something to do with Republicans in this institution. It is in fact a liberal Democrat who did it.

Mr. Speaker, when it comes to a Democrat attack on Republican leaders and policies, there is only one victim, and that victim is the truth.

BUSINESS AS USUAL IN CONGRESS

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

Ms. LOFGREN. Mr. Speaker, I came to Congress this January 4 with the hope I could change things, but it is business as usual here in Congress. Last week on a voice vote the House passed a bill that would allow tax deductions for health insurance for the self-employed, something I support. But hidden in the conference report, unknown to me, was a very special provision that will give tens of millions of dollars in tax breaks to one very rich publisher.

There is an old saying that says to the winner goes the spoils, and if that saying is true, then Mr. Rupert Murdock, the Speaker's own publisher, made out like a bandit. While the Republican Congress has been busy cutting student loans and school lunches, Mr. Murdock's friends have been cutting him a sweet deal, to the tune of $63 million.

But the sweet deals do not end there. If you are a billionaire, then this 100 days have been better than the Twelve Days of Christmas. The Republican Santa Clauses have been busy giving away tax presents to the few dozen wealthiest people in this country. If you have the means to leave the country, renounce your citizenship, move to a mansion, you can save on U.S. taxes. Must be nice, huh? Only middle-class families have been saddled with the bill to pay for these billionaire tax breaks.

RESPONSIBILITY FOR THE DEFICIT

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

Mr. SALMON. Mr. Speaker, well, as one of my heroes once said, there you go again. I think this is all in the definition. We have heard from the Democrats that we intend to give the tax cuts to the rich. The problem is your definition of the rich is anybody that works for a living.

Mr. Speaker, we have heard a lot from the limousine liberals on the other side of the aisle about fairness. What they need to explain to us is what is so fair about the current system. The Clinton administration's own statistics show that Americans are working harder and getting less for it. Is that fair? Is this what the President meant when he talked about his comprehensive plan to get our economy moving again?

We are going to begin working this week to restore fairness to the Tax Code. We will restore $25 billion in Social Security cuts engineered by Clinton and the Democrats, make it easier to buy that first home, or put your children through college, make it easier to adopt, and encourage capital formation. And we will pay for these tax reductions by cutting wasteful and unnecessary government spending. Our philosophy is simple: The taxpayer is not responsible for the deficit; Washington is. Let us face up to it.

A MIDDLE-CLASS TAX CUT?

(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, $200,000. $200,000. $200,000. $200,000. Is that middle class? Is that the middle-class tax cut we are talking about? No, that is the Republican tax plan we are talking about. To help families who make $200,000 because they are middle class and they need a tax cut.

Well, I can tell you, you can buy a lot of hamburger helper and generic cereal if you make $200,000 a year. But we are going to pay for it. We are going to pay for some of it by going after the kids on school lunch programs. We are going to pay for some of it by going after students who get college loans. We are going to pay for most of it by sticking it on our children and our grandchildren because we are going to let the deficit grow, and this tax cut is going to explode to nearly $700 billion over the next 10 years so people in this House can go to the American people and say yeah, we do not like taxes.

I do not like takes taxes either. I hate taxes. But even worse than tax and spend politicians are borrow and spend politicians, because at least people who pay their bills now can look you in the eye and say I am not going to stick it to your son and daughter. The Republicans will.

SUPPORT H.R. 2115, THE TAX RELIEF BILL

(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, I am here to speak in favor of H.R. 1215, the tax relief bill, because of an individual named Don Bulaski from my district. I think it is important we get money back into his hands, back in the hands of Americans and out of the hands of the bureaucrats here in Washington.

Mr. Speaker, I think we need to restore the penalty on Social Security that was put on by the big government party last August in the world's largest tax increase. One way we can do that is raise the earning limits. Don Bulaski is a retired Boeing engineer and he wants to get back active in the community and participate, but he cannot take a paycheck over $940 without having his Social Security benefits penalized. Under the H.R. 1215, the tax relief bill, we would raise that earnings limit, allowing him to be more productive, to take the wisdom he has learned with 35 years of work and bring it into the community, helping other people get their job better.

How many other Americans are out there that want to contribute to this society, that want to make America better by being better, by working, by restoring the reason and wisdom that we need?

So I stand in support of H.R. 1215, the tax relief bill, Mr. Speaker.

FIFTY-THREE PERCENT OF THE REPUBLICAN TAX BREAKS IN 10 YEARS BENEFIT BIG BUSINESS, CORPORATE AMERICA

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

Mr. VENTO. Mr. Speaker, who gets the benefits in the tax bill? Well, in 10 years 53 percent of the benefit goes to big business and corporate America. The Republicans under the guise of rhetoric say its for the American family, the working family, in 10 years over half of benefits are going back to corporate America. This constitutes the shift of tax liability.

Thirty years ago corporations paid nearly 25 percent of the total tax bill in this country. Today they pay less than half that amount. And with this Republican bill, with the next $638 million in tax breaks over 10 years, will provide big business with 53 percent more of the tax cuts in H.R. 1215, the GOP tax

bill. The tax bill before the House this week will shift the taxes to the middle income and poorest families in America. This is why people are angry. That is why they are mad as hell and are not going to take it anymore. And under the rhetoric to protect families the GOP, have been force feeding legislation through this session which takes away the ability of working families to help themselves and to get benefits when they are down and out and transferring tax breaks to the big corporations. And, to top it off, the lions share of the individual tax breaks go to the wealthy.

Who is responsible for Rupert Murdoch last week? I do not know, candidly. But I can tell you who is responsible for what is happening this week, and that is the radical Republican majority in this House.

THIS IS THE WEEK FOR ADDRESSING TAX INEQUITIES

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

Mr. ALLARD. Mr. Speaker, we are going to hear a lot from the limousine liberals on the Democrat side of the aisle this week about fairness.

Well, let me ask them a few questions.

Is it fair to penalize senior citizens who want to remain productive?

Is it fair to working Americans that the cost of capital in the United States is so much higher than in the rest of the industrialized world?

Is it fair that married couples are penalized just because they are married?

There is nothing fair about the current tax system. It penalizes work, saving, and investment. But this week we begin the job of restoring fairness to our tax system. We will start by restoring the $25 billion in Social Security cuts engineered by the Clinton White House and the old Democratic Congress. I think it is important to note that these cuts did not have the support of one Republican Member in either Chamber.

America's seniors should not be asked to pay higher taxes to solve a problem that was made in Washington. We will fix that this week.

TAX CUTS TO BENEFIT RICH

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

Mr. WATT of North Carolina. Mr. Speaker, this morning's paper reported that the Republicans have reached a deal on the tax cut package. Well, the public had better beware, because this tax cut package has two major problems. No. 1, they have told us all of this time that the most important thing in life is cutting the deficit. But what are we doing? Instead of using this money to cut the deficit, we are cutting taxes instead.

No. 2, we are doing it on the backs of poor people. The poor person, the $20,000 to $30,000 per year person, the $30,000 to $50,000 per year person, will get little benefit from this tax cut. The person earning over $200,000 a year in income will get $11,266 in tax cuts. Nothing for the American people who need it.

This is trickle down economics again. We ought to reject it out of hand.

MORE AND BETTER JOBS NEEDED

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

Mr. SMITH of Michigan. Mr. Speaker, what I think we need to talk about is what do we do to expand more and better jobs in this country? I think we need to realize that almost every piece of legislation is a transfer of wealth, and especially appropriation bills and taxes. We have increased taxes and regulations so much on business that they are now looking to other countries for more favorable ways to raise money.

I brought this chart out just to show what has been happening in our discouragement of business expansion in this country.

□ 1215

Maximum capital gains tax rate; in the United States, it is 28 percent; France, 18 percent, exempt in Germany; Canada, 23 percent; Japan, 20 percent; the U.K. is 40 percent, but they exempt the first 5,500 pounds.

Now, with that kind of tax, we are discouraging businesses from buying the machinery and equipment and facilities that are going to increase our productivity. Our productivity is not increasing at the rate of other countries.

Mr. Speaker, I think it is important we support this tax bill.

WHOSE SIDE ARE THE REPUBLICANS ON ANYWAY?

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

Mr. EDWARDS. Mr. Speaker, when Republicans promised welfare reform, who would have guessed that would mean a $63 million special tax break for billionaire Rupert Murdoch? When Republicans promised immigration reform, who would have guessed that they would mean billionaires should be able to avoid hundreds of millions of dollars in taxes they owe by simply renouncing their U.S. citizenship?

When Republicans promised to reorder American priorities, who would have guessed that would mean Republicans would vote to protect Star Wars but not to protect Social Security?

When Republicans promised middle-class tax cuts, who would have guessed that meant people making over $200,000 a year would enjoy an $11,000 a year tax bonus?

Mr. Speaker, I am for changing government. I am for less government and lower deficits and common sense in our laws. But I think the American people are beginning to ask just whose side are the Republicans on?

DEMOCRATS DESPERATELY DEMAGOG

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

Mr. RIGGS. Mr. Speaker, one more time, let us see if we can get this right. The tax break inserted in the bill was at the request of a Democratic Member of the other body.

Listening to my colleagues this morning on the other side of the aisle reminds me of a saying I once heard, desperate people will demagog anything.

You see the Democrats would like us to believe that our tax relief bill is taking money from the poor to give it to the rich. Let me ask my Democratic colleagues, do you think all senior citizens are rich? You must think so because that is one group of people who definitely benefit from our bill. We are repealing the unfair tax increase that you imposed on the backs of senior citizens in August 1993.

You surely remember that. This is the tax increase that considers all seniors receiving Social Security benefits and making $34,000 or more a year wealthy. We are also lifting the Social Security earnings limitation so that seniors who want to work outside the home past the age of 65 are not unfairly penalized if they earn over $11,000 a year.

Mr. Speaker, it is wrong to raise taxes on middle income seniors who live on fixed incomes and it is wrong to target working seniors.

I ask my Democratic colleagues to help us in passing the tax relief bill.

A CALL FOR OUTSIDE COUNSEL

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

Ms. MCKINNEY. Mr. Speaker, it appears my colleague from the Sixth District of Georgia has set a new global standard in blatant, unabashed audacity. One would think that after the controversy over his $4.5 million book deal with Rupert Murdoch, he would have made an effort to distance himself from the British billionaire.

But no, not this speaker. While slashing heating assistance for the elderly poor, he and his confederate colleagues

conspired to protect a $63 million tax break specifically for Rupert Murdoch.

No one knew about this grand heist until after it was slipped in during the conference committee. Mr. speaker, when my colleague delivered his opening day speech after accepting the gavel he said, and I quote, "here America comes to work and here we are preparing for those children a better future." End of quote. I didn't realize that by children he meant Rupert Murdoch. Mr. Speaker, now more than ever, it is time for an outside counsel.

ON NATIONAL SECURITY

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

Mr. HUNTER. Mr. Speaker, I might just say to the gentlewoman who just spoke that my understanding is that this special tax break that the Democrats are complaining about was slipped in by a Democrat. So I think that is where the investigation would lead.

Let us get back to something that is very important to this country. These are two models of what is known as "brilliant eyes." That is important to everybody who is concerned about national security. That means that if Saddam Hussein launched a missile on our troops in theater in the Middle East, these systems could pick up that launched missile, could relay the information back to either an American ship or American theater antimissile forces and they could launch a missile like we launched the Patriots against the Scuds that occurred in desert Storm. They could launch a missile at the incoming ballistic missile and knock it out of the sky before it damaged American troops or American equipment.

These are on display in 2118 Rayburn. We have an SDI exhibit on display today. I would urge all Members to come down and look at the emerging technology we are building for missile defense.

THE NATIONAL DEBT

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

Mr. TAYLOR of Mississippi. Mr. Speaker, by the clock on the wall, it is 20 minutes after 12. By 30 minutes after 12 this Nation will have spent another $5 million on interest on the national debt. Because of the national debt, we are spending $1 million every 2 minutes just to pay the interest. That is not the principal; that is just the interest.

That is why I want to compliment my Republican colleagues on passing some much-needed cuts. They were not the cuts I would have made, but they were necessary because we have to reduce spending.

Let me criticize them for not taking those savings and applying it toward our annual operating deficits but instead to give a tax break to millionaires.

This Nation will still spend about $200 billion more than it collects in taxes this year. That means the debt goes up and that means the interest on that, for those of you who are wondering where your tax money goes, the biggest portion of the money that you pay in taxes goes to pay interest on the national debt, does not pave an inch of highway, does not buy one round for one M-16, does not educate a child.

It goes to some rich lending institution and the chances are one out of three that that money goes to a German or a Japanese lending institution because they are the ones who control our debt.

A TRIBUTE TO HIS MAJESTY, KING BHUMIBOL ADULYADEJ—KING RAMA IX—OF THAILAND

(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 rise today to express the deep-felt concern by many Members of Congress over the health of the king of Thailand, King Rama IX and the enormous sense of relief we all felt on hearing the news that the king's health is improving. A 50-year reign for a king this good is too short.

As a member of the Committee on International Relations of the House of Representatives, I would like to pass along to the king the committee's best wishes for a speedy and a complete recovery.

In the last decades, Thailand has been an island of tranquility compared to the strife and war that has visited its neighbors. His majesty's wisdom has been key to Thailand's ability to avoid such dangers and cataclysms.

The king is a blessing to Thailand and, yes, to the whole world.

Once again, I, my colleagues and my fellow Americans wish him and his family greetings and good health from his friends in the United States of America.

As their new year approaches, we would like to wish a happy new year to the king and all the people of Thailand.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

TRUTH IN LENDING CLASS ACTION RELIEF ACT OF 1995

Mrs. ROUKEMA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1380) to provide a moratorium on certain class action lawsuits relating to the Truth in Lending Act.

The Clerk read as follows:

H.R. 1380

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 "Truth in Lending Class Action Relief Act of 1995".

SEC. 2. MORATORIUM.

Section 130 of the Truth in Lending Act (15 U.S.C. 1640) is amended by adding at the end the following new subsection:

"(i) CLASS ACTION MORATORIUM.—

"(1) IN GENERAL.—During the period beginning on the date of the enactment of the Truth in Lending Class Action Relief Act of 1995 and ending on October 1, 1995, no court may enter any order certifying any class in any action under this title—

"(A) which is brought in connection with any credit transaction not under an open end credit plan which is secured by a first lien on real property or a dwelling and constitutes a refinancing or consolidation of an existing extension of credit; and

"(B) which is based on the alleged failure of a creditor—

"(i) to include a charge actually incurred (in connection with the transaction) in the finance charge disclosed pursuant to section 128;

"(ii) to properly make any other disclosure required under section 128 as a result of the failure described in clause (i); or

"(iii) to provide proper notice of rescission rights under section 125(a) due to the selection by the creditor of the incorrect form from among the model forms prescribed by the Board or from among forms based on such model forms.

"(2) EXCEPTIONS FOR CERTAIN ALLEGED VIOLATIONS.—Paragraph (1) shall not apply with respect to any action—

"(A) described in clause (i) or (ii) of paragraph (1)(B), if the amount disclosed as the finance charge results in an annual percentage rate that exceeds the tolerance provided in section 107(c); or

"(B) described in paragraph (1)(B)(iii), if—

"(i) no notice relating to rescission rights under section 125(a) was provided in any form; or

"(ii) proper notice was not provided for any reason other than the reason described in such paragraph.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey [Mrs. ROUKEMA] will be recognized for 20 minutes, and the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from New Jersey [Mrs. ROUKEMA].

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

Mr. Speaker, the Truth in Lending Act generally requires lenders to disclose credit terms to borrowers in a

manner that allows borrowers to compare between lenders.

One of the remedies available under the Truth in Lending Act for refinance and second mortgage loans is the ability to rescind the loan up to 3 years. The Truth in Lending Act has been interpreted by the courts to allow borrowers to seek rescission for minor discrepancies, as little as $10, in the required disclosures.

If a mortgage is rescinded, the lender must reimburse all fees and costs to the borrower, including all interest paid for up to 3 years and must release the mortgage lien, leaving the lender with an unsecured loan.

In March 1994, the Circuit Court of Appeals for the 11th Circuit in Rodash versus AIB Mortgage Co. allowed a borrower to rescind a mortgage based on a technical violation of the disclosure and notice requirements provided for in the Truth in Lending Act.

As a result of the Rodash decision, nearly 50 class action lawsuits have been filed and in virtually all of the cases, the remedy sought is rescission. We have seen newspaper advertisements seeking plaintiffs for further class action. These ads are placed by class action attorneys and simply state if you have refinanced your mortgage in the last 3 years, you may be eligible to have your mortgage rescinded.

Mr. Speaker, I will include at the end of my statement reprints of representative newspaper advertisements.

If the courts were to permit borrowers to rescind loans as part of a class action lawsuit, based on technical disclosure and notice violations, the potential disruption to the secondary mortgage market and the liability that lenders face as well as the impact on safety and soundness of lending institutions may be enormous. For example, since 1991, 11.8 million loans totaling $1.3 trillion have been refinanced. The estimated potential cost of rescinding these loans is approximately $217 billion.

This amendment establishes a temporary moratorium that begins on the date of enactment of the Truth in Lending Class Action Relief Act of 1995 and ends on October 1, 1995 on class action lawsuits filed under the Truth in Lending Act for certain loans secured by real estate. Other types of consumer lending will be unaffected.

Last Congress, the House passed by voice vote a bill, H.R. 5178, that included legislative language to address the problem created by the Rodash decision. That language included a cut off date for new class actions. H.R. 5178, however, was never considered by the Senate and died at the end of the last Congress.

This temporary moratorium will allow Congress sufficient time to deal with the underlying issues in the Rodash case while putting a temporary halt to the certification of class action lawsuits.

This amendment is narrowly focused on the potential abuse of the right of rescission in the Truth in Lending Act. It does not prevent individual consumers from bringing suit under the Truth in Lending Act. It only prevents class action certifications for suits under the Truth in Lending Act for certain loans secured by real estate.

We are currently working closely with the other body to resolve this problem. We believe that they plan to take up the class action moratorium as soon as practicable.

I am pleased to inform my colleagues of the broad bipartisan support this moratorium enjoys.

This moratorium also enjoys broad support from the industry groups, that is, Mortgage Bankers Association, National Consumer Loan Center and others.

COLLECT MONEY BACK FROM YOUR LENDER

If you have borrowed on your home in the last few years, you may be able to rescind the loan and get your interest payments back. Create equity in your home whether you are current or facing foreclosure.

Call Atty. Cook now for free information: 407-744-1663, Jupiter; 1-800-741-6663, Boca/Delray.

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Two examples in Palm Beach County:

Court reduces $276,000 residential mortgage to only $64,702.45.

Judge voids mortgage and orders lender to return over $28,000 to borrower.

To learn if you can recover money from your lender, call: Atty. Stephen Cook.

DO YOU WANT YOUR MONEY BACK?

Have you refinanced your residential mortgage or borrowed on your home? Under Federal Laws you may be entitled to recover money back from your lender.

This could be thousands of dollars in payment to you or increased equity in your home.

Free consultation to determine if you may be entitled to recover money under Federal Laws.

Call Atty. Stephen Cook.

EDWARD K. O'BRIEN, P.C.

ATTORNEY AT LAW

Needham, MA

We are consumer lawyers. We have recovered millions of dollars for mortgage borrowers like you.

We are writing to homeowners who refinanced in the past year with certain lenders. (We get our mailing list from public deeds records).

If you were charged fees for overnight mail (E.G., Federal Express, Express Mail, etc.) or if you were charged fees for couriers, or any other delivery fees, you are probably entitled to money damages under the Federal Truth-in-Lending Act.

Please phone us—with the loan papers in front of you—and we will let you know your rights under the Federal Truth in Lending Act. (617-449-9111—collect—or mail us the sheet showing the closing costs: or fax it to 617-449-4383, 24 hours.

No obligation: You pay us no fees or costs for this phone call. If we find violations and if you want us to represent you—even then you will not pay us fees except out of any recovery we get back for you.

We are now seeking consumers who make payments to:

Sears (PNC) Margaretten Plaza Home Huntington GMAC, Mellon Citicorp Chemical Independence One.

ADVERTISEMENT

Since we may agree to represent you, lawyers' ethics rules require us to disclose this letter is an "advertisement."

□ 1230

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

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

Mr. Speaker, I rise, of course, in support of this legislation that was the product of negotiations of several members of the Committee on Banking and Financial Services to address the results of the 11th Circuit Court decision on the case simply known as the Rodash case, Rodash versus AIB Mortgage Co.

The chairwoman, the gentlewoman from New Jersey [Mrs. ROUKEMA] has well described the purposes and problem this legislation addresses. It is a 6-month moratorium which has bipartisan support and the support of the consumer and industry groups because the measure accomplishes its goal.

The bill provides, as I said, temporary relief for the mortgage industry as a whole from the potential ramifications of certain class action suits filed under the Truth In Lending Act. It is a reasonable solution for the timeframe in which we are working today, and Republican and Democrat members of the Committee on Banking and Financial Services worked cooperatively in achieving this temporary legislative solution.

The legislation is responding to an emergency of sorts, because of the number of class action suits, nearly 50, that have been filed because of technical violations of disclosure requirements provided in the Truth In Lending Act. The sheer volume of refinancing of home mortgages that has occurred in the last few years gives rise to a great potential for many more of this type of suit. Allowing for the emergency nature of the problems presented will, of course, with the expectation that we will work cooperatively in terms of resolving the deficiencies of the Truth In Lending Act.

For the record, of course, I want to note to our chairman, the gentleman from Iowa [Mr. LEACH], and the chairwoman of the subcommittee, the gentlewoman from New Jersey [Mrs. ROUKEMA], that it is my hope that we will proceed with the deliberations of modifying the Truth In Lending Act in an orderly manner with regular and full hearings, and trying to deal with the intricacies of what is fundamentally a fairly complex law.

We need to have that careful deliberation so that we can retain the essence of truth in lending, and deal with

the streamlining and the avoidance of the types of problems that have been evidenced by this legislation and by the events of the last few years. Hopefully this 6 months will give us the time. I ask my colleagues' support for it.

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

Mrs. ROUKEMA. Mr. Speaker, I yield 2 minutes to our colleague, the gentleman from Michigan [Mr. CHRYSLER], a member of the Committee on Banking and Financial Services.

Mr. CHRYSLER. Obviously, Mr. Speaker, when people borrow money they are expected to pay it back. Certainly when lawyers start lining their pockets based on technicalities to keep people from having to pay those funds back, then it is time for the Congress to come forward.

I am glad the last Congress came forward, and I am glad we have good bipartisan support to make this change in this Rodash law, to make sure that the banks and the mortgage companies that have made mortgages over the past few years are not penalized unfairly over these kinds of technicalities.

I just rise in support of this legislation, and appreciate the gentlewoman from New Jersey bringing it forward and having this hearing.

Mr. GONZALEZ. Mr. Speaker, I rise in support of this bill because it is a reasonable response to a situation that exposes lenders and the secondary mortgage market to great uncertainty and potentially exploding liability. I also endorse this approach because it will not impede individuals from seeking relief under the Truth in Lending Act. I applaud the efforts here today because they provide temporary, stop gap relief to the industry, and afford the Congress an opportunity to shape long term reform in a more deliberate and reasoned manner.

The bill originally introduced to address this so-called emergency situation would have seriously eroded key consumer protections in the Truth in Lending Act. It would have eliminated the consumer's right to rescind a mortgage that had been refinanced. It would have limited the consumer's recourse against the secondary market when the lender is long gone. It would have permitted lenders to provide faulty loan disclosures. All this, without a hearing on the subject. All this, in response to a number of class actions that have been filed but have yet to be decided in a single instant.

If Congress intends to modernize truth in lending, we need thorough hearings on the issues. If we are to reduce burdens on the industry, we must not simply shift those burdens onto the consumer. Truth in lending must always ensure that lenders give consumers complete, accurate, and uniform disclosures about the terms of their loans and their credit cards. And the Truth in Lending Act must contain sufficient penalties to ensure that these disclosures are made.

With these considerations in mind, I look forward to working with my colleagues on the other side of the aisle to modernize truth in lending—to make it a more meaningful act for consumers and a less burdensome law for the industry.

Mrs. ROUKEMA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH], a member of the Committee on Banking and Financial Services.

Mr. ROTH. Mr. Speaker, I thank the gentlewoman for yielding time to me, and I want to thank her for bringing up this legislation, and for the excellent job she is doing as chairperson of that committee.

Mr. Speaker, this is a very important piece of legislation if we are concerned about our home buyers. I think all of us are. It is another example where we have too much government.

Here is the Truth in Lending Act that passed in 1968, and the gentlewomen from New Jersey I think very well explained the problem here. Here we have a court coming in and saying "Well, you can have rescission."

In other words, if you come to the court in a class action suit, the lender has to give you back your fees and your interest, up to 3 years. Then we have lawyers out there advertising. In other words, they are looking for complainants, saying, "Hey, if you want some extra dollars, here is a legal rip-off. Come on in and we will help you."

I think it shows what happens when there are no ethics left in a society, when there is no sense of right and wrong. We should not even have a piece of legislation like this.

However, the rescission under this statute means that the lender must reimburse, let me repeat that, all fees and costs of the borrower, including all interest paid up to 3 years, and must release the mortgage lien. The result leaves the lender with an uninsured loan.

Therefore, without this moratorium, consumers are going to find sources for these kinds of mortgages drying up very quickly. It should be emphasized that this moratorium can only be on a class action suit. That means that the individual consumer can still file suit under remedies prescribed by the Truth In Lending Act.

The Truth In Lending Act, let us have some courage in this House, it is a joke. I have worked in the real estate industry. When you come to a closing, no one reads them. Do Members know how it works? The banker says "Here, sign this." The client says to his broker "Is it okay?" "Sure. Go ahead and sign it." The banker has not read it, the broker has not read it, and certainly the person buying the home has not read it.

It is another example of too much government. That is why the people are so upset with government today. There is no common sense left. Let us at least pass this legislation and give us time to get back on the right track again, and bring some common sense back into this area of the law again.

Mr. VENTO. Mr. Speaker, I yield myself 1 minute.

Obviously, there have been problems developing with regard to the abuse of the provisions of law that have a great problem and pause to an important segment of our industry in terms of financing and the orderly process and proceeding with that. I think it is also very evident that truth in lending is an enormously important legislation to inform the consumer and to provide for reputable lenders the opportunity to share information so there is a good understanding in terms of going forward with mortgages.

I think, obviously, when a problem exists here, there is an enormous need to have solid information in terms of making decisions on the part of the consumer and on the part of the finance industry. We want to make certain that we are trying to respond to what clearly has been a demonstrated problem, but I hope that when we get ready to legislate we remember the essence of trying to maintain a proper balance in terms of consumer rights and the importance of that with regard to this matter.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. ROUKEMA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Jersey [Mrs. ROUKEMA] that the House suspend the rules and pass the bill, H.R. 1380.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SEXUAL CRIMES AGAINST CHILDREN PREVENTION ACT OF 1995

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1240) to combat crime by enhancing the penalties for certain sexual crimes against children, as amended.

The Clerk read as follows:

H.R. 1240

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 "Sexual Crimes Against Children Prevention Act of 1995".

SEC. 2. INCREASED PENALTIES FOR CERTAIN CONDUCT IN SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level for offenses under section 2251 or 2252 of title 18, United States Code, by at least 2 levels.

SEC. 3. INCREASED PENALTIES FOR USE OF COMPUTERS IN SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines with respect to an offense under—

(1) section 2251(c)(1)(A); or

(2) any of paragraphs (1) through (3) of section 2252(a);

of title 18, United States Code, to increase the offense level by at least 2 levels if a computer was used to transmit the notice or advertisement to the intended recipient or to transport or ship the visual depiction.

SEC. 4. INCREASED PENALTIES FOR TRANSPORTATION OF CHILDREN WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level for an offense under section 2423(a) of title 18, United States Code, by at least 3 levels.

SEC. 5. TECHNICAL CORRECTION.

Section 2423(b) of title 18, United States Code, is amended by striking "2245" and inserting "2246".

SEC. 6. REPORT BY THE UNITED STATES SENTENCING COMMISSION.

Not later than 180 days after the date of the enactment of this Act, the United States Sentencing Commission shall submit a report to Congress concerning offenses involving child pornography and other sexual crimes against children. In this report the Commission shall include—

(1) an analysis of the sentences imposed for offenses under sections 2251, 2252, and 2423 of title 18, United States Code, and recommendations as to any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

(2) an analysis of the sentences imposed for offenses under sections 2241, 2242, 2243, and 2244 of title 18, United States Code, where the victim was under the age of 18 years, and recommendations as to any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

(3) an analysis of the type of substantial assistance that courts have recognized as warranting a downward departure from the sentencing guidelines relating to offenses under section 2251 or 2252 of title 18, United States Code;

(4) a survey of the recidivism rate for offenders convicted of committing sexual crimes against children, an analysis of the impact on recidivism of sexual abuse treatment provided during or after incarceration or both, and an analysis of whether increased penalties would reduce recidivism for these crimes; and

(5) such other recommendations with respect to the offenses described in this section as the Commission deems appropriate.

The CHAIRMAN. Pursuant to the rule, the gentleman from New Mexico [Mr. SCHIFF] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SCHIFF].

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

Mr. Speaker, child pornography and child exploitation are two of the most horrendous and repulsive crimes that can possibly exist. They have every potential not only of causing immediate damage to the victims who are forced or lured into those activities, but they can ruin a young person's life virtually at the time it has begun.

That is the reason why the Committee on the Judiciary has brought forth H.R. 1240, the Sexual Crimes Against Children Prevention Act here today, and why I move to suspend the rules and to adopt it.

I want to add, Mr. Speaker, that this bill was drafted by our colleague, the gentleman from Florida [Mr. MCCOLLUM], who because of a scheduling conflict is unable to be on the House floor at this time.

This bill toughens the penalties for sexual exploitation of children by directing the U.S. Sentencing Commission to increase sentencing guidelines for crimes involving child pornography and prostitution.

It increases by a minimum of 17 months' incarceration the range of penalties that may be imposed for creating child pornography. It increases by a minimum of 6 months incarceration the penalties that may be imposed for trafficking child pornography. It increases by a minimum of 1 year incarceration the penalties that may be imposed for trafficking in child pornography if a computer was used in the transmission of the material or transmission of an advertisement for the material.

Mr. Speaker, I want to say on that point that we have found that as the use of computers and the use of electronic communications increase for people in business and for personal use, it has, unfortunately, also increased for criminal use, including the sale of pornographic materials and for the sale of prostitution of children.

Finally, in this respect, the bill increases by a minimum of 1 year incarceration the penalties that may be imposed for the interstate transportation of a minor for the purposes of causing the minor to engage in prostitution, or a criminal sexual act.

Mr. Speaker, the bill also directs the U.S. Sentencing Commission to report to Congress on sex crimes against children and to make proposals to curb such activities for consideration by a future Congress.

Mr. Speaker, I want to note that the bill that is currently on the desk, and the Members have before them in this suspension, has been amended since the Committee on the Judiciary bill was voted out of committee. The amendment removes a reference to the Racketeer Influence and Corrupt Organizations Act that was in the bill at the time it did pass the Committee on the Judiciary.

That was removed because some Members on the other side felt that was an issue, that was the RICO statute, that was an issue that should not be before the House on suspension; that if that statute were to be considered, it should be considered under a rule allowing for certain amendments, so in accommodation to that request, we have amended the bill and removed that provision from the bill as it stands now.

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

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

Mr. Speaker, I rise in support of the measure, H.R. 1240, which would direct the U.S. Sentencing Commission to increase penalties for child obscenity violations. This bill does not modify the statutory maximum penalties for these crimes, nor does it create mandatory minimum penalties.

It directs the Sentencing Commission, created by the Congress in 1984, to serve as an independent entity within the judicial branch to increase the offense levels for certain crimes involving child obscenity. I want to congratulate the Members of the other side, particularly the chairman of the Committee on the Judiciary, in working with us to resolve a troubling criminal RICO provision in the bill through a manager's amendment, so that we were able to make this a truly bipartisan measure.

RICO would have weighed down and complicated this measure beyond the ability to get the support of some of the Members on this side, had that compromise not been worked out. Finally, Mr. Speaker, I want to point out that while the Republican majority is giving back what it took away from the fight on child pornography and abuse just 3 weeks ago during so-called commonsense reform, that bill wiped off the books statutes providing for unlimited punitive damages for sexual abuse against children. It was one of the many unforeseen consequences that the House-passed legal reform bill wrought, in the speed that it has hastily passed through both the committee and the House.

Therefore, today it is my view that we are back on track in the fight against child sexual abuse. This is an important improvement, and I urge Members of this body to support the measure.

□ 1245

Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK], who has worked a great deal on the measure.

Mr. FRANK of Massachusetts. I thank the ranking Member for yielding me the time.

Mr. Speaker, I want to express my appreciation to the chairman of the full committee and to the manager of the bill.

The gentleman from New Mexico has explained the amendment, and I appreciate that.

I was the one who offered at the committee level the amendment that would strike the RICO provision dealing with obscenity on cable television. I was unhappy to learn that this was going to be done on suspension, and

when I raised the issue with the chairman of the full committee, the gentleman from Illinois, he was very gracious and very fair, and I appreciate it, in leaving that part out of the bill.

So we have a bill now that deals just with improving our ability to deter and punish, if deterrence fails, the abuse and exploitation of children. It is a very worthy goal which I assume will be unanimously supported, and I want to express my appreciation to the majority for accommodating my concern.

I have some very strenuous objections to the RICO extension to the cable TV situation. As I said in committee, I was particularly surprised, that I thought that I shared with many of my friends on the other side a deep skepticism about RICO, and it therefore seemed to me odd that we would be extending it at this point.

In particular, we are dealing here with some consensual decisions by people to turn on their own television sets, but we can let those arguments go until a later time, if ever. If the bill never comes up, I would not be too upset; but it is not here.

My main purpose today was to express my appreciation for the fairness that the majority showed, particularly the gentleman from Illinois.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I certainly will support this bill because it does something, although not very much, and I did want to express my concern and distress at the very limited and minimal nature of this bill.

There is a lot I have not agreed with in the so-called Contract With America, but one of the things I was looking forward to working on with the Members on the other side was to enhance substantially penalties for child pornographers and those who would prey on vulnerable, innocent children. Regrettably, that did not happen.

This bill was introduced in the afternoon of March 15, and we held our hearing at 9:30 a.m. the next day, March 16. When I looked at the bill, I saw that there is a 17-month increase for the creation of child pornography up to—and it is not even an increase, it is a recommendation, big deal—70 months for creation of child pornography is a recommended sentence? I think that is woefully inadequate.

I would point out that even now with the already limited sentences recommended by the Sentencing Commission, more than 25 percent of the time those wimpy penalty are not imposed.

When I offered an amendment in the full committee for life imprisonment for those who would create child pornography, who would abuse children, that amendment was ruled not germane and properly so. The reason why it was not germane was that we did not take time to write a bill that would really go after those who would abuse children.

We need to take a look at the underlying statute, not just advisory recommendations by the Sentencing Commission. I know that there are plenty of people in California doing longer periods of time for very minor offenses. When we compare those sentences to these recommendations it is an embarrassment to me to say that this is the best we can do.

I have a great deal of regard for the gentleman from New Mexico [Mr. SCHIFF] and the gentleman from Florida [Mr. MCCOLLUM] with whom I have worked. We do not agree on everything, but they are fair and reasonable people.

I understand they are under a deadline. They have been given deadlines. The gentleman from Illinois [Mr. HYDE] indicated that he had been given a deadline to get this matter to the floor. They did what they had to do. The result will be our Speaker coming down with a laminated copy of the Contract With America, taking a hole puncher, but it is not going to help the vulnerable children of this country. It is not anything worth doing. It is a grave disappointment to me.

A lot of people ask whether punishment is actually a deterrent when it comes to crime. I think legitimate questions can be asked about that. But when it comes to child pornography, a lucrative business that rewards people who would abuse children, who would force them to do sexual acts on video, it is a lucrative business. If the abusers of children for money knew that they faced life imprisonment, I think it would have a salutary impact. I think it would be a deterrent to those who would harm the children of this country.

We know from studies that children who are abused have lifelong, often lifelong problems with the abuse that they underwent. There is nothing worse than to harbor and assist those who would hurt our children in this manner.

I understand and hope that we will do better later this year. I look forward to working on it later this year. But the tragedy is, this is our chance. We could have been here today We could have done something real. We could have done something tough. But instead all we have got is a little hole punch, a little phrase, and it does not mean very much.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes, to make it clear that the gentlewoman from California has made a very important point here.

There were two ways that we could have moved in this area. One is to direct the U.S. Sentencing Commission to increase penalties for child obscenity violations. The other was to go into the underlying statute of some of these antipornography laws and attempt to increase the penalties there, but we might have gotten into a wide area that would infringe on civil liberties questions and other highly technical questions, and this bill would not have come up.

What I am recommending to the committee is that we do not consider this matter ended because of what we are doing here today. This matter should and has to be revisited. I would strongly suggest that we examine ways to directly increase the statutes without getting into a tangle of other problems that would not have prevented the speedy passage of this bill.

This is one of the few bills during this first 100 days that, by moving with some dispatch, we have not offended any sensibilities or precluded anyone from participating in the method that we used here in terms of recommending that the Sentencing Commission itself increase criminal penalties.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

I just want to say very briefly, first of all in response to the gentleman from Massachusetts who did raise questions about that portion of this bill from the committee that dealt with the RICO act, that we were pleased to accommodate him so that these other provisions can move forward; and we appreciate his cooperation on the matter.

I want to point out, with respect to the gentlewoman from California, that we are here talking about the increases in penalties. The numbers I quoted were not the penalty but increases in penalties.

So, for example, the penalty for creating child pornography would go from a range of 57- to 71-month penalties to a range of 70 to 87 months. So we are increasing by that number. We are not establishing those numbers as the penalty in and of themselves.

However, I do want to join in what the gentleman from Michigan said, which is this is not the last time we can or should visit this issue. It is an extremely important issue. It is one that is occurring all too many times in our society. This is just one step. I very much want to thank the gentleman from Michigan for his support.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of H.R. 1240, the Sexual Crimes Against Children Prevention Act. I commend my colleague, the gentleman from Florida [Mr. MCCOLLUM], for his work in ensuring that important legislation is considered by the House of Representatives today.

As a staunch supporter of Federal antipornography laws, I believe that H.R. 1240 is long overdue. By directing the U.S. Sentencing Commission to increase the sentencing guidelines for crimes involving child pornography and prostitution, this legislation sends a strong message, and demonstrates

that we, as a nation, will not tolerate the sexual exploitation of our children.

H.R. 1240 directs the Sentencing Commission to increase the base levels for creating and/or trafficking in child pornography by at least two levels. Specifically, this means that for a first time offender convicted of creating child pornography, the penalties will be increased from the current sentence of 57–71 to 70–87 months. Furthermore, for a first time offender convicted of trafficking in child pornography, the sentence will be increased from 18 to 24 months to at least 24 to 30 months.

With reports of child pornography becoming increasingly prevalent, we must act now, and control the infiltration of the obscenity and filth that is destroying the fabric of our society. From mail order services to computer access, child pornographers are finding it easier to distribute their illegal materials. By instituting harsher penalties for those who are convicted of creating, selling, and/or distributing obscene materials we are confirming that the exploitation of our children will no longer be tolerated. In addition, I am optimistic that the increased sentencing guidelines will also serve as a deterant to would-be pornographers.

The Sexual Crimes Against Children Prevention Act is necessary legislation that if approved, will provide a solid victory for law abiding citizens. The Members of the 103d Congress were successful in passing legislation that reaffirms existing child pornography laws and maintains the continued prosecution of the sexual exploitation of children. The legislation we are discussing today goes a step further by detailing the guidelines for the punishment of these types of crimes. Those who violate pornography laws should be prosecuted to the fullest extent of the law.

I am proud to support this legislation, and I urge my colleagues to join me.

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

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The question is on the motion offered by the gentleman from New Mexico [Mr. SCHIFF] that the House suspend the rules and pass the bill, H.R. 1240, as amended.

The question was taken.

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 17, as follows:

[Roll No. 283]

YEAS—417

Abercrombie
Ackerman
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
de la Garza
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Johnson (SD)
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velázquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—17

Andrews
Berman
Browder
Cramer
DeLauro
Ford (TN)
Gejdenson
Gibbons
Kennelly
Kolbe
McCollum
McDade
Minge
Oxley
Reynolds
Rose
Rush

□ 1312

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROSE. Mr. Speaker, I ask that the RECORD show that I was unavoidably detained and did not make the last vote on Sexual Crimes Against Children Prevention Act. Had I been here, the vote would have been 418 to nothing.

PERSONAL EXPLANATION

Mr. MINGE. Mr. Speaker, during rollcall vote No. 283 on H.R. 1240, I was at the George Washington University Hospital with my wife who was in surgery. Had I been present I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 283.

PERSONAL EXPLANATION

Mrs. KENNELLY. Mr. Speaker, I was unavoidably detained during rollcall vote 283 because I was with constituents here for a meeting, and HUD Secretary Cisneros met with us. Had I been here, I would have voted "aye."

PERSONAL EXPLANATION

Ms. DELAURO. Mr. Speaker, on rollcall No. 283 I was unavoidably detained and could not record my vote. Had I done so, I would have voted "aye."

GENERAL LEAVE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on H.R. 1240, the bill just passed, and on H.R. 1380, the bill passed previously.

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 310

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 310.

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

There was no objection.

FAMILY PRIVACY PROTECTION ACT OF 1995

Mr. RIGGS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 125 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 125

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1271) to provide protection for family privacy. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform and Oversight. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Government Reform and Oversight now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1315

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 125 is a very simple resolution. It is an open rule providing for 1 hour of general debate. The general debate is to be equally divided between the chairman and the ranking minority member of the Committee on Government Reform and Oversight. After general debate, the bill shall be considered for amendment under the 5-minute rule. Finally, this resolution provides one motion to recommit, with or without instructions. This open rule was reported out of the Committee on Rules by voice vote.

This open rule demonstrates that the new majority intends to honor its commitment to have a more fair and open legislative process. The resolution provides the House with an opportunity to review the bill, debate it, and yes, if necessary, to amend the legislation.

The Contract With America includes a commitment to protect and strengthen the rights of families. H.R. 1271, The Family Privacy Protection Act of 1995, provides for parents' rights to supervise and choose their children's participation in any federally funded survey or questionnaire that involves intrusive questioning on sensitive issues.

This legislation responds to the concerns of many parents and guardians that certain federally funded surveys have inquired into matters that should be left to the families themselves.

The Family Privacy Protection Act, establishes a consent requirement for those conducting a survey or questionnaire funded in whole, or in part, by the Federal Government. Simply put, individuals seeking responses of minors on surveys or questionnaires must obtain parental consent before asking seven types of sensitive questions. The bill also provides five types of commonsense exceptions from this requirement.

I urge my colleagues to support the rule, and the underlying legislation.

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

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

Mr. Speaker, we support this open rule for H.R. 1271, the Family Privacy Protection Act, legislation which, as reported unanimously by the Government Reform and Oversight Committee, appeared to have no opposition. In fact, we were advised that the bill would be considered on the Suspension Calendar this week along with several other bills that enjoy widespread, bipartisan support.

For that reason, we are concerned about the way this bill happened to end up in the Rules Committee at all. Unlike most of the legislation that came out of the Contract With America, H.R. 1271 was the result of bipartisan deliberation and agreement amongst members of the Government Reform Committee and of its Subcommittee on Government Management, which is chaired by my colleague and good friend, the gentleman from California [Mr. HORN].

The hearing was held, expert witnesses representing a cross-section of organizations interested in the use of surveys testified, as did Senator GRASSLEY and as did representatives of the Census Bureau and of OMB.

In short, the subcommittee and committee consideration of this legislation was the model of the kind of careful and detailed deliberation we should expect on all the legislation we consider.

In fact, the ranking minority member of the committee convinced Democrats to not offer amendments during the consideration of the bill by the full committee. It was her understanding that a bipartisan agreement had been reached, she honored that agreement and refused to support any amendments.

Unfortunately, it appears that the reason we now have a rule for the bill, instead of considering it under suspension of the rules, is a last-minute decision by the Republican leadership not to back the committee product, which was so carefully written.

So, Mr. Speaker, while we do not oppose this open rule, we are concerned about the change in direction it represents and the fact that a good-faith agreement has not been kept. It is particularly worrisome when, as the ranking minority member, Mrs. COLLINS, told the Rules Committee yesterday, the reason for the new strategy is based on the desire to "return to concepts that were rejected by everyone at the committee meeting."

We feel confident that the ranking minority member of the subcommittee and of the full committee will be as convincing during floor debate as they were in their committee deliberations on this issue. We hope that the Members of the House will listen carefully and respond as responsibly as did the committee members themselves.

We are all, of course, interested in safeguarding the privacy rights of minors and their families, which is the objective of this bill. All of us should also be appreciative of the great care the members of the committee took to ensure that the bill actually reflects that important objective and that its provisions are in fact practicable.

Mr. Speaker, we support this open rule; we urge its passage so that we may proceed with the consideration of H.R. 1271 today.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS], the ranking minority member of the full committee.

Mrs. COLLINS of Illinois. Mr. Speaker, I, too, favor this open rule, but I

must say that I believe this bill should have been placed on the suspension calendar, having been reported by our committee, as amended, by a unanimous vote.

However, late last week, I was informed that unless the minority agreed to four changes in the bill proposed by the majority leader's staff, the bill would not be placed on the suspension calendar. Instead, it would go to the floor under a rule. The subcommittee chair, Mrs. MALONEY, and I objected to these last minute demands, so that is why we went to the Committee on Rules yesterday.

Let me briefly describe the history of this bill. Several weeks ago, Chairman CLINGER came to me and indicated that title IV of H.R. 11 was part of the Contract With America, and he wanted to pass it out of committee before the April district work period. He asked me to support the bill.

After carefully examining the bill, I concluded that the language in title IV went well beyond any rational effort to protect the privacy of minors. It appeared to me that title IV would have dangerously limited local police authority to question minors, and risked investigations of child abuse. I was also concerned that the bill could have been interpreted to limit the ability of doctors to get timely patient information on children. Moreover, since I did not know how this language would affect federally-assisted surveys, I suggested that we hold a hearing to examine the implications of the legislation. Chairman CLINGER, of course, agreed to do so.

On March 16, the Subcommittee on Government Management, Information, and Technology, chaired by Mr. HORN, held a hearing on title IV of H.R. 11. In preparation for that hearing, Mr. HORN asked a cross-section of educational, health and related professional associations to comment on the bill. In addition, he assembled two expert panels of witnesses to testify at the hearing.

Two major concerns emerged regarding title IV. First, the bill was drafted in a fashion that was more than broad. It would have hampered law enforcement efforts to protect children. This view was perhaps most clearly articulated by the Department of Justice. In a letter to Chairman HORN dated March 21, Kent Markus, Acting Assistant Attorney General, stated that the bill's proposed restrictions: "* * * will unnecessarily limit disclosure of information developed in criminal investigations of child prostitution, child sexual abuse, and child pornography, and impede the provision of child protective services."

The other major issue concerned the bill's requirement for prior written consent. Every expert witness who addressed this issue testified that requiring prior written consent would undercut the effectiveness of critical Federal, State, and local surveys.

After the subcommittee hearing, discussion commenced to determine whether a compromise was possible. Shortly after that meeting, we were presented with an amendment in the nature of a substitute by Chairman HORN and Chairman CLINGER. Although we were not involved in drafting the substitute, it did address several issues that we had concerns about, and the concerns of the witnesses.

In the spirit of compromise, Mrs. MALONEY and I accepted the Horn-Clinger bill. The bill passed out of subcommittee with two unanimously agreed upon changes. The bill was reported unanimously by the full committee.

At the full committee markup, several Democratic Members, as has been already suggested, wanted to offer amendments, and I said we have a deal here, and, therefore, I am not going to support any amendments at all.

It was not until late last Wednesday, we were informed by Chairman HORN, that and I quote: "There are four changes the majority leader's staff would like to see changed in the bill reported from the committee in order to reflect the contract language."

No Member contacted me to complain about the bill. There was no explanation offered by Chairman CLINGER to support these changes. No one came up with any new revelations to justify the return to concepts that were rejected by everyone. The only argument was that the majority leader's staff wanted the bill to more closely reflect the contract language.

The last time I looked at the House Rules, staff were prohibited, in fact, from offering amendments. The valuable time of the House will be taken up because leadership staff have decided that they do not want this delicate compromise worked out by Democratic and Republican members of the Committee on Government Reform and Oversight.

Now, after the fact, Members are trying to justify a staff decision, I think, by arguing that written consent is important to conform this bill's language to the Goals 2000: Educate America Act, which requires written consent. Mr. Speaker, H.R. 1271 has nothing to do with Goals 2000. Even with these proposed amendments, the bill will be significantly different from the Goals 2000 language. For example, this bill is limited only to surveys and questionnaires, and does not cover evaluations or analysis.

In addition, it has four major exceptions not included in the Goals 2000 Act: First, criminal investigations; second, inquiries regarding the health, safety, or welfare of a minor; third, administration of immigration, internal revenue or customs laws, and fourth, information required for participation in a program receiving financial assistance.

These changes reflect the reality that surveys and questionnaires within a school setting are different from surveys in other areas. It may be reasonable to require written consent for school-based surveys as required by Goals 2000. In that setting, it is common practice for children to carry consent forms back and forth on a daily basis. However, in other areas, obtaining written consent will be next to impossible.

As Dr. Lloyd Johnston, program director, Survey Research Center, at the University of Michigan testified:

> The representativeness of the national samples will be dramatically poorer than in the past, because many parents fail to respond in writing even though they have no objection to their children's participation.

Similarly, Mr. William Butz, Associate Director for the Bureau of the Census testified:

> Written consent would reduce response rates, increase costs, and/or increase survey bias. Requiring written consent would reduce the flexibility of statistical agencies, like the Census bureau, to collect data cost efficiently.

Moreover, as a matter of federalism, why should we dictate to State and local recipients of Federal financial assistance the type of consent they should require? If the States know best how to administer welfare benefits, they should also know best what type of consent should be required.

In conclusion, I would say that the only reason that this bill was not on the suspension calendar is because of shameful backroom politics. It points out that the leadership staff and not the committee members now control legislation in the Government Reform and Oversight Committee. This process, I believe, will destroy the bipartisanship on the committee. It saddens me that we have come to this point today.

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

Well, first of all, to the gentlewoman from Illinois, your statement about shameful back-room politics is garbage. I do not know what you are objecting to. We have an open rule. What more do you want?

If I understand the gentlewoman from Illinois, you now want a closed rule? Let me explain, as I understand it, there was no deal broken by bringing this bill to the floor so Members could offer amendments to it.

As I understand it, I know the committee worked in a bipartisan manner. No commitments were made, from what I understand, in the committee about the status of the bill when it got to the floor.

□ 1330

After they had the committee markup I spoke with the chairman of the committee who said members had

come up to him, and that was at the testimony yesterday in the Committee on Rules, that members came up to him and asked him for amendments. So the chairman of the committee then agreed that this should come to the floor instead of on suspension and be offered under an open rule. So I yield to the gentlewoman to explain, is she proposing a closed rule? What is her objection?

Mrs. COLLINS of Illinois. If the gentleman will yield further, my objection is not to the open rule. My objection is to the fact that we worked out a bipartisan piece of legislation that some staffer on the gentleman's side of the aisle did not like, and that the members on both sides of the aisle had worked out in the Government Reform and Oversight Committee has been negated. This does not make any sense to me.

First of all, if there is a deal, there is a deal, if there is going to be bipartisanship on legislation, where there can be, and if not, there is no need for us to even try. I think that is what we are all about. I thought this was a body where on both sides of the aisle we can work together on legislation for the good of the people of the United States of America.

Now if it means we are going to work and hope that we have trust and faith in each other and somebody is going to come behind a back door and create a deal, there is no need to even try to work in a bipartisan manner. I thank the gentleman for yielding.

Mr. MCINNIS. Reclaiming my time, I do not get that understanding at all. I think that when the chairman is there after the markup and members have come up to him—and there was no deal made in the committee markup about this, about coming to the floor. When members came up to the chairman and said "Look, the bill appears to be noncontroversial. We have a few amendments that appear to be noncontroversial that we would like to have on the floor." I still do not understand through all the rhetoric that I have just heard what the gentlewoman's objection is to an open rule.

Mrs. COLLINS of Illinois. As I say for the third time, I have no objection to the open rule. However, I do have objection to the implied understanding that I had that we had fashioned legislation that was acceptable to both sides of the aisle. And I find out now that that is not the case because a staff member on the gentleman's side of the aisle, not an elected Member of Congress but a staff member, has decided that a bill that had been worked out with Mr. HORN, worked out with Mrs. MALONEY, and worked out with Mr. CLINGER and myself, should be in some way changed. It does not seem to me that that is the way we should be operating around here. The staff member is not elected to Congress to represent anybody, and we are. And I think we have a responsibility to our constituents. And I think when a person tells you that we have worked out an agreement that we negotiated, that is supposed to stand. Now when I was told that there were going to be amendments, nobody showed me any amendment. Nobody said that this has been changed. I mean, I am the ranking member on the committee and I think the least that could have been done would have been if you could have said that, "Look, why don't you look at these and see if you agree with these amendments." That has not yet happened.

Mr. MCINNIS. Reclaiming my time, there was no deal that was broken. There was not any deal made.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Speaker, I thank the gentleman from Colorado for yielding this time to me.

Mr. Speaker, I apologize to the gentlewoman from Illinois for not showing her directly my amendments which I have testified about in front of the Committee on Rules and which we have discussed with committee staff. I also want to make it clear as a member of the Government Reform Committee that I am an elected Member of Congress, that I am the person who went to the leadership, to the staff of the committee and requested additional changes in the language, much of which was accommodated. But we felt that going to markup, as we progressed through the markup that it was not appropriate for me to offer any amendment at that time. I am an elected Member of Congress. I do not appreciate that I have been hearing, in "Dear Colleagues," in the Rules Committee and on the floor that it was a staff-directed request. I had a survey problem in my district as I will bring out, with my children, as I stated in the markup in committee. My staff worked hard on this. The majority staff worked hard on this. I am not taking anything away from the fact that staff members were involved. I myself was a Republican staff director in the Children and Family Committee for a while, but I am a Member elected to Congress and I am the one who initiated the process.

Mr. BEILENSON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, for point of clarity, I have here, and I will bring it over and show it to the gentleman, a note that is dated March 29, 1995:

For Representative Maloney (Fax 54709). Carolyn: There are 4 changes the majority leader's staff would like to see changed in the bill reported from the committee in order to reflect the "Contract" language. I am assured that there will be no more, and if there are, the Senate will worry about them.

And there is Mr. HORN'S signature on here.

I will bring it over right now.

Mr. BEILENSON. Mr. Speaker, we have no further requests for time on this side, and I yield back the balance of our time.

We urge support for the rule.

Mr. MCINNIS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent members.

The vote was taken by electronic device, and there were—yeas 423, nays 1, not voting 10, as follows:

[Roll No. 284]

YEAS—423

Ackerman	Burr	Dellums
Allard	Burton	Deutsch
Andrews	Buyer	Diaz-Balart
Archer	Callahan	Dickey
Armey	Calvert	Dicks
Bachus	Camp	Dingell
Baesler	Canady	Dixon
Baker (CA)	Cardin	Doggett
Baker (LA)	Castle	Dooley
Baldacci	Chabot	Doolittle
Ballenger	Chambliss	Dornan
Barcia	Chapman	Doyle
Barr	Chenoweth	Dreier
Barrett (NE)	Christensen	Duncan
Barrett (WI)	Chrysler	Dunn
Bartlett	Clay	Durbin
Barton	Clayton	Edwards
Bass	Clement	Ehlers
Bateman	Clinger	Ehrlich
Becerra	Clyburn	Emerson
Beilenson	Coble	Engel
Bentsen	Coburn	English
Bereuter	Coleman	Ensign
Bevill	Collins (GA)	Eshoo
Bilbray	Collins (IL)	Evans
Bilirakis	Collins (MI)	Everett
Bishop	Combest	Ewing
Bliley	Condit	Farr
Blute	Conyers	Fattah
Boehlert	Cooley	Fawell
Boehner	Costello	Fazio
Bonilla	Cox	Fields (LA)
Bonior	Coyne	Fields (TX)
Bono	Cramer	Filner
Borski	Crane	Flake
Boucher	Crapo	Flanagan
Brewster	Cremeans	Foglietta
Browder	Cubin	Foley
Brown (CA)	Cunningham	Forbes
Brown (FL)	Danner	Fowler
Brown (OH)	Davis	Fox
Brownback	Deal	Frank (MA)
Bryant (TN)	DeFazio	Franks (CT)
Bryant (TX)	de la Garza	Franks (NJ)
Bunn	DeLauro	Frelinghuysen
Bunning	DeLay	Frisa

Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hall (OH)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanders
Sanford
Sawyer
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Towns
Traficant
Tucker
Upton
Velázquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NAYS—1

Abercrombie

NOT VOTING—10

Berman
Ford
McCollum
McDade
Reynolds
Rush
Saxton
Torres
Torricelli
Young (FL)

□ 1355

Mrs. THURMAN, Mr. BROWN of California, and Mr. MOAKLEY changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 125 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union or the consideration of the bill, H.R. 1271.

□ 1356

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1271) to provide protection for family privacy, with Mr. KNOLLENBERG in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 30 minutes, and the gentlewoman from Illinois [Mrs. COLLINS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. CLINGER].

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

Mr. Chairman, I rise today in very strong support of H.R. 1271 which was recently reported out of the Committee on Government Reform and Oversight. This is a small, but very important, bill, I believe, that will protect and help strengthen family values. The original provision was incorporated as part of H.R. 11, the Contract With America, and very simply provides that parental consent is required for surveys or questionnaires of minors containing highly sensitive or potentially objectionable questions.

This legislation cuts to the core of our value system, Mr. Chairman, for it is the American family which is the basis of our civilization. Parents have a right to know what their children are taught and certainly have a right to know what questions may be asked of them and for what purposes those questions are asked.

Should minors be subjected to questions about their religious beliefs or sexual attitudes without parental consent? We have all heard about situations that contain what many would view as inappropriate questions for minors, but it should be left up to the parents to decide what is and is not appropriate for their own child. In some cases questions have been phrased in a manner which suggests neutrality or even tactic approval for behavior or attitudes which might contradict what the child is being taught in the home. Currently, Mr. Chairman, there are several large-scale surveys being conducted by the Department of Health and Human Services and the Bureau of Census that cover sensitive issues and for which parental consent for minors is not required.

This legislation, Mr. Chairman, is not without precedent. Similar legislation was enacted into law just last year for the Department of Education with an amendment provided by Senator GRASSLEY. H.R. 1271 simply broadens this provision to include all other Federal departments and agencies that are funding surveys or questionnaires given to minors. There are questions on these surveys that parents may and have in the past found to be objectionable. By strengthening the rights of parents, minors and their families will be protected from having to answer embarrassing or offensive questions.

□ 1400

This legislation provides that parental consent is required prior to a minor responding to such sensitive questions as parents' political beliefs, religious affiliations, sexual behaviors or attitudes, and mental or psychological problems.

In addition, a few very commonsense and, I think, needed exceptions are included. For example, exceptions are provided for protection of childrens' health and safety, inquiries related to criminal investigations, questions related to the administration of immigration, Internal Revenue, and customs laws and the seeking of information to determine eligibility for participation in a program. The legislation also provides that families will have the opportunity for advance availability of each survey or questionnaire for review prior to making the consent determination.

Our country has long recognized the rights of parents with respect to the education of their children. There is very strong feeling in this country that Government intervention has undermined that right, that very fundamental right. This legislation provides another step toward reinforcing support for the rights of families, again, the fundamental building block of our society.

So I would urge strong support of my colleagues for this legislation, and would reserve the balance of my time.

Mrs. COLLINS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1271 as it now stands unamended, is a good bill that is intended to protect the privacy of families, by requiring parental consent for

certain types of information asked of minors in federally funded surveys. Similar language was passed last year by the Goals 2000: Educate America Act for most programs administered by the Department of Education.

I believe we can all agree that parents have a vital role to play in research involving children. Standard practice for most social science research today requires some form of parental consent before interviewing minors. This bill would standardize that practice for the Federal Government.

Several technical issues were raised during the subcommittee hearing on the bill. These drafting problems could have created the unintended consequences of hampering legitimate inquiry into child abuse, and jeopardizing important areas of Federal research. I am pleased that we were able to clarify these drafting issues to everyone's satisfaction.

Mr. Chairman, H.R. 1271 was reported by our committee, as amended, by a unanimous vote. It is a good bill as it now stands, and should be supported without amendment.

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

Mr. CLINGER. Mr. Chairman, I am very pleased to yield 5 minutes to the gentleman from California [Mr. HORN], the chairman of the subcommittee that reported this bill, who has worked very long to bring us this bill today.

Mr. HORN. Mr. Chairman, I rise on behalf of H.R. 1271, the Family Privacy Protection Act of 1995. Safeguarding the privacy rights of minors and their families is an essential part of the Contract With America. Both our Subcommittee on Government Management, Information, and Technology and the Committee on Government Reform and Oversight have taken great care to ensure that the bill's language reflects that important objective.

Let me briefly summarize the bill's provision. H.R. 1271 establishes a consent requirement for those conducting a survey or questionnaire funded in whole or in part by the Federal Government. Those seeking responses of minors on surveys or questionnaires must obtain the consent of parents or guardians before asking seven types of invasive questions.

The areas of concern for which parental or guardian consent is required for minors are questions related to:

First, parental political affiliation or beliefs; second, mental or psychological problems; third, sexual behavior or attitudes; fourth, illegal, antisocial, or self-incriminating behavior; fifth, appraisals of other individuals with whom the minor has a familial relationship; sixth, relationships that are legally recognized as privileged, including those with lawyers, physicians, and members of the clergy; and seventh, religious affiliations and beliefs.

The bill also provides five types of commonsense exceptions from this requirement. They are: The seeking of information for the purpose of a criminal investigation or adjudication; any inquiry made pursuant to a good faith concern for the health, safety, or welfare of an individual minor; administration of the immigration, internal revenue or customs laws of the United States; the seeking of any information required by law to determine eligibility for participation in a program or for receiving financial assistance; and seeking information to conduct tests intended to measure academic performance.

The legislation requires that Federal agencies provide implementation procedures and ensure full compliance with the legislation. The procedures shall provide for advance availability of each survey or questionnaire for which a response from a minor is sought. The Family Privacy Protection Act does not apply to the Department of Education, because a similar provision is already contained in the General Education Provisions Act pertaining to that department. The act would become effective 90 days after enactment.

On March 16, 1995, the subcommittee held hearings on the legislation. Senator GRASSLEY was our lead witness. Other testimony came from representatives of the Office of Management and Budget and the Bureau of the Census. We also heard from an experienced litigator on behalf of families which have suffered harm due to invasive questions posed to their children. We solicited and received written comments from a cross-section of interested professional, educational, and family groups. Both the Departments of Justice and Health and Human Services also submitted statements.

We found that a strong mandatory parental consent standard was essential for federally funded surveys and questionnaires given to minors that contained privacy-intrusive questions. In both the statutory and the committee report language we made certain that parents and guardians would be able to consent to their children's participation in these surveys or questionnaires. We wanted to be especially vigilant against situations in which parents would only be notified of surveys and would not be given a simple, straightforward way to consent or decline before that survey was provided to their minor children.

H.R. 1271 was marked up by the subcommittee on March 22 and by the full committee on March 23. At its subcommittee markup, two amendments were proposed, briefly, debated, and approved by voice vote. The full Committee on Government Reform and Oversight favorably reported the bill by unanimous voice vote.

Mr. Chairman, H.R. 1271 will advance the protection of our children's and our families' privacy beyond the 1994 Grassley safeguards, to protection from all surveys or questionnaires administered with any degree of Federal funding support. We have crafted this bill in a way which will do that without unduly hamstringing legitimate public interest activities.

Mr. CLINGER. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOX], a member of the committee.

Mr. FOX of Pennsylvania. Mr. Chairman, I rise to speak in favor of the Family Privacy Protection Act of 1995.

Mr. Chairman, this bill in fact establishes a parental consent requirement for federally funded surveys or questionnaires that ask sensitive questions of minors. Concerns have been raised that minors may be asked to participate in surveys asking personal or private questions. Included as part of the Contract With America (H.R. 11).

Areas of concern in surveys which would require parental consent include questions related to, first, parental political affiliations or beliefs; second, mental or psychological problems; third, sexual behavior or attitudes, fourth, illegal, anti-social, or self-incriminating behavior; fifth, appraisals of other individuals with whom the minor has a familial relationship; sixth, relationships that are legally recognized as privileged, including lawyers, physicians, etc. and seventh, religious affiliations and beliefs.

There are some commonsense exceptions to the parental consent requirements for; first, seeking information related for criminal investigations or adjudications; second, inquiries related to a good faith concern for the health, safety or welfare of an individual minor; third, administration of immigration, internal revenue or customs laws of the United States and; fourth, seeking of information required by law to determine eligibility for participation in a program or receiving financial assistance.

Legislation covers all Federal agencies with the exception of the Department of Education. A very similar provision is already contained in the General Education Provisions Act which is specific to that department.

Mr. Chairman, we believe this is important legislation. I believe that this is the type of legislation that has bipartisan support, and I appreciate the time to speak on behalf of it. I would urge my colleagues to vote in favor of it.

Mr. GILMAN. Mr. Chairman, I rise today in support of H.R. 1271, the Family Privacy Protection Act of 1995. I commend the gentleman from California [Mr. HORN] and the gentleman from Pennsylvania [Mr. CLINGER], who serves as chairman of our Committee on Government Reform and Oversight, for his efforts in bringing this important measure to the floor.

I support this proposal which establishes a parental consent requirement for federally

funded surveys that seek responses of a sensitive nature from minors. This legislation requires parental consent for questions relating to such sensitive areas as: Parental political affiliation, mental or psychological problems, sexual attitudes and behaviors, and religious beliefs. Similar provisions have already been enacted for the Department of Education under the General Education Provisions Act.

Accordingly, Mr. Chairman, I urge our colleagues to support this measure which will protect the privacy right of American families by extending to all Departments of the Federal Government the commonsense parental consent provisions which we have previously included in legislation pertaining to the Department of Education.

Mrs. COLLINS of Illinois. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The CHAIRMAN. Pursuant to the rule, the amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment, and each section is considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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 "Family Privacy Protection Act of 1995".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2. The text of section 2 is as follows:

SEC. 2. FAMILY PRIVACY PROTECTION.

(a) RESTRICTION ON SEEKING INFORMATION FROM MINORS.—Notwithstanding any other provision of law and subject to section 6, in conducting a program or activity funded in whole or in part by the Federal Government a person may not, without the consent of at least one parent or guardian of a minor or, in the case of an emancipated minor, the prior consent of the minor, require or otherwise seek the response of the minor to a survey or questionnaire intended to elicit information concerning any of the following:

(1) Parental political affiliations or beliefs.

(2) Mental or psychological problems.

(3) Sexual behavior or attitudes.

(4) Illegal, antisocial, or self-incriminating behavior.

(5) Appraisals of other individuals with whom the minor has a familial relationship.

(6) Relationships that are legally recognized as privileged, including those with lawyers, physicians, and members of the clergy.

(7) Religious affiliations or beliefs.

(b) GENERAL EXCEPTIONS.—Subsection (a) shall not apply to any of the following:

(1) The seeking of information for the purpose of a criminal investigation or adjudication.

(2) Any inquiry made pursuant to a good faith concern for the health, safety, or welfare of an individual minor.

(3) Administration of the immigration, internal revenue, or customs laws of the United States.

(4) The seeking of any information required by law to determine eligibility for participation in a program or for receiving financial assistance.

(c) EXCLUSION OF ACADEMIC PERFORMANCE TESTS FROM RESTRICTIONS.—Any restriction under any provision of Federal law on the seeking of information from minors through surveys, questionnaires, analyses, or evaluations shall not apply to any test intended to measure academic performance.

The CHAIRMAN. Are there any amendments to section 2?

AMENDMENTS OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer amendments for sections 2 and 4, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. SOUDER: Page 2, line 9, strike "without the consent" and insert "without the prior written consent".

Page 2, line 13, strike "intended to elicit" and insert "which is intended to elicit, or has the effect of eliciting,".

Page 3, strike lines 13 through 18 and insert the following:

(c) ACADEMIC PERFORMANCE TESTS.—Subsection (a) shall not apply to tests intended to measure academic performance except to the extent that questions in such tests would require a minor to reveal information listed in a paragraph of subsection (a).

Page 4, beginning in line 10, strike "if requested monetary damages are not in excess of $500".

Mr. SOUDER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. Is there objection to the original request of the gentleman from Indiana [Mr. SOUDER] that the amendments be considered en bloc?

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. SOUDER] is recognized for 5 minutes.

Mr. SOUDER. Mr. Chairman, I stand in support of H.R. 1271, but I believe it must be strengthened to accomplish our objective of protecting family privacy. This amendment is in response to concerns of parents around the country about federally funded questionnaires and surveys, in general much of what is going on with our children. This will finally give parents and children the legal cover that has been theirs from the beginning. It will safeguard family privacy unless and until the government has legitimate reason to intrude upon it. Written consent is essential, not burdensome. The individual dignity of a child and the privacy of a family are paramount to saving an agency time or money.

Opponents to this amendment in academia, the Clinton administration, and the Census Bureau find it troublesome that we are seeking prior written consent because data for their surveys might not be as accurate as possible. They are really saying science and data are now more important than the family. Is this what we call family values?

This amendment will not protect parents who abuse their children or affect legitimate criminal investigations. This amendment will not interfere with academic tests that are truly academic. This amendment will not impose any additional requirements on schools. Schools already assist the U.S. Department of Education with obtaining written consent and administering surveys through the standards of the General Education Provisions Act which covers only Department of Education surveys. In other words, we already have this type of protection in the education bill.

I have a particular concern in that I am on the Committee on Government Reform. I supported this bill. We worked together with the committee chairman and subcommittee chairman and ranking members in the report language, but I had some additional concerns because of some things I have seen going on around the country, not directly related to in some cases a Federal survey such as in my district, but some are directly related to Federal surveys.

I would first like to read a survey that was given in my district that caught my attention and prompted me to go one step further for written consent. One problem we have in schools is that you get consent forms, and sometimes mass forms, which we separate, and often you do not know whether you have given consent or not given consent. To some degree this protects schools. This protects people, whether it be religious or political or other types of things such as sexual behavior.

But the particular survey that upset me in my district was asked in a high school and had such questions as:

Are you a virgin?

What age were you when you lost your virginity?

Do you use any form of contraceptives?

Do your parents provide your contraceptives?

Do you pay for your contraceptives?

Do you get contraceptives from your friends?

Have you had sex with more than one person?

Have you had sex with more than five people?

Do you have sex more than three times a week?

Are you going to wait to have sex until you are married?

Do you know what gonorrhea, genital warts, herpes or syphilis are?

Do you know if your partner(s) have a sexually transmitted disease?

Have you ever had an HIV test?

Have you ever performed or received oral sex?

Have you ever performed or received anal sex?

Have you ever had an orgasm?

Have you ever had a homosexual experience?

Do your parents know that you have sex?

□ 1415

This type of questionnaire is reprehensible. I find it particularly reprehensible because it was given to my two children, one of whom is a junior and one of whom is a freshman.

I believe it is extremely inappropriate for this type of thing to be passed out in English classes, to be distributed by the Federal Government in other cases.

I have a survey here that was distributed under the auspices of HHS, where they asked similar questions on religious activity and sexual behavior of children.

There are others. I have one that was sent to me from San Antonio where they start to come into religious activity, asking whether the parents ever scream at each other, whether the parents take a prescription for stress, whether the parents have ever been drunk. Do either of your parents get drunk?

Another question is, do you or your parents, they are asking whether they attend school functions. They want to know what the parents know about who they are dating. Have you done things in a relationship that you would not tell your parents about? Another, do your parents approve of your older friend, if you have a friend who is at least five years older than you?

This type of questioning of young people about the parents' behavior, about the relationship with their parents is outrageous. We need protection for the children of America, for the parents of America so that you have to have written consent before you can probe into private matters.

I am sorry for any impact it has on cost. I am sorry for any impact it has on future research, if some people do not get their response questionnaires back. We have gone past the point of protecting individuals, and we need to reinstate the protection for individuals so we do not go on witch-hunts for religious behavior, for deviant sexual behavior, for normal sexual behavior.

Many things in these surveys imply that it is normal to have as a freshman in high school multiple sexual partners. I think we need to stand up, put this in this law.

My amendment also lifts the $500 cap which, if we leave it at $500, means that in effect the parents are going to probably have to pay more in attorney costs to challenge a questionnaire than they could recover.

I believe these amendments are essential. They are in our original contract. I hope my colleagues will support them.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. SOUDER] has expired.

(At the request of Mr. HORN and by unanimous consent, Mr. SOUDER was allowed to proceed for 2 additional minutes.)

Mr. SOUDER. I yield to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I ask the gentleman, which one of the questionnaires were federally funded?

Mr. SOUDER. Mr. Chairman, as I said, the question that was in my district that was asked my children was not. It is unclear to me whether the one in San Antonio where I read some of the questions is. The HHS questionnaire, which I did not get into detail, had similar questions on how many people did you have sexual intercourse with? This is a middle school survey. During your life how many people have you had sexual intercourse with? At what age did you first have sexual intercourse? Did you drink alcohol or drugs? That was an HHS survey.

Mr. HORN. Mr. Chairman, if the gentleman will continue to yield, I wanted to clarify that this legislation only applies to federally funded in whole or in part surveys, questionnaires, interview instruments. Most of those were not that. It is possible that the Federal might fund something like that. I cannot quite believe it. But that still leaves the local State, the local school district, as I think the gentleman would agree, to have such surveys.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, while I intend to vote against the gentleman's amendment, I understand his outrage. Mr. SOUDER distributed a copy of a questionnaire which was used at his children's school during the full committee markup of H.R. 1271. That questionnaire is absolutely revolting to me, and should never have been distributed to school kids without the consent of their parents.

However, that questionnaire would not have been affected by this legislation. It was distributed by students from the school who worked on the school newspaper. That is a matter internal to the local school board, not to the U.S. Congress.

Local policies on parental notification of surveys and questionnaires are rightfully a matter of local law. The Federal Government should not dictate to State and local governments how to handle issues of parental notification on surveys.

H.R. 1271, unanimously approved by the Committee on Government Reform and Oversight, involves only Federal and federally-assisted surveys. The administration tells us that all Federal agencies already receive the consent of parents prior to sending surveys to minors. The Administrator of the Office of Information and Regulatory Affairs testified during a subcommittee hearing that it is currently standard practice for the Federal Government to require some form of parental consent before interviewing minors. H.R. 1271 would merely standardize the current administration practice of requiring prior parental consent.

Supporters of written consent point to the Goals 2000: Educate America Act as a precedent. However, surveys and questionnaires within a school setting are different from surveys in other areas. It may be reasonable to require written consent for school-based surveys as required by Goals 2000. In that setting, it is common practice for children to carry consent forms back and forth on a daily basis. That is why school-based surveys receiving Federal funds from the Department of Education require written consent. That policy is specifically kept in place by H.R. 1271. However, in other areas, obtaining written consent will be next to impossible.

At a hearing held by the Subcommittee on Government Management, Information, and Technology, chaired by Mr. HORN, every expert witness who addressed this issue testified that requiring prior written consent would undercut the effectiveness of critical Federal surveys.

Dr. Lloyd Johnston, program director of the Survey Research Center at the University of Michigan, made a number of points:

First, the national samples will be dramatically less representative because many parents will not respond in writing even though they have no objection to their children's participation.

Second, schools, not the researchers, will be required to contact parents to encourage their written response, since most schools are precluded from giving information about parents, their addresses or phone numbers to outside people.

Third, the required followup will substantially increase the costs of the surveys.

Fourth, many parents will have to be repeatedly contacted to return the written consent forms, and they will see that as a further intrusion.

Mr. William Butz, Associate Director for the Bureau of the Census, which conducts the National Crime Victimization Survey, the Youth Behavior Survey and the Teenage Attitudes and Practices Survey, testified that prior written consent would reduce response rates, increase costs, and/or increase survey bias. Requiring written consent would reduce the flexibility of statistical agencies, like the Census Bureau, to collect data efficiently.

Let me quote from a letter from Kevin P. Dwyer, assistant executive director for the National Association of School Psychologists to Chairman HORN:

> It would be functionally more effective to permit "passive" consent, where parents are made aware of the information to be surveyed and the purpose of the information gathering. This is more cost effective and less burdensome upon both schools and families.

Sally Katzen, Administrator for the Office of Information and Regulatory

Affairs, testified that with few exceptions, surveys are conducted anonymously. She states:

In other words, no personal identifier information is collected and the identity of the minor and the family cannot be ascertained. In this circumstance, it is unclear whether written consent is really necessary to protect the privacy of the respondent or the family.

The CHAIRMAN. The time of the gentlewoman from Illinois [Mrs. COLLINS] has expired.

(By unanimous consent, Mrs. COLLINS of Illinois was allowed to proceed for 3 additional minutes.)

Mrs. COLLINS of Illinois. Mr. Chairman, we should not second-guess the unanimous position of every expert who testified on this issue. We should not second guess the unanimous decision of the subcommittee and full committee against requiring prior written consent. In the absence of any new evidence. We should support the unanimous committee position against requiring written consent.

The existing prior consent requirement in H.R. 1271 will give all parents the ability to prevent their children's participation in Federal surveys. As the committee report makes clear, H.R. 1271 requires active consent from a parent or guardian. The consent can be handled in various ways, including in writing. Moreover, mere notice of a survey is not enough to satisfy the consent requirement. Consent must involve both disclosure and the opportunity to decline.

The amendment also lifts the $500.00 cap on monetary damages for violations of this bill. Lifting this cap would be an open invitation for frivolous litigation. Lawyers would have a field day with this bill. For example, H.R. 1271 covers surveys involving "antisocial behavior." Yet, the bill has no definition of what constitutes "antisocial behavior." It is not hard to imagine multimillion dollar cases for psychological injury because a particular survey covered "antisocial behavior."

Mr. SOUDER's attempt to lift the cap on monetary damages is even more disturbing in view of his other amendment to further broaden H.R. 1271. Mr. SOUDER proposes to cover any survey which has the effect of eliciting certain types of prohibited information. This amendment would give people the opportunity to bring lawsuits for unforeseeable mistakes made by minors in responding to surveys.

In conclusion, Mr. Chairman, I would say that at some point this mindless marching in lockstep must end. The only reason we are here is because a member of the majority leader's staff did not like the bill we unanimously reported out of committee. We must stand up for what is right, not what some staff thinks is politically correct. If committee members lose confidence in the value of talking to one another to reach compromises, this House will lose its ability to move forward constructively. Unfortunately, it is clear that the bipartisan agreement in our committee was not worth the paper it was written on.

The CHAIRMAN. The time of the gentlewoman from Illinois [Mrs. COLLINS] has again expired.

(By unanimous consent, Mrs. COLLINS of Illinois was allowed to proceed for 1 additional minute.)

Mrs. COLLINS of Illinois. Mr. Chairman, these amendments, while well intentioned, simply just do not work. As Chairman HORN said during full committee approval of this bill, and I quote: "We have attempted to strike the right balance between Government power and individual rights." The unanimous subcommittee and full committee votes on H.R. 1271 strongly suggests that we did strike the correct balance. I urge defeat of the amendments.

Mr. CLINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Souder amendment which does provide for strengthening and clarifying some issues which are contained in the bill. First, as has been discussed, it does provide the consent must be in writing.

I would just emphasize that this is consistent with a provision that we have included in the GEPA, that is the Department of Education bill, which we passed last year, which did require that the consent be in writing. So it falls in line with that statute for the Department of Education.

It extends a similar type of consent request, that is written request, written consent to all other agencies which are involved in conducting these kinds of surveys. So it is not unique. It is not a new provision. It is basically just tracking what we had already provided for in GEPA.

I think the written consent also has the effect of strengthening, obviously, the parental consent requirement and ensures that parents understand what the survey is about before providing consent, which might not be the case without a formal requirement for written consent, I think that it would create less confusion.

I think it might also result in less litigation, because we would have proof positive that the consent was in fact given, whereas on an oral consent thing, that would always be subject to question.

Second, the Souder amendment provides for judicial review without a cap. The other pieces of the amendment just provide clarifications, including the issue that academic tests should not include any of the prohibitive issues without parental consent.

□ 1430

Let me just say, Mr. Chairman, there was no deal broken, and I listened to the debate on the rule with regard to this. I would suggest that no deal was broken by bringing this bill to the floor under an open rule. We worked on the bill, as has been indicated, in a very bipartisan manner. I think we worked very constructively with the Republicans and Democrats to fashion this bill.

I would also say no commitments were made. It was the intention, indeed, to bring this bill to the floor under suspension. It was my sense, however, that there were a number of Members who felt very strongly that the provision did not go far enough. I really suspected perhaps that the measure would not prevail if brought to the floor under suspension, and that all Members should be given an opportunity to offer amendments, that being the case.

After the committee markup we started to hear not from staff members but from Members, the gentleman from Indiana [Mr. SOUDER] among them, that they wanted to offer amendments to the bill. We do have an open rule. That does not preclude any Member both on the majority and minority side from offering an amendment to what I think is fundamentally a very strong bill as it is.

Mr. Chairman, I would say I was very pleased with how we worked within the committee on a bipartisan basis on this legislation. I believe that the Souder amendment strengthens the legislation, and the Members will have a chance to vote their will on this amendment. I would rise in support of the amendment and urge all Members to support it.

Mrs. MALONEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Indiana [Mr. SOUDER]. This amendment undermines the bipartisan spirit of the compromise which was worked out by myself, the gentlewoman from Illinois [Mrs. COLLINS], the gentleman from California [Mr. HORN], and the gentleman from Pennsylvania [Mr. CLINGER], the chairman. This amendment would require prior written consent for surveys or questionnaires with Federal funding.

This issue was carefully considered in our subcommittee and rejected. Several professionals testified that prior written consent would do one of two things: Block these surveys from ever being performed, or render their conclusions useless, because of skewed data. This rejection was confirmed at the full committee, where this issue was raised.

I think the committee's unanimous, bipartisan decision should stand. This amendment addresses no real problem that anyone can identify. It would also considerably increase the cost of conducting surveys. Requiring parental

consent may make some sense for surveys conducted through the school system, but expanding it to all federally funded surveys makes no sense at all.

Some who argue in favor of these changes will talk about what goes on in schools. Let me make it clear right now, Mr. Chairman, this bill does not apply to schools. We already have legislation that does that. Our bill as reported requires that any survey or questionnaire using Federal funds must get parental consent before interviewing minors.

We asked OMB for a list of Federal surveys that did not get consent. There are not any. Our bill protects minors to the full extent possible, but does not destroy information vital to solving some of the most important problems facing our country today.

We are told that this amendment is to bring this bill back into line with the contract, but that is just a smokescreen. I believe the changes offered in this amendment are designed to block surveys from ever being performed, specifically, surveys of teenage behavior, including the causes of rising teen pregnancy, drug abuse, and suicide.

Members of both parties are sincere in their desire to solve these problems, but pretending a problem does not exist will not make it nonexistent. By rendering these surveys worthless or eliminating them altogether, that is what some Members hope to do, that will not work. It has never worked. It is naive.

In order to solve a problem, we first have to research it. We cannot cure a sick patient without asking the patient what is wrong. This amendment will not cure anything. It will only make it more difficult for researchers to study the problem and gain information, and information is the most important commodity to any social scientist or legislator.

This amendment would also undo the thoughtful solution the committee reached on judicial review. As a result of the hearings, the chairman, the gentleman from California [Mr. HORN], added to the bill a private right of action with a limit to $500 of damages in cases where parental consent was not obtained.

The amendment of the gentleman from Indiana [Mr. SOUDER] would remove that limit. That seems particularly ironic to me. Just a few weeks ago the Republicans fought very hard for tort reform to limit damages.

Mr. Speaker, I believe that the underlying bill is the best compromise attainable. In that bipartisan spirit, I urge my colleagues to vote against the Souder amendment, and support the Republicans and Democrats who have carefully considered the issues raised by this bill and addressed them responsibly in H.R. 1271.

Mr. MCINTOSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me first say I want to commend the committee and the gentleman from Pennsylvania [Mr. CLINGER], the chairman, the gentlewoman from Illinois [Mrs. COLLINS], the gentleman from California [Mr. HORN], and the gentlewoman from California [Ms. PELOSI], for their hard work on this bill. I think it is a tremendously important piece of legislation for us to move forward. Although we may disagree on this particular amendment, I think all are to be commended for their hard work on something that will definitely benefit families in this country.

Let me rise in favor of the Souder amendment. I think it is a reasonable addition to this bill. It is an area where Federal leadership can set the tone of the type of questions that are asked in our schools.

When I go home and talk with parents in my district, time and time again, in Anderson, in Yorktown, in Richmond, parents have come up to me and said they are very concerned that they do not know what is happening in their schools. They do not feel that the moral values that they think are important to teach their young children are necessarily being conveyed in the school setting.

When they hear about surveys such as the one that the gentleman from Indiana [Mr. SOUDER] read to us earlier, their concern is reinforced among parents and the family. I think the Federal Government is introducing into the personal lives of the families, and especially with impressionable young schoolchildren, so that I think it is very important that we do have this amendment to restrict the options that the Federal Government has when it conducts surveys of young people, so their parents know in advance what the questions are, and have indeed agreed to those questions being asked to their children.

The Souder amendment will enhance family privacy protection. It is not protective of abusive parents. It is well crafted to not affect academic testing. I believe it is very important to protect family privacy in areas where the Federal Government, quite frankly, has no legitimate interest.

Mr. Chairman, I rise in favor of the Souder amendment, and want to commend him and the other committee members for their work.

Mrs. COLLINS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I am delighted to yield to the gentlewoman from Illinois.

Mrs. COLLINS of Illinois. Mr. Chairman, I believe when the gentleman said the Federal Government is asking certain questions, the Federal Government is not asking the kinds of questions that the gentleman from Indiana [Mr. SOUDER] read, and also that we have copies of from the full committee hearing. The Federal Government is not asking those kinds of questions.

What we are trying to do is to make it so that the Federal Government would say that local school boards, et cetera, could ask those questions if they had written consent. I do not know if I misinterpreted the gentleman or not.

Mr. MCINTOSH. Mr. Chairman, I understand that is the case with the particular survey that the gentleman from Indiana [Mr. SOUDER] raised. I do think it is, nonetheless, important to limit the Federal Government in the types of surveys it can do without parental consent. I hope that will be a model for States and school boards locally to also seek that consent, although I agree, in his amendment we would not be extending that requirement.

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

Mr. MCINTOSH. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I also read, in response to the gentleman from California [Mr. HORN], some questions that were in a Federal HHS survey that asked "Have you ever had sexual intercourse? How old were you when you had sexual intercourse for the first time? During your life how many people have you had sexual intercourse with? During the past 3 months with how many people did you have sexual intercourse? Did you drink alcohol or use drugs before you had sexual intercourse the last time?" This is an HHS Youth Risk Behavior Survey that was in middle schools.

Mrs. COLLINS of Illinois. Mr. Chairman, if the gentleman will yield further, did the Federal Government ask for written consent or any consent before asking those questions?

Mr. SOUDER. I would hope they asked for written consent. My amendment would make sure they ask for written consent.

Mrs. COLLINS of Illinois. We can find out. I think they did. I think it was implied in this legislation. Wherever the Federal Government has asked for the consent, they have protected the right of written consent on matters of that nature, I believe.

Mr. MCINTOSH. Mr. Chairman, let me just mention that the survey that the gentleman from Indiana just read indicates that there are these concerns out there. If in the past the Federal Government has asked for consent, his amendment will just make that an absolute requirement in the law, so therefore I think it is a valuable addition to this legislation.

Mr. SAWYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Souder amendment, although I have to join with the gentlewoman from Illinois [Mrs. COLLINS] and previous speakers in associating myself with the concerns that the gentleman raises in this particular amendment.

Those concerns are legitimate and shared by every parent across this Nation.

Frankly, however, my concern is that this amendment is so broad and so unnecessarily restrictive that the fundamental underpinnings of a wide range, if perhaps not all, of Federal data collection efforts could be in jeopardy.

Some of the Members know that I spent a number of years, perhaps more years than any existing Member of Congress, in overseeing the conduct of the census and the broader Federal statistical systems of this country. That was an enlightening experience. The 1990 census demonstrated how difficult it is to get Americans to participate in Federal surveys, for that matter, in virtually any kind of survey even those that are mandatory, as the 10-year census has been for the entire existence of this Nation.

The response rate for the 1990 census was far lower than the census before it. It was also worse than the Bureau had anticipated in planning for this enormous and complex undertaking. That low response rate not only jeopardized the consistency of the data derived from it, but it drove up costs, requiring a $100 million supplemental appropriation right in the middle of the census. It affected the very accuracy of the census. In fact, the 1990 census was the first in modern history that was less accurate than the one before it.

Mr. Chairman, the gentleman from New York, former Under Secretary of HEW, Mr. MOYNIHAN, suggested 30 years ago that if you cannot measure a problem, you cannot solve it. What we are trying to do is come to grips with some problems of our Nation. I am bringing this troubling information about the census to the attention of my colleagues because I am afraid that the Souder amendment unintentionally would make data collection efforts even more difficult than they already are.

Policymakers at all levels of government, including the Congress, rely on accurate information to develop sound policies and to ensure the sound implementation of programs, but the accuracy of those numbers directly depends on the willingness of Americans to respond to surveys and questionnaires.

The question here is one of privacy. We need to bear in mind that Federal agencies already obtain direct personal permission from parents before asking questions of minor children, but requiring prior written permission to obtain information from minors almost certainly would result in the loss of many valuable responses, and that diminished participation would skew the results and make the resulting data unreliable and potentially useless.

Moreover, a requirement for prior written consent would raise the cost of Federal research and data collection in much the same way as it did for the 1990 census, a hard-learned lesson, adding millions of dollars to surveys conducted with taxpayers' funds.

Mr. Chairman, the bill that was reported unanimously from the Government Reform and Oversight Committee strikes an appropriate balance between the need to protect families against unnecessary invasions of privacy and the need to collect accurate information for important policy purposes.

The work that the committee did last year under the gentleman from Wyoming, Mr. THOMAS, now in the other body, and the gentleman from California, Mr. CONDIT, really created sound underpinnings for, perhaps, the single most volatile and sensitive area of information, health care information.

The work on that needs to go forward. It needs to go forward in the same way as we have protected information gathered by the Department of Education, as the chairman of the committee suggested earlier in his commentary, but our ability to collect information about homeless youth, about street kids, about kids whom this kind of permission is virtually impossible, much less the added cost of dealing directly with the problems of gathering information in a way that is being done responsibly today, is going to be unnecessarily upset by the overbroad language of the Souder amendment.

It is with great sympathy but grave concern that I rise in opposition to this amendment and ask my colleagues to join me.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find myself in a peculiar position as a physician, and also as a scientist. I am very much interested in accurate data collection, and I think it is imperative that we have that. I also am very much concerned about the lack of parenting in our country, and what has come about through that lack of parenting.

My worry, and I rise to support the Souder amendment, because I think, No. 1, it does put some burden back on parents which we have been trying, through many of the bills that we have passed in the last weeks, to force more direction on parenting, and I think we should do that.

□ 1445

But I also have a greater problem with the arguments that are used against this.

I guess, No. 1, is scientifically I do not buy the fact that if we have a parent's permission we are going to, No. 1, make the cost too great or, No. 2, make the scientific data to where it is not accurate. That is spurious logic. Because we do that all the time in the medical field in terms of informed consent on testing, on data and on information. So I find that.

I think the other thing is that even though this was not a federally funded questionnaire I think it shows significantly what the opportunity for abuse is in terms of what can happen.

Again, I would not necessarily say that some of the questions to this survey would not be good information as a physician and one who treats adolescents and has delivered over 2,000 teenage mothers, very much interested in the results of information from that. But I am not more interested in that information if it means I violate a parent's right to parent. I think that is the real issue.

I do not think that we will have spurious data. I think the Government has an obligation to go beyond a reasonable doubt to make sure that parents are informed about what their children are asked.

I would just urge those that oppose this amendment to ask what questions they would like their children asked. And is there any extent to which they might go that you would find a point in time when you thought that you might want to give permission before those questions are asked? I think that is the real issue.

I do not find fault with your desire to limit. I do not want to limit the Government's ability to collect data, but I think the Government can already collect data and still fulfill the rights of informing the parents about what questions we are going to ask.

Finally, I think that we certainly would not want the questions as outlined in this survey given to 12-year-olds throughout this country without their parents' permission. I am not saying that the Federal Government has done that, but there is not anything wrong with saying that parents ought to have the right to say yes or no to that kind of questioning.

Mrs. COLLINS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentlewoman from Illinois.

Mrs. COLLINS of Illinois. I thank the gentleman for yielding.

Mr. Chairman, this bill does not say parents do not have to give consent. It only says it does not have to be written consent. In fact, it says there has to be parental consent. That is what this bill says already. H.R. 1271 says that.

Mr. COBURN. Reclamining my time, I have a great deal of difficulty in my own experience in surveys similar to this in this very delicate area of teenage sexuality in ascertaining whether or not we have parents' consent without written parents' consent. Because in my experience the majority of the time we do not have parents' consent, even though we have a recognition that we did.

I think this is a very definable addition to this bill, and I think written consent is the least that we can do if we are going to ask these types of questions of children.

Mrs. COLLINS of Illinois. If the gentleman would not mind yielding for a second, I hope that we do not ask children these type of questions. But perhaps as a physician, perhaps you find that there is a need to do so. I think you have so stated. But these are the kind of questions I would not want anyone to ask my child. But if there is consent requested already, then I would certainly give my consent to do that, in a nonwritten.

Mr. COBURN. There should be written consent, but we have already seen that the Department of Health and Human Services has already asked questions similar to this in one of their own surveys. So all we are saying with the Souder amendment is that they should have written consent to ask this of adolescents.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if the gentleman from California [Mr. HORN], the good chairman of the subcommittee, would respond to a couple of questions.

On page 2, I am interested in lines 6 through 9. This says that this would affect any program or activity funded in whole or in part by the Federal Government.

Let me ask this, because I truthfully do not know the answer to this: Does this mean that if some local agency, some school, receives Federal money anywhere in its agency's school or system that this bill would then attach to any inquiry or survey that that agency or school is conducting?

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

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

Mr. HORN. The gentleman is drawing an analogy with some of the civil rights laws, and my interpretation would be that this bill does not work that way. If the question is who funded the questionnaire, if the Federal Government funded the questionnaire in whole or in part, this law would apply.

One point I will need to clarify, because there has been a little confusion in the debate, is that the Grassley law that was referred to earlier and that you know so well, the General Education Provisions Act, that applies only to programs under that particular act, most of which occur in a school context.

This applies to all Federal agencies except those covered by the Grassley act who would have questionnaires that are triggered and this act is triggered, that discuss areas in the bill that have already been noted by many speakers.

Mr. WILLIAMS. I thank the gentleman.

Let me ask the gentleman further, the bill would affect the seeking of certain information, among those pieces of information on line 17 of page 2, and that is any survey, for example, that would seek information about sexual behavior or attitudes.

Mr. Chairman, on page 3 there are exceptions. And one of the exceptions is on line 6 which said any inquiry made for the purpose of concern about health or safety.

It seems to me there is a dichotomy there. One of the great attacks on the safety and health of young people has to do with certain of their sexual behavior. So my question is, which is it? If we wanted to ask questions about young people's sexual behavior in an effort to determine whether or not they are practicing safe sex in order to avoid the possibility of various difficulties, including, of course, this epidemic called AIDS, could we do it under this bill?

Mr. HORN. Let me refer the distinguished gentleman to the report on page 11 where it notes about halfway down the page that each of the four exceptions, and the second one, there is the same one the gentleman has stated that is in the proposed law, each of these four exceptions involves specific individual circumstances in order to be triggered.

The criminal investigation or adjudication requires a specific investigation or adjudication. An inquiry can be made pursuant to a reasonable concern for the health, safety, and welfare of an individual. The essential requirement is a reasonable belief that an individual minor is at risk and evidence to show that such an inquiry is appropriate.

Using the health, safety, or welfare exception to circumvent parental concern or prohibited topics is not acceptable. In other words, it says here, a survey on sexual behavior or attitudes would not be covered by this exception.

Obviously, the questions can be asked if the parent gives consent.

Mr. WILLIAMS. I appreciate the gentleman's response.

I will not ask the gentleman, the subcommittee chairman, any further questions, but I do want to say that I think he is attempting to arrive at moderate and reasonable legislation here.

We ought to know, though, speaking of moderation and reasonableness, that we have already passed similar legislation with regard to education in this country. We have taken care of that. I know that we took care of it before some of the Members who got elected last November were here, so they may not have known it, but we have taken care of this very problem.

The CHAIRMAN. The time of the gentleman from Montana [Mr. WILLIAMS] has expired.

(By unanimous consent, Mr. WILLIAMS was allowed to proceed for 2 additional minutes.)

Mr. WILLIAMS. Mr. Chairman, in fact, the Federal Government has for the past 20 years vigorously promoted the protection of people in its research. An institutional review board has been created a couple of decades ago for the very purpose of scrutinizing these surveys, and it has established procedures for protecting people when we are doing a study.

That can include written consent from the parents. It includes follow-up phone calls. It includes notification of parents about a study. It includes a variety of other methods.

We ought not to go off thinking that there has been no thought about this whatsoever in the Congress until this moment because that is demonstrably not true. The Federal Government actively pursues trying to protect people.

Let me read into the record the following groups that are opposed to the amendment, as I am, that is now on the floor: The Society of Behavioral Medicine, the National AIDS Fund, the Institute for the Advancement of Social Work Research, the Federation of Behavioral, Psychological and Cognitive Sciences, the Consortium of Social Science Associations, the American Sociological Association, the American Psychological Association, the American Educational Research Association, the American Anthropological Association and, finally, the AIDS Action Council.

Some of these groups are groups, as the chair knows, that are vitally interested in this legislation and, in fact, have been somewhat supportive of it and have worked with those on the committee to try to write appropriate legislation. But those groups believe, as many of us do, that this amendment destroys the basis for cooperation that the legislation has reached.

I urge my colleagues to oppose this particular amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of H.R. 1271. This legislation strengthens the family and has received bipartisan support by this Congress.

I am concerned about protecting the rights of parents in knowing about the activities in which their children are involved, and it particularly applies to surveys which ask children about their most sensitive and private activities.

We need to bolster family ties. Thus, we need to protect our children from answering questions their parents would not have approved of and could possibly invade privacy.

Through H.R. 1271 and the Souder amendment, we would provide written consent for parents to protect minors who may or may not want to participate in any funded surveys that are designed to obtain information on sensitive subjects.

Mr. Speaker, passage of H.R. 1271 with the Souder amendment is imperative in reaffirming a commitment to privacy and a commitment to our Nation's families. I urge my colleagues to

support this pro-privacy and pro-family legislation.

The rights of parents, it seems to me, in regard to the welfare and privacy of their children is paramount to the Government's need or others to collect sensitive data. With written approval, informed consent would be a reality achieved. It is a matter of fundamental fairness.

I ask my fellow colleagues to support the Souder amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Indiana [Mr. SOUDER].

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

RECORDED VOTE

Mr. VOLKMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 379, noes 46, not voting 9, as follows:

[Roll No. 285]

AYES—379

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Traficant
Tucker
Upton
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—46

Abercrombie
Becerra
Beilenson
Berman
Brown (CA)
Clay
Clyburn
Collins (IL)
Collins (MI)
Conyers
Coyne
Dellums
Dingell
Fattah
Filner
Foglietta
Frank (MA)
Gibbons
Gonzalez
Hastings (FL)
Hilliard
Johnson, E. B.
Johnston
Lantos
Maloney
McDermott
McKinney
Meek
Miller (CA)
Moran
Nadler
Payne (NJ)
Rangel
Sabo
Sanders
Sawyer
Scott
Stark
Stokes
Studds
Thompson
Velazquez
Waters
Watt (NC)
Waxman
Williams

NOT VOTING—9

Barrett (NE)
Ford
McCollum
McDade
Pelosi
Reynolds
Rush
Slaughter
Torres

□ 1519

Messrs. FOGLIETTA, COYNE, BECERRA, and GONZALEZ changed their vote from "aye" to "no."

Ms. ESHOO, Ms. WOOLSEY, Mr. SERRANO, Ms. HARMAN, Mrs. CLAYTON, and Messrs. MEEHAN, FAZIO of California, TOWNS, and MINETA changed their vote from "no" to "aye."

So the amendments were agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Chairman, I was unavoidably detained and was unable to be present for rollcall vote No. 285. Had I been present, I would have voted "nay."

AMENDMENTS OFFERED BY MR. DORNAN

Mr. DORNAN. Mr. Chairman, I offer several amendments.

The CHAIRMAN. Are they amendments to section 2 of the bill?

Mr. DORNAN. They are to section 2, Mr. Chairman

The Clerk read as follows:

Amendments offered by Mr. DORNAN:

Page 2, line 7, strike "section 6" and insert "section 4".

Page 2, strike line 9 through line 12 and insert "person may not require or otherwise seek the response of a minor to a survey or questionnaire".

Page 3, line 5, strike "Any inquiry" and insert "Any individual inquiry".

Page 3, beginning at line 19, strike sections 3 and 4 (and redesignate the subsequent sections accordingly.)

The CHAIRMAN. Does the gentleman from California request unanimous consent that his amendments be considered en bloc?

Mr. DORNAN. Mr. Chairman, I do, and this is merely timesaving.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mrs. COLLINS of Illinois. Mr. Chairman, reserving the right to object, Mr. Chairman, we do not have a copy of the amendments here.

We do now, Mr. Chairman, and I thank the gentleman.

The CHAIRMAN. The gentlewoman has a copy of the amendment at this time?

Mrs. COLLINS of Illinois. That is correct, Mr. Chairman. Yes.

Mr. DORNAN. Mr. Chairman, may I explain the amendment?

The CHAIRMAN. Is there objection to consideration of the amendments en bloc?

Mrs. COLLINS of Illinois. Mr. Chairman, reserving the right to object, I have not yet had an opportunity to read the amendments.

Mr. DORNAN. Mr. Chairman, would the gentlewoman like to engage in a colloquy to explain the unanimous part of my request?

Mrs. COLLINS of Illinois. Mr. Chairman if the gentleman will yield, I am still reading this amendment, because it has just been given to us. We are just trying to see what it does here. I will be ready in just a second.

The CHAIRMAN. The gentlewoman from Illinois has reserved the right to object, and the Chair wishes to wait.

Mr. DORNAN. Mr. Chairman, I am at the gentlewoman's service for a colloquy. I will be glad to explain why I have asked unanimous consent to have all three of them together.

Mrs. COLLINS of Illinois. Yes; Mr. Chairman, if the gentleman would do that, I would appreciate it.

Mr. DORNAN. I thank my good friend. Mr. Chairman, will the gentlewoman yield?

Mrs. COLLINS of Illinois. Further reserving the right to object, Mr. Chairman, I yield to the gentleman from California.

Mr. DORNAN. Mr. Chairman, to the gentlewoman, the unanimous aspect here is a timesaver. I have this broken down into three separate parts. They are all at the desk, and we can take it one step at a time, but I, from my viewpoint, do not believe that would make sense, because although there will be a good, healthy discussion on this, if we take this unanimously en bloc, it is just all geared toward one objective, and that is to end these surveys completely. So the unanimous aspect merely means we get further into the issue and start off right away taking what I am trying to do all at once.

Mrs. COLLINS of Illinois. Further reserving the right to object, Mr. Chairman, we have now had the time to look at this.

I withdraw my reservation of objection to the request that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DORNAN. Mr. Chairman, having fenced briefly in my youth, and it is an elegant sport, the one thing I do remember is the gentlemanly or ladylike challenge at the beginning, "En garde," I would say to my friends in this House who want these surveys. This is simply an attempt to end the surveys at the Federal level totally. So I am saying, En garde, and I do want to get a vote on this and will proceed, I hope, to a good discussion under this open rule.

Mr. Chairman, H.R. 1271 just strengthened somewhat by two simple words, "Written consent," is still, I believe, not the way this newly constituted Congress as of November 8 wants go. Even with the written consent, it requires that Federal funds be spent on surveys aimed at several unique categories. We have strengthened parental consent somewhat. Parental political affiliations or beliefs, I do not believe that is what they are really after. Mental or psychological problems, not much drive to get these facts down. Sexual behavior or attitudes; that is the main impetus behind almost all of these surveys. Illegal, antisocial, or self-incriminating behavior, that really turns off an overwhelming majority of the Members on both sides of the aisle.

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But that is not really what they are after.

Appraisals of other individuals with whom the minor has familial relationships, an uncle, aunt, siblings, brothers, sisters, all Members of extended families; that is offensive to be asking questions about those folks, but that only comes in as an ancillary to the sexual underpinnings of all of these surveys.

Another point, relationships that are legally recognized as privileged, including relationships with lawyers or physicians or members of the clergy. With four or five medial doctors now serving in the Congress and almost a halfway point with lawyers, I do not think that is really what a lot of these surveys want to get in the face of the U.S. Congress about.

Now, what my Dornan amendment would do, the three lines are really all dovetailed together, it would prohibit the funding of all of these type surveys, period, end of report. The language specifically strikes this entire paragraph that we have just slightly made tougher, the parental-consent provision, and it leaves the remaining text which prohibits these surveys, period.

And I only have three simple points, and we will get on with the debate. Point No. 1, the Federal Government has no business subsidizing government social engineers or people who want this detailed information. What is the overwhelming evidence mandating that these types of surveys take place? Who is it really that wants children to answer questions within these very sensitive subject areas?

H.R. 1271, as now drafted, would indemnify in law a whole new industry of busybodies feeding on familial dysfunction and divisiveness.

No. 2, is this bill really aimed at surveys of sexual attitudes and behaviors? I have just made the point it is. Very few surveys aimed at schoolchildren address all of those other categories I mentioned. It really is the sexual attitudes and behaviors that we are going after.

This has happened out here in Fairfax County just recently. They withdrew one of these surveys. I will bet it was mentioned in the prior debate which I missed because I was chairing another committee.

We definitely know some people within the Federal Government are dying to ask questions about sexual attitudes and behavior. We have been through this for several years now. First, it was the adult sex survey in 1989. Then 1 year later we had to put a stop to a sex survey for teenagers and preteens, and even still, Centers for Disease Control, six centers that generally have my respect, in the name of AIDS research, they just keep pressing for more and more information in areas that still should remain sensitive without influencing at all what the specific six Centers for Disease Control are trying to do.

And I repeat, Fairfax County again last week.

□ 1530

No. 3, no one collects numbers unless they are going to do something with those survey numbers. Surveys based on personal and intimate subjects should not end up being the basis for public policy. Such basis is a prescription for failure.

Not only do we not have the right to intrude into the personal lives of schoolchildren, often asking that they snitch on this, but we add insult to injury when we gather the information regarding dysfunctions and then turn right around and indemnify these dysfunctions in public policies.

The CHAIRMAN. The time of the gentleman from California [Mr. DORNAN] has expired.

(By unanimous consent, Mr. DORNAN was allowed to proceed for 1 additional minute.)

Mr. DORNAN. AIDS education is a perfect example, the results of the survey on sexual behavior end up becoming the basis to teach schoolchildren about homosexual sex; surveys revealing not enough knowledge about sex encourage the sexperts to develop new programs, and surveys revealing that children know a lot about sex encourage the same sexperts to develop more programs to handle the flow of information and traditional families lose either way.

Point No. 4: The House has had to squelch controversial sex studies of both adults and youths at least 3 times over the past 5 years. If we pass this bill as it stands, we will encourage the attitude that these controversial subjects are going to be addressed year after year. Let us vote right now to end this problem. The majority will decide this. Let us see where the 104th Congress stands on this first clean-cut social-issues debate of 1995.

Mr. CLINGER. Mr. Chairman, I move to strike the last word, and I reluctantly rise in opposition to the gentleman from California's amendment. We just enacted an amendment introduced by the gentleman from Indiana [Mr. SOUDER], the objective of which was to do what we have provided in this legislation with the procedures that are followed by the Department of Education in terms of these surveys, which I think places the responsibility and the requirement on those who would seek to conduct surveys to get the written consent of the parents before that survey can go forward. Mr. Chairman, I think this provisions goes way beyond anything that exists in the law relating to the Department of Education and certainly way beyond what we have provided in this bill. I believe parents should have the right, they should have the ultimate right to

choose to have their children participate or not participate in surveys. That is what we have provided. We have strengthened the requirement that parents be directly involved in making those determinations. Government should not decide in advance for the parents, which is what the gentleman from California's amendment would do. In effect, it would put the government in a position of saying, no, we are never going to be able to survey, we are going to ban any survey whatever.

I sympathize with the gentleman from California's concern about Federal busybodies sticking their noses into parental business. But I think he goes sort of off the deep end when he says we will never allow any surveys to be conducted in these areas, even though there may be very meritorious reasons why we should be conducting these surveys, to gather vital information with regard to a vast array of things. It is not just in regard to sexual behavior or sexual activity that we are talking about.

This amendment which we adopted just a moment ago, the gentleman from Indiana's amendment, I think strikes the right balance between the rights of the parents which should be paramount here and the interests—the very legitimate interests—of having very valuable information. Obviously, if it is a prurient interest, if it is an interest where they are sticking their noses into where they clearly do not belong, clearly the parental consent would not be forthcoming. But to take away any kind of a survey, the ability of the Federal Government to gather data, vital data, I think would be a mistake. I think it becomes a matter really of public policy: Are we going to totally close the ability of the Federal Government to gather information which may be useful in setting important matters of public policy? I would hope not.

I would respectfully and reluctantly ask that the gentleman's amendment be defeated.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank you for recognizing me.

I think the problem is not that the last amendment was not a good amendment. I supported that. It was a step in the right direction. But I believe we need to go further. Listen to some of the things that are being asked of kids right now. Should we be involving these things in the curriculum or in the educational system? They are asking political affiliations or beliefs. What right does an educational system have to ask that question? They ask about mental or psychological problems. They ask about sexual behavior and attitudes, they ask about illegal, antisocial and self-incriminating behavior, they ask about appraisals of other individuals with whom the minor had a family relationship or a family-type relationship. They ask about relationships that are legally recognized as privileged, including those with lawyers, physicians, and members of the clergy. They ask about religious affiliations and religious beliefs. I do not believe those questions have any business in the educational system.

Let me give you a couple of questions that were actually on a questionnaire put out by a school district. I do not remember the school district. I believe it was in Virginia here.

It says in question number 11, "Have you ever been in a physical fight in which we you were hurt and had to be treated by a doctor? Yes or no."

Then it says that sometimes people feel so sad and unhappy that they may think about attempting suicide or killing themselves. The next three questions ask about attempted suicide. That puts thoughts in kids' minds that should not be there, in my view.

Here is another question, question number 34: The next four questions ask about sexual intercourse. Have you ever had sexual intercourse? How old were you the first time this occurred? What business does the educational system have in asking these questions of young people? And it makes absolutely no sense to me. I cannot understand why Federal tax dollars should directly or indirectly be involved in these types of questions.

I believe that the amendment that just passed that said parents have to give parental consent before they can give or ask these questions is a step in the right direction. However, many people are very busy, many parents do not pay attention to all the things being put in front of their kids. They have confidence in the educational system, so they do not really look into them as thoroughly as they should. So I believe many of these questionnaires will be approved by parents when the parents really would rather those children not participate in answering those types of questions.

So the best way to make sure that the educational systems of this country do not infringe upon the rights of individual parents and families, do not stick their noses into areas where they should not, is to make absolutely sure that they cannot do it by not allowing Federal funding for these kinds of projects.

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

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. HORN. I thank the gentleman for yielding to me.

Mr. Chairman, I have been listening with great interest to the gentleman. Are any of the surveys and questions that the question mentioned funded by Federal moneys?

Mr. BURTON of Indiana. I believe, indirectly.

Mr. HORN. Indirectly?

Mr. BURTON of Indiana. Indirectly.

Mr. HORN. They either are or they are not.

Mr. DORNAN. Directly, directly.

Mr. BURTON of Indiana. They were?

Mr. DORNAN. Some directly.

Mr. HORN. Which agencies did this?

Mr. BURTON of Indiana. Reclaiming my time.

Mr. DORNAN. CDC, the Centers for Disease Control.

Mr. HORN. The Centers for Disease Control?

Mr. BURTON of Indiana. Centers for Disease Control.

In addition to that, we all know there is Federal aid in the way of block grants and other ways, and that money then goes down to the school districts and school corporations through various distribution formulas and they do use Federal moneys. We do not believe Federal moneys should be used for these kinds of questionnaires.

Mr. HORN. If the gentleman from California's proposal is adopted, I say to the gentleman, it will not affect the money given by the Department of Education one iota, because the gentleman has left in the exemption here which says in section 6, "This Act does not apply to any program or activity which is subject to the General Education Provisions Act." That is the so-called Grassley amendment. That law is already on the books. The Secretary of Education cannot have questionnaires that cover the seven areas that we have blocked out. This is designed to apply to other Federal agencies such as the Centers for Disease Control which is not in the Department of Education, which might ask those questions.

Let me move to another question.

Mr. BURTON of Indiana. But those questions are asked of children in the schools in the education system.

Mr. HORN. When the gentleman says "children," I do not know what he means by "children." But I feel we are talking about 5 and 6 and these questions are generally asked of juniors and seniors in high school.

Mr. BURTON of Indiana. If I may reclaim my time, the gentleman is saying, generally they are asked of juniors and seniors in high school, but that is not exclusively the case. Many times they are asked of children in primary and secondary education, way down below the senior high school level.

Mr. DORNAN. The gentleman has just been reading from a middle school survey, not seniors in high school but a middle school, not seniors or juniors or even sophomores in middle school.

And CDC usually funds about 95, 96, 97, 98 percent of this. So if there is some other loophole we will look at that later.

Mr. Chairman, this amendment does the job.

Mr. BURTON of Indiana. Let me reclaim my time once again.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

(By unanimous consent Mr. BURTON of Indiana was allowed to proceed for 2 additional minutes.)

Mr. BURTON of Indiana. Mr. Chairman, let me read once again, since the gentleman said that this was mostly high school seniors, these were middle school students, we are talking about children in the 10, 11, 12-year-old age range.

Listen to this question. It is very important: This is of 10, 11, 12-year-old kids: How old were you when you first had sexual intercourse for the first time? Many of these kids are still in puberty, and you are asking them when they had their first sexual experience. And the answers are "Never had sexual intercourse." "I was 9 years old." Or younger. Do you believe that they have a right to ask that kind of a question in that kind of a situation in school? And many of the parents are working parents and they will not read these questionnaires.

Mr. HORN. If the gentleman will yield, if that was administered under the GEPA, that is the proposal that is the law of the land, then they had to have parental consent, if that was federally funded. That applies to every single questionnaire of the Department of Education.

Mr. BURTON of Indiana. If I may recall my time, we are talking about more than just the Grassley amendment. Does the gentleman from California have any more comments he would like to make?

Mr. DORNAN. No, except I think we have debated this so many times over the years.

Mr. Chairman, I respect the opinions of my good colleague from the adjoining district, to the west of me, Mr. HORN, and I respect the gentleman from Pennsylvania, Mr. CLINGER's opinion. Obviously, it is tearing his heart apart, and I appreciate his putting it in that context. But I think it is about time we just voted on this and saw how this entire Congress feels about this. Right now controversial surveys are an iffy proposition at best. This bill will successfully ensure that these surveys are not allowed. If we go the other way they will flourish, I predict that. Common sense tells us that.

I will repeat one thing I said early: Why do they want the information? To act upon it. This is more of the social engineering that I think the American majority rejected on November 8th last.

Mr. HORN. Mr. Chairman, I move to strike the requisite number of words.

Let me ask the author of this amendment, if I might: How does the gentleman feel about a survey on drugs given to high school students? Does he think those should be given or not given on use of drugs?

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

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

Mr. DORNAN. I thank the gentleman for yielding.

Mr. Chairman, the gentleman is going for my Achilles heel, because I feel that there is a war going on in narcotics and it is all on the side of the cocaine cowboys, and we have never mobilized our country on the side of the good guys to fight a drug war. But asking kids about "Are they drug users," so totally different and so far removed from the intimacy of asking about parental sex habits, those of their older brother or younger sisters' sex habits or their parents' political affiliation. I would resent a political affiliation question tied to a survey on drugs, I say to the gentleman.

Mr. HORN. I would ask the gentleman, does he favor surveys on drugs among high school students, yes or no?

Mr. DORNAN. I think at the State level, I have never seen one proposed at the Federal level, and I would have to make a judgment on that when it is presented to me.

Mr. HORN. Let me just say, Mr. Chairman, I can recall numerous situations in the 1960's where scholars and people with real ability in developing questionnaires surveyed classes in California high schools and California junior high schools and found extensive drug use. When they brought those surveys to the superintendent of schools' attention and the school boards' attention, great denial set in, "Oh, we don't have a drug problem. Those data must be wrong." That happened in Long Beach, that happened in San Diego. They closed their eyes to what was going on about them.

All I can say is, if the gentleman's language is adopted, it says here that you could have no questionnaire that had any questions about illegal, antisocial or self-incriminating behavior. And all that is doing is tying reality's hand behind one's back. So you cannot develop the DARE Programs and you cannot have solid evidence for, "Let's say no to drugs." All of that grew out of the fact that social scientists and school counselors who knew what was going on, when the parents did not know what was going on—with all due respect—but regardless of whether the parents did or did not, they would have absolute control whether their child, their son, their daughter would be able to answer that question under this legislation.

□ 1545

So, I suggest that we vote down the gentleman's amendment because all I see is mischief where the thing that is being turned loose is types of illicit behavior that are not discovered, and we cannot develop programs to cope with them, and they need to be coped with, not simply at home, because for some students there is not much home. They need to be coped with in the school system whether we like it or not. There is no question. Society has dumped on the school systems of America many of the problems that society has not been able to handle in the home, in the churches, in the community organizations. Like it or not, that is reality.

I live in a world of reality. I suggest we vote down this amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. DORNAN].

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

RECORDED VOTE

Mr. CLINGER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 131, noes 291, not voting 12, as follows:

[Roll No. 286]

AYES—131

Allard	Flanagan	Orton
Archer	Forbes	Packard
Armey	Fox	Parker
Bachus	Frisa	Paxon
Baker (CA)	Funderburk	Peterson (MN)
Ballenger	Gekas	Petri
Barr	Goss	Pombo
Bartlett	Graham	Poshard
Barton	Gutknecht	Quillen
Bateman	Hall (TX)	Roberts
Bevill	Hancock	Rohrabacher
Bono	Hansen	Roth
Browder	Hastings (WA)	Royce
Bryant (TN)	Hayes	Salmon
Bunning	Hayworth	Sanford
Burton	Hefley	Scarborough
Buyer	Herger	Schaefer
Callahan	Hilleary	Seastrand
Canady	Hoke	Sensenbrenner
Chabot	Hostettler	Shadegg
Chambliss	Hunter	Skelton
Chenoweth	Hutchinson	Smith (TX)
Christensen	Hyde	Smith (WA)
Collins (GA)	Inglis	Solomon
Combest	Istook	Spence
Condit	Johnson, Sam	Stearns
Cooley	Jones	Stenholm
Costello	King	Stockman
Cox	Kingston	Stump
Cramer	Laughlin	Talent
Crane	Lewis (KY)	Tanner
Crapo	Lightfoot	Tate
Cubin	Linder	Tauzin
Cunningham	Lucas	Taylor (MS)
DeLay	Manzullo	Thornberry
Diaz-Balart	McInnis	Tiahrt
Dickey	McKeon	Wamp
Doolittle	Metcalf	Watts (OK)
Dornan	Montgomery	Weldon (FL)
Dreier	Moorhead	Weller
Duncan	Myers	Wicker
Emerson	Myrick	Wolf
Everett	Nethercutt	Young (AK)
Fields (TX)	Neumann	

NOES—291

Abercrombie	Beilenson	Bonilla
Ackerman	Bentsen	Bonior
Andrews	Bereuter	Borski
Baesler	Berman	Boucher
Baker (LA)	Bilbray	Brewster
Baldacci	Bilirakis	Brown (CA)
Barcia	Bishop	Brown (FL)
Barrett (NE)	Bliley	Brown (OH)
Barrett (WI)	Blute	Brownback
Bass	Boehlert	Bryant (TX)
Becerra	Boehner	Bunn

Burr
Calvert
Camp
Cardin
Castle
Chapman
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Cremeans
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamilton
Harman
Hastert
Hastings (FL)
Hefner
Heineman
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lincoln
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McDermott
McHale
McHugh
McIntosh
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Mink
Moakley
Molinari
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Ney
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Portman
Pryce
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Rogers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Souder
Spratt
Stark
Stokes
Studds
Stupak
Taylor (NC)
Tejeda
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
White
Whitfield
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NOT VOTING—12

Coburn
Dingell
Ford
Largent
LaTourette
McCollum
McDade
Minge
Obey
Reynolds
Rush
Torres

□ 1605

Messrs. SKEEN, CHRYSLER, and KIM changed their vote from "aye" to "no."

Messrs. McINNIS, ROBERTS, STOCKMAN, SKELTON, WAMP, ORTON, WELLER, CRAMER, BROWDER, WICKER, HEFLEY, CRANE, SMITH of Texas, Mrs. SEASTRAND, and Mrs. SMITH of Washington changed their vote from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there other amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. NOTIFICATION PROCEDURES.

The head of any Federal department or agency which provides funds for any program or activity involving the seeking of any response from a minor to any survey or questionnaire shall establish procedures by which the department, agency, or its grantees shall notify minors and their parents of protections provided under this Act. The procedures shall also provide for advance public availability of each questionnaire or survey to which a response from a minor is sought.

The CHAIRMAN. Are there any amendments to section 3?

If not, the Clerk will designate section 4.

The text of section 4 is as follows:

SEC. 4. COMPLIANCE.

The head of each Federal department or agency shall establish such procedures as are necessary to ensure compliance with this Act and the privacy of information obtained pursuant to this Act by the department or agency and its grantees; Nothing in this Act shall be construed to foreclose any individual from obtaining judicial relief if requested monetary damages are not in excess of $500.

The CHAIRMAN. Are there any amendments to section 4?

If not, the Clerk will designate section 5.

The text of section 5 is as follows:

SEC. 5. MINOR DEFINED.

In this Act, the terms "minor" and "emancipated minor" will be defined under the laws of the State in which the individual resides.

The CHAIRMAN. Are there any amendments to section 5?

If not, the Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. APPLICATION.

This Act does not apply to any program or activity which is subject to the General Education Provisions Act (20 U.S.C. 1221 et seq.).

The CHAIRMAN. Are there any amendments to section 6?

If not, the Clerk will designate section 7.

The text of section 7 is as follows:

SEC. 7. EFFECTIVE DATE.

This Act shall take effect 90 days after the date of the enactment of this Act.

The CHAIRMAN. Are there any amendments to section 7?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BARRETT of Nebraska) having assumed the chair, Mr. KNOLLENBERG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1271) to provide protection for family privacy, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CLINGER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 7, not voting 9, as follows:

[Roll No. 287]

AYES—418

Ackerman
Allard
Andrews
Archer
Armey
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums

Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Traficant
Tucker
Upton
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—7

Abercrombie
Collins (IL)
Conyers
Hastings (FL)
Scott
Williams
Wilson

NOT VOTING—9

Bachus
Buyer
Ford
McCollum
McDade
Reynolds
Rush
Torres
Velazquez

□ 1615

Mrs. COLLINS of Illinois changed her vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 3913, EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR FISCAL YEAR 1995

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, April 4, 1995, to file a conference report on the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

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

There was no objection.

□ 1630

REQUEST FOR PERMISSION FOR THE HOUSE TO CONSIDER A CONCURRENT RESOLUTION REQUESTING THE PRESIDENT TO RETURN H.R. 831 AND PROVIDING FOR ITS RE-ENROLLMENT

Mr. DEUTSCH. Mr. Speaker, I ask the House to now take up a concurrent resolution requesting the President to return the enrolled bill, H.R. 831, and providing for its re-enrollment without the targeted tax benefits contained therein. Specifically, those are the benefits that have been reported in the press as $63 million being given to Mr. Rupert Murdoch.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The request is denied. Under the Speakers' guidelines shown in section 757 of the House Rules and Manual, the Chair does not recognize the gentleman for that purpose. The request has not been cleared with the floor and the committee leaderships on both sides.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1271, the bill just considered and passed.

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

There was no objection

PARLIAMENTARY INQUIRIES

Mr. DOGGETT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOGGETT. Mr. Speaker, with regard to the last ruling of the Chair that the gentleman would not be permitted to present his concurrent resolution concerning the tax benefits accorded to Mr. Murdoch, what was the basis for the Chair's ruling? Is it that the majority has not consented to the presentation of this resolution?

The SPEAKER pro tempore. Under the Speakers' guidelines shown in section 757 of the House Rules and Manual, the Chair does not recognize the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, I have a parliamentary inquiry.

Mr. Speaker could I take it up as a privileged motion at this time?

The SPEAKER pro tempore. It is not a privileged motion at this time?

Mr. DEUTSCH. Mr. Speaker, could the Speaker cite a rule why it is not considered as that?

The SPEAKER pro tempore. The gentleman has not properly presented a resolution.

Mr. DOGGETT. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOGGETT. If I understand the previous ruling of the Chair in response to my parliamentary inquiry, it was that this is a Speaker's guideline. It is not a rule; it is a guideline that the Speaker has himself applied to the rules. Is that correct?

The SPEAKER pro tempore. This is an exercise of the Speaker's power of recognition for a unanimous-consent request.

Mr. DOGGETT. I thank the chair.

Ms. WATERS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. WATERS. Mr. Speaker, if it is not a rule and you cannot cite a rule, and you are saying it is a prerogative of the Speaker, is it documented anywhere that the Speaker intended to handle his power in this way?

You may not be aware that the Speaker said that he is adamantly opposed to this tax giveaway to Mr. Murdoch, and that he wishes to do something about it. I do not think you should shut down that opportunity.

The SPEAKER pro tempore. The Chair will cite the rule: Clause 2, rule XIV, from which the guidelines have been determined.

Ms. WATERS. I am sorry?

Mr. DEUTSCH. Mr. Speaker, I would like to appeal the ruling of the Chair.

The SPEAKER pro tempore. The decision of the Chair denying recognition is not appealable.

Mr. DEUTSCH. A parliamentary inquiry, Mr. Speaker. Why is that?

The SPEAKER pro tempore. This a discretionary recognition on the part of the Chair. It is not appealable.

Mrs. SCHROEDER. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Mrs. SCHROEDER. Mr. Speaker, would the Chair receive the gentleman's concurrent resolution to put it in the RECORD at this point and see if we can get the Speaker to read it, and maybe we could bring it up tomorrow, get recognition, because we obviously cannot get over this discretionary hurdle that the Speaker has.

Could I ask unanimous consent that we put the concurrent resolution in the RECORD at this point?

The SPEAKER pro tempore. The gentleman may introduce the resolution through the hopper.

Mr. DEUTSCH. I think what the gentlewoman is requesting, Mr. Speaker, is that we have some type of recognition in terms of the Speaker himself, the gentleman from Georgia [Mr. GINGRICH], to actually take a look at it. He has stated publicly that he supports taking out this provision, and we really want to give him the opportunity to do exactly that.

Mr. TIAHRT. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman seek approval to print the text of the resolution?

Mr. DEUTSCH. I think in terms of the gentlewoman from Colorado, the request——

Mrs. SCHROEDER. Mr. Speaker, my inquiry would be since the gentleman in the Chair is the designee of the Speaker at this point, and this is all discretion from the Speaker, but I understand the gentleman in the Chair saying he does not have the Speaker's OK to exercise this discretion, could the gentleman in the Chair take the concurrent resolution and, A, put it in the RECORD, and B, see if we can get the Speaker's concurrence, so the gentleman from Florida [Mr. DEUTSCH] could be recognized tomorrow to bring this up?

Mr. DEUTSCH. Mr. Speaker, if I might——

The SPEAKER pro tempore. Does the gentleman seek unanimous consent to insert the resolution into the RECORD?

REQUEST FOR PERMISSION TO ADDRESS THE HOUSE FOR 1 MINUTE

Mr. DEUTSCH. Mr. Speaker, I ask unanimous consent to speak for 1 minute on the resolution.

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

Mr. TIAHRT. Reserving the right to object, Mr. Speaker, am I to understand that this resolution which we have not seen is going to be printed in the RECORD as if it were condoned by the Chair?

The SPEAKER pro tempore. The request is that it be printed in the RECORD for the information of the House.

Mr. DEUTSCH. And also, further, that we be able to speak for 1 minute to be able to explain the resolution.

Mr. TIAHRT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

PARLIAMENTARY INQUIRIES

Ms. WATERS. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. WATERS. Mr. Speaker, if you do not have the power by which to grant unanimous consent, acting on the Speaker's behalf, how, then, do you have the power to grant the opportunity for this to be put in the RECORD and to be dealt with tomorrow?

The SPEAKER pro tempore. The Chair can entertain a unanimous-consent request at any time at the Chair's discretion.

Ms. WATERS. But then, Mr. Speaker, you are exercising the discretion of the Speaker, as I understand it, sir, but you do not have the power to exercise that discretion fully? There appears to be a contradiction here.

The SPEAKER pro tempore. The Chair has the power of recognition. The Chair chooses not to exercise it now, under the bipartisan guidelines as suggested earlier.

Mr. DEUTSCH. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DEUTSCH. Mr. Speaker, was the objection of the gentleman from Kansas [Mr. TIAHRT] to the motion by the gentlewoman from Colorado [Mrs. SCHROEDER]? Therefore, I believe I have the opportunity to seek to address the House for 1 minute, not the issue regarding the printing of the resolution.

The SPEAKER pro tempore. In the opinion of the Chair, it was the gentleman from Florida [Mr. DEUTSCH] who asked for the unanimous-consent request.

Mr. DEUTSCH. Again, Mr. Speaker, I would stand corrected, but I believe the gentlewoman from Colorado [Mrs. SCHROEDER] asked for that request, and it was actually slightly different, both the printing and the attempt to talk. It would actually be the first time this issue was ever discussed on the floor, so it might be an appropriate thing. It is a significant issue.

The SPEAKER pro tempore. Does the gentleman from Florida [Mr. DEUTSCH] have a request at this time?

REQUEST FOR PERMISSION TO ADDRESS THE HOUSE FOR 1 MINUTE

Mr. DEUTSCH. Mr. Speaker, I ask unanimous consent that I be able to address the House for 1 minute on this particular issue.

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

Mr. TIAHRT. Reserving the right to object, Mr. Speaker, do we not have 5 minutes coming up now where everybody is going to get a turn to speak?

The SPEAKER pro tempore. The Chair will entertain 1-minute speech requests.

Mr. TIAHRT. I object, Mr. Speaker. Let us go to the 5 minutes and continue the business of the House.

The SPEAKER pro tempore. Objection is heard.

FURTHER REQUEST AND CLARIFICATION OF PROCEDURE

Mr. DEUTSCH. Mr. Speaker, I move to adjourn.

Mr. Speaker, I withdraw my motion to adjourn.

Mr. VOLKMER. Mr. Speaker, if I may be heard, I think there was a misunderstanding of what the gentleman from Florida [Mr. DEUTSCH] was attempting to do. I think it would be very helpful, perhaps, if the Speaker would now recognize the gentleman from Florida [Mr. DEUTSCH] and let him renew his unanimous-consent request. I think we can move along.

INTRODUCTION OF CONCURRENT RESOLUTION TO REMOVE PROVISION FOR SPECIAL TAX BREAK FOR RUPERT MURDOCH

The SPEAKER pro tempore. Does the gentleman from Florida [Mr. DEUTSCH] renew his request?

Mr. DEUTSCH. Yes. I do, Mr. Speaker.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida [Mr. DEUTSCH] is recognized for 1 minute.

Mr. DEUTSCH. Mr. Speaker, I am introducing, along with many Members, I believe, a sustainable one-third vote, a concurrent resolution to take out the provision that gives a special tax break to Rupert Murdoch for $63 million. At a time when we are cutting back on student loans, student work programs, student lunch programs, to do a thing that is just sleazy, it looks sleazy, it smells sleazy, it walks sleazy, it talks sleazy, and it is sleazy, and it is just something that this House, the greatest deliberative body in the world, should not be part of.

We have the opportunity to correct our actions. I urge the House tomorrow, I urge the leadership of this body, the gentleman from Georgia [Mr. GINGRICH], specifically, who has said that he is against this particular provision, let him speak in deeds, not just words.

I do not think there is one person in the entire country that believes that Senator MOSELEY-BRAUN was the impetus. We know that is not how this process works. The Speaker's relationship with Mr. Murdoch is clearly something that has been well documented in the press. I urge the support of both parties with the concurrent resolution tomorrow.

DISCHARGE OF COMMITTEE ON HOUSE OVERSIGHT FROM FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION 70 AND REREFERRAL TO COMMITTEE ON RESOURCES

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that the Committee on House Oversight be discharged from further consideration of House Joint Resolution 70, and that the joint resolution be re-referred to the Committee on Resources.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

PERMISSION FOR CERTAIN COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TOMORROW, WEDNESDAY, APRIL 5, 1995, DURING 5-MINUTE RULE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit tomorrow while the House is meeting in the Committee of the Whole House under the 5-minute rule: the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee on House Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on Resources, the Committee on Small Business, and the Committee on Transportation and Infrastructure. It is my understanding that the Minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

Mr. DOGGETT. Mr. Speaker, reserving the right to object, we have checked with the ranking members of each of those committees and subcommittees, and they have agreed to that.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

SPECIAL ORDERS

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

THE TAX CUT PACKAGE IS GOOD FOR THE ECONOMY

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

Mr. HOSTETTLER. Mr. Speaker, I rise this afternoon because Americans are overtaxed. Because of this, I support my colleague Mr. ARCHER's bill to lower taxes.

There is a growing realization in this country that we cannot afford to operate on deficit budgets. We spend too much money primarily because we are involved, at the Federal level, in too many things. If we really want to control spending, we must come to grips with the fact that the Government is entirely too big. Day after day, special interest groups file through this city claiming that they understand the need to reduce Federal spending but that their program only costs a little relative to the size of the budget. This reminds me of the chairman of the Council of Economic Advisers' boast that progress is being made regarding the size of the national debt as it relates to the national economy, while the national debt gets larger and larger and larger. These interest groups, and some of my colleagues, are missing the point. Government is too big.

But the mindset that still has a formidable presence in Congress is to see how little in Federal spending we can get away with cutting. Oh, they say, the voters are really mad about the deficit and debt, so we'll have to cut some things, but maybe not too much. Even among Members who say they want a balanced budget, there seems to be a large group that isn't interested in cutting $1 more than needed to do this.

The chief reason why there is resistance to cutting taxes, even among those who campaigned in favor of tax cuts, is that if you cut taxes, but are striving for a balanced budget, you have to cut spending that much more. The current argument against cutting taxes is that it is irresponsible to do so in the face of a $5 trillion national debt. My response is this: We have this debt not because of the tax rate but because of this body's insatiable lust for spending. What is irresponsible is for us to continue spending like we have. We spend too much because we have developed a mindset that Uncle Sam has to do everything.

I am willing to trade being called draconian and mean spirited by the liberal media and the liberals on the other side of the aisle in exchange for being about to tell my constituents that I voted to cut spending enough to balance the budget. I am willing to tell voters I voted to cut their taxes while at the same time voting for heavy spending cuts. I am willing to do this because I have come to a conclusion after 3 months in this city—the powers that be in this city—and I am not referring to Members of Congress—don't care about the taxpayers of my district. The powers that be in this city don't care about the future of my children. The powers that be in this city don't care about balancing the budget. The powers that be in this city only care about feeding their faces in the Federal trough. As a result, since the powers that be in this city have set their faces against the taxpayers in my district, against the future of my children and against balancing the budget and retiring the debt quickly, I am setting myself against them. So when you tell me that if we cut taxes that means we will have to cut spending that much more to balance the budget, my response is: "That's the whole point."

You have heard and will hear from our friends on the left that we're about to repeat the same cycle that brought massive deficits and debt in the 1980's. Let's look at what the Kemp-Roth tax cuts did and what happened to spending at the same time.

Early in the 1980's, President Reagan delivered on his promise of deep, across-the-board tax cuts. Aside from the 20 million new jobs and the longest and largest uninterrupted economic recovery in postwar American history, the tax cuts brought 14 years of increased Federal revenues. Total Federal revenues went from $517 billion in 1980 to $1.1 trillion in 1993. Total individual income tax revenues went from $244 billion in 1980 to $509 billion in 1993. Congress cut taxes considerably and doubled Federal revenues. You can't blame increasing deficits and debt on something that caused revenues to double.

So why did the deficit go up by 250 percent? Because during this same time period spending went up by $800 billion or 130 percent. The increase in

spending was $200 billion greater than the increase in revenues caused by the tax cuts. That's why the deficit and the debt went up. Remember this when our friends on the left tell you that cutting taxes will increase the deficit. That's only true if we abrogate our responsibility to cut spending, and I'm not going to do that.

Now, let's remember just what is being proposed here. The American Dream Restoration Act stated that families should receive a tax credit of $500 for each child under age 18. This credit is available to families earning up to $200,000. A segment of that credit is available to families earning up to $250,000.

That there is an earnings limit at all is in itself a compromise. That there is an earnings limit at all—make no mistake about it—constitutes redistribution of wealth, albeit on a small scale.

The opponents of this bill say it is wrong to offer a tax credit to families earning up to $200,000. That means they believe it is OK to exclude these families, no matter how many children they might have, solely on the basis of the fact that they earn more money.

Although these families are just as capable to taking the $500 or $1,000 or $2,000 or $3,000 and investing it or spending it, the mindset on the left says the Federal Government needs that money more and that those families do too well to qualify for tax relief.

Now, this idea to sock it to the so-called rich is nothing new. Yesterday's Wall Street Journal quoted some IRS statistics showing that, in 1992, before the Clinton tax increase, households making more than $100,000 accounted for 3 percent of all tax returns but paid 39 percent of all Federal income taxes. The same editorial notes that households making more than $100,000 reported a total income of $858 billion, of which $512 billion remained after taxes and deductions. If each of those families was forced to pay everything past $100,000 in taxes, which everyone in this Chamber would agree is an asinine concept, the Government would have collected an additional $135 billion in tax revenues, less than half of the budget deficit that year.

The point is that the effort to exclude families because they make more money is simply caving in to the shrill, yet baseless—the much-publicized yet anemic and the intimidating yet foolish cry from the left that the tax credit favors the rich. The fact is, those of us who know the tax cut package is good for the economy should have the courage to vote for a package that includes the provision to give a $500 per-child tax credit to families making up to $250,000, a 50-percent capital gains tax reduction, a front-loaded IRA, a repeal of the Clinton tax increase on social security benefits and an increase in deductions for small businesses. We can do this and balance the budget if we have the courage to cut spending and ignore the special interests that dominate this city.

□ 1645

TAX CUTS

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

Mr. BECERRA. Mr. Speaker, there is nothing wrong with tax cuts. Obviously, it is great if we can give the American people a tax cut.

Two questions we have to ask, though, are: Is it being done equitably and can we afford to pay for the tax cuts, because somewhere we will have to pay for the loss in revenue.

We have heard Speaker NEWT GINGRICH describe within the contract on America this tax-cut proposal as the crown jewel of the contract. It is a crown jewel all right, but the only problem is you only get the jewels if you are privileged enough in society and can afford them.

The plan gives away billions of dollars in tax breaks and other goodies to corporations and the well-to-do, those groups, the only groups, in fact, that in the 1980's benefited from the trickle-down economics we experienced in that decade. If you do not belong to this group of corporations or well-to-do, the plan not only does not help but you have to pay for it as well.

How will you pay? We have seen a little already. Who takes the hit? School lunch programs, student loan programs, student grant programs for colleges, summer youth employment programs, home heating assistance for seniors. There will be more middle-class programs cut and dismantled over the next several months to pay for these expensive tax cuts.

The capital gains tax cut that we will see by itself benefits, for the most part, those that have incomes in the six-fugure range. Seventy-five percent of the benefits will go to the top 12 percent of Americans in this country. Overall, 50 percent of the benefits go to those who earn over $100,000, 12 percent of the entire population.

Let us take a quick look at a chart that we prepared here to show who benefits but who pays. If you happen to earn $200,000 or more, you are going to get about $11,266 from a tax cut from the Republican proposed legislation. If you earn under $30,000, you can expect to get, over the year, $124 in that tax cut.

If you take a look here, you can see how many people in America earn those different ranges of income. How many people earn over $200,000 a year? Less than 1 percent of the population. Yet they are going to take the lion's share of those tax cuts. How many earn under $30,000 or between $30,000 and $75,000? About 45 percent of the American public.

You can see from this chart how much, close to 50 percent of the American public will get out of these tax cuts. They are not going to the average middle-class family. They are not going to the average family period. They are going mostly to those who are well-to-do.

Why? It is unclear. We have not specified where the cuts will come from, the money to pay for those cuts. We have not discussed how we will somehow make up for the loss in money to pay for school lunch programs, but we do know that those who earn over $200,000 will benefit tremendously from this.

Is it just a Democrat or someone who happens to represent an area that has a lot of middle-class or working-class people in it that is subjected to this tax-cut bill, Democrat or Republican tax-cut bills? No.

Let me give some quotes from people on the Republican side of the aisle on this tax-cut proposal.

"Most people in my district don't consider someone making over $200,000 middle class." Republican from Iowa.

"It's a message that we need to give. That we don't think $200,000 is middle class. Just because everyone signed the Contract With America does not mean that everyone agreed with every detail." Republican from Nevada said that.

"I want something that defends Democrats' charges that we are the party of the rich." Republican from Illinois.

"There's a lot of concern that if we were to enact all the tax cuts in the Contract With America that it would make it all but impossible to bring the deficit under control." The chairman of the Committee on Rules, Republican from New York, said that.

Clearly, what we see here is not a tax-cut plan that will go to middle America. It is a tax-cut plan that removes the minimum protection that we have to make sure that corporations pay any minimum taxes that we passed about 10 years ago because we saw some mega-corporations, transnational corporations getting away without paying a cent of tax.

The Republican proposal that we will have before us this week eliminates that law that requires corporations to pay at least a minimum tax. This is not a tax plan for average Americans. This is not a tax plan that the Congress should pass. This is not a tax plan that the President should sign. This is a tax plan that will go to a few and be paid by many.

Mr. Speaker, I would urge all my colleagues as we debate this measure to take a close look at what we do here today and tell the American people that, before we start talking about tax cuts, let us start talking about deficit reduction.

H.R. 1215, TAX FAIRNESS AND DEFICIT REDUCTION ACT

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

Mr. TIAHRT. Mr. Speaker, today marks a dramatic change in the way Washington sets policy, and the way Congress does business. We have begun discussing a truly revolutionary tax bill. I would like to share with you why this bill, H.R. 1215, the tax relief bill, is so important to me.

I want to be clear from the very beginning that this tax relief bill is not about rich versus poor. It's about rewarding behavior which grows our economy, pays off our debt, and keeps the torch of our system of self-governance burning bright.

You know, I was just elected to Congress last November. My wife, my three children, and I have enjoyed a nice life. But, we've worked hard, have been careful with our money, and have planned for the future.

I can still remember growing up on our family farm. As a family we woke up early and worked just as hard then. Like most farm families, our life was tough. But the love and good times we shared around the kitchen table, made all the tough times worth it.

When I hear people talking in this well about the Republicans trying to line the pockets of their rich friends, I think back to my days on that farm with my brother and sisters. I think back to the high-water pants I wore, and tried to cover up with lace-up boots, so no one could see.

President Dwight Eisenhower, a proud Kansan, used to talk about his humble childhood. He said he never realized he was poor when he was a kid, because he didn't know anything else. When I look back on my roots, President Eisenhower's description, I can identify with my fellow Kansan.

It is not despite my humble roots that I strongly support this bill, but because of my roots. This tax cut bill we will be discussing tomorrow is about families, and it is also about rewarding behavior which leads to a better community and a stronger Nation.

This tax bill is about aiming at a goal, and trying to attain that goal. This tax bill is about Americans becoming their highest and best.

Americans can do better than to encourage its oldest and wisest citizens to mothball their talents prematurely, just because they reach the age of 65. But, that is exactly what this country does when it discourages productive behavior on the part of its senior citizens. Allowing seniors to earn more and pay less taxes is reason alone to support this bill.

In fact the entire bill will help to keep this economy growing, and thus making it possible for us to balance our books by 2002. But the part of the bill which I support the strongest is the decrease in estate taxes.

I shared with you my farm background. Family farms are like so many other small businesses. Like my grandparents who worked hard their whole life, and they never felt they had any money. When they died they left the farm. In a sense my grandfather was rich for a day. My parents inherited the family farm. But after they paid all the debts, the notes, and the dreaded inheritance tax, it was like they bought the farm from a stranger, the Government.

Is it right in America, a land where the right to own property is a fundamental right, that younger generations have to mortgage the family land to pay the Government's taxes?

Is it fair to burden families with outrageous inheritance taxes, when that capital used to purchase the land has already been taxed once or twice already?

I am proud to support this bill which will increase the estate and gift tax exemption from $600,000 to $750,000. I am also proud that the $750,000 amount will be indexed for inflation from 1998 on.

Anyone who has worked in a family business or on a family farm knows that a value of $750,000 is not large as businesses or family farms go. And oftentimes families are forced to sell the businesses after a death just to pay the inheritance taxes.

Mr. Speaker, families have to deal with enough hardship when a loved one dies. Let's not add to their grief. In fact let's give them a hand, but keeping the hand of Government out of their pockets. Let's pass H.R. 1215. It's the right thing for farmers, it's the right thing for small businesses, and it's the right thing for families.

□ 1700

THE REPUBLICAN CONTRACT: WHO WINS, WHO LOSES?

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, at the end of this week the Republicans will have a celebration of passage of items in their Contract on America in 100 days.

The most important question we need to ask about the Republican contract is: Who wins, and who loses? The breakneck pace the Republican leadership has employed to pass the items in the contract has obscured the answer to this question. I am confident that as time goes on, and the American people are given the time they deserve to consider these measures, they will understand that they will be the losers because their interests are not represented as they were led to believe.

So let us step back for a moment and take a look at these first 100 days. What are the Republicans really selling with the contract, and who is buying?

The Republican leadership moved quickly to tend to the needs of their special patrons: the special corporate interests who have for decades sought relief from their responsibilities for the health, safety, and well-being of Americans.

Corporate America's special interests' day has finally come. In their zeal to protect their patrons the Republican leadership and Members immediately moved to issue a blanket moratorium on all new regulations of the Federal Government. This blind, unthinking payoff to the special interests did not discriminate between good regulations and bad ones. It did not consider who might get hurt. That, of course, was not the point. So this House voted to bring to a halt rules to protect the food supply from deadly E. coli contamination; rules to protect the drinking water; rules for greater toy safety; rules for workplace safety, and many other regulations issued to protect the interests of average Americans—the public interest.

Well, so what if we suspend all regulations which serve to protect the public health and safety? As American citizens don't we still have the right to control irresponsible corporate behavior through the most democratic institution of all, the citizen jury in a court of law? Well my friends, think again.

As the Republicans in the House take away with one hand, they also try to take away with the other.

Soon after voting to stop regulations that might serve to protect consumers from dangerous products and irresponsible corporate behavior, they rammed through a measure which makes it far more difficult for citizens to secure damages in court for harms they have suffered from dangerous products. Punitive damages, those awards made by juries as a message to stop future irresponsible and negligent behavior of corporations, were capped in the House bill. This takes away the power of the jury and reduces the prospect for punitive damages to just another calculation in the cost of doing business.

And by tying punitive damages to the income of the victim, the Republican sponsors of this bill have sent a clear message to Americans that their worth is determined by how much they can earn. I urge the women, elderly, children, workers, and poor of America to take note of this startling fact. No where else is the real agenda of the Republican contract made more simple and more clear.

Now what about welfare reform? Wasn't that supposed to make changes in a program for the benefit of all Americans—poor and working Americans alike? Well, the Republican leadership chose instead to avoid an honest

evaluation of the Federal welfare program: fixing what needs to be fixed and improving what should be improved. They chose to avoid the underlying problems of jobs, health care and child care which beg for solutions. Instead they chose to slash the budget and callously pass the problem along to the individual States.

And yet as they cut $69 billion from programs like WIC and the school lunch program, they refuse our efforts on the Democratic side to ensure that these cuts would go to reduce the deficit, a benefit for all Americans. Instead, they chose to reserve those funds to plug a hole in their tax cut plan for the wealthy. I am sure that many working class Americans who supported welfare reform in the contract will be shocked when they discover who will reap the benefits. It is, of course clear, who will suffer.

It should come as no surprise that we have recently learned that much of the legislation in the contract was actually, literally drafted by professional lobbyists for the special interests. We learned that the Republican leadership gathers for lunch weekly with this small cadre of lobbyists so that they can represent the interests of their clients more effectively.

Well, let me tell you that I gathered for lunch with some VIP's myself last month. They were kids from an elementary school in my district. The young ones—babies 4, 5, and 6 years old—start asking their teacher what time lunch is about 9 in the morning each day. They are that hungry.

Mr. Speaker, If there were a few of these kids in your weekly lunches, and a few less special interest lobbyists—America would be a far better place for everyone.

The tactics employed by the leadership in ramming through anti-people programs have been designed to hide the truth from the American people about what they're really selling in the contract; about who gains, and who gets hurt.

This contract is for corporate America and fat cats, not for the people.

ORDER OF BUSINESS

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Maryland [Mr. BARTLETT].

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

There was no objection.

SUPPORT FOR A CAPITAL GAINS TAX CUT

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

Mr. WELDON of Florida. Mr. Speaker, I rise to speak out in support of our tax package coming before the House to be voted on this week, and Mr. Speaker, I specifically want to talk about our capital gains tax cut. I had a woman in my district who called me in support of our capital gains tax cut, and contrary to what we may hear from our colleagues on the left that this is for rich people, well connected people, fat cats, so to speak, this lady was actually unemployed. She is at home and she is recovering from cancer surgery. And indeed, she is a widow, her husband was killed in an automobile accident 5 years ago. But she called me to tell me that she supports the Republican capital gains tax cut because she has a house that she is putting up for sale and she needs that money to pay her medical bills and to pay for her son's education.

We are going to hear a lot of rhetoric from the left that this capital gains tax cut benefits the rich. But in reality the number of people that it benefits, by and large, are middle-class working people. If you add up the dollars, yes, the dollars suggest that it helps the rich. But if you add up the number of people who are benefiting from it, the vast majority of the people are middle-class working people, people earning less than $50,000 a year.

There is another benefit from our capital gains tax cut which goes totally neglected by the opponents of initiative; it is that the people who benefit from this then appreciate those capital gains and when they do not have to send that money to Washington and they take that money and they invest that money, it creates jobs. It creates jobs for working class people.

There is something much, much better in our economy when you stimulate investment and when that creates jobs than when jobs are created by makework projects here in Washington. This capital gains tax cut is going to help the middle class, it is going to help working people, it is going to help unemployed people who are looking for work, and I support this tax package.

Mr. SAXTON. Mr. Speaker, will the gentleman yield?

Mr. WELDON of Florida. I am happy to yield to the gentleman from New Jersey.

Mr. SAXTON. Mr. Speaker, I would like to point out what the gentleman from Florida [Mr. WELDON] mentioned here just a few minutes ago is demonstrated on this chart. He said that most of the people who benefit from capital gains on an annual year-to-year basis earn less than $50,000 a year. And that is absolutely correct. If you take out the one year when they have gotten the benefit of the capital gain and average all of their other years out, as a matter of fact, 38.4 percent of the people on a year-to-year basis actually earn less than $50,000 a year and 22.4 percent, for a total of almost 60 percent of the people, earn less than $100,000 a year who benefit from the capital gains tax cut that we are suggesting.

So, when our friends from the other side of the aisle suggest that it is the rich folks that benefit, this chart tells a different tale.

Mr. WELDON of Florida. I really appreciate the gentleman from New Jersey sharing that and that chart illustrating the point very effectively.

There is one other thing I want to mention to my colleagues on the left. We are in a competition worldwide with the Europeans, with the people on the Pacific rim. For competitiveness' sake we need this capital gains tax cut. If you go to those countries, their capital gains rates are much, lower than ours are. The result of that is capital tends to move out of the United States into those other countries, so if we lower our capital gains rate it will not only create jobs, it will not only stimulate the economy, it will not only help the middle class, working class people, unemployed people looking for jobs, it will also bring foreign investment into the United States which further stimulates our economy, strengthens our dollar which is currently taking a beating in foreign markets.

Mr. Speaker, this bill is good for America, it is good for working class Americans, middle-class Americans, unemployed Americans.

Mr. Speaker, I support this bill. I encourage our colleagues on the other side of the aisle to put partisan politics aside and join us in a bill that is good for the whole Nation.

STUDENT LOANS

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

Mr. HILLIARD. Mr. Speaker, I stand before you today to protest the latest calamity that the Republicans have forced upon the citizens of this Nation. Once again, the Republicans are robbing middle-class families in order to offer tax benefits for the wealthy. This trend of the new Republican majority has reached alarming proportions.

Now, the Republicans have targeted college loan programs for cuts to pay for tax breaks to rich special interest groups. The contract on America would drastically cut funding for the Perkins Loan Program, Work-Study Programs, and Supplemental Education Opportunity Grants. Money from all of these programs accounts for over 75 percent of the financial aid that is distributed in this country every year.

If we allow the Republicans to cut funding for college students, the middle class will end up having to pay over $20 million over the next 5 years. This burden is too heavy to place upon the backs of the working families of America, and we cannot allow it.

Our young people are one of our most important resources. No young person

who is capable of learning should be denied the opportunity to pursue a higher education.

A good education is crucial for success in this country. Investment in the successful futures of young people is one of our most critical obligations, and everyone must take it seriously. There is no greater cause than investing in the expansion of young minds.

I know that many of this Nation's most prominent citizens arose from humble beginnings, and improved themselves with Government-funded financial aid programs. With higher education costs rising every year, more and more families need a little more assistance in sending their kids to college.

The Republicans want to deny these underprivileged youths the opportunity to improve themselves, even though many of them relied on student loans to finance their own education. I don't know how they can justify taking away one of the best means to improve America's future, just to satisfy the greed of the very wealthy.

President Clinton has stated that he will stand firm against any attempts to eliminate or scale back student loan programs. We, as Democrats, are behind the President in standing up for working families.

Middle-class families work much too hard to have the fruits of their labor taken away for the benefit of the Republican's wealthy contributors.

The Republicans have reached an all-time low with this proposal. I give them and their Contract on America an "F."

□ 1715

And for emphasis, I suggest once more to you that if we are to survive as a strong nation, Mr. Speaker, we must educate our youth.

INVESTMENT AND JOB CREATION

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Maryland [Mr. BARTLETT] is recognized for 5 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, I rise this evening in strong support of H.R. 1215, because it is an investment and job-creation bill.

Let me talk for just a moment about tax cuts in general and what they do. First of all, let me say that tax cuts are not a government giveaway. What the Government is doing is simply taking less of your hard-earned money.

The Federal Government has no right to your money. When they take less of your money, that is not a Government giveaway. It is simply letting you keep more of what is rightfully yours.

Republicans and small business all across the country, indeed, large businesses also recognize that the engine of job growth in America is small businesses. The statistics from our recovery from the last recession are really very illuminating. If you place the companies across our country in categories relative to the number of employees, 5,000 employees and above, and then smaller and smaller until you get down to the smallest companies, and those are with zero to four employees, the new jobs that were created in recovery from the last recession, a tiny percentage of those were created in the companies that had 5,000 employees and more. No company below that, no group of companies below that, increased their work force at all. It relied on the smallest of these groups of companies, the zero to 4 employees. More than 90 percent of all the new jobs were created. This makes it very apparent that capital investment, for small businesses is very, very important in our job force, particularly so when we are trying to recover from a recession.

I sit on the Small Business Committee, and I have been impressed over and over with witnesses how important, how important venture capital is. Regrettably, the Federal Government has in the past, and we are correcting that, the Federal Government has been playing the role of investment banker. It has been taking the hard-earned dollars from American workers and trying to make choices of who will succeed and who is not likely to succeed in the business world. They have not done very well at that, because it is not a proper function of government.

We do need money for small business, but this money should not be controlled by the Government. Our oppressive tax structure, after a business finally even gets enough money to get started, our oppressive tax structure penalizes people for success in business.

We had one witness in the committee which told of a friend of his who had a company of over 100 people. The Government was taking more than about half of the money that his company made, and if he was able to save the rest of it, when he went to pass it on for his children, the Government would take more than another half of it. So his children were going to get about 20 cents of each dollar that he earned now. He did not need the company and all of the headaches and the Government harassment, and so he quit. There were 100 people out of work, because there was no incentive for him to continue to work.

We need to lower this oppressive tax structure.

Mr. SAXTON. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT of Maryland. I yield to the gentleman from New Jersey.

Mr. SAXTON. Mr. Speaker, I would just like the gentleman to yield on the point he is making about Government taking a bigger and bigger bite out of people's pockets and a bigger and bigger bite out of national income.

This chart demonstrates, beginning in 1930 when the Government took 12 percent of national income, to 1940, when the Government consumed 25 percent of national income, to 1960, when it consumed 32 percent of national, all the way up to 1990 when local and Federal Government consumed 42 percent of national income.

What the gentleman is saying correctly and very articulately is that this bill is about trying to turn this around so national income is consumed less by the Government rather than more each decade, as we see is evident on this chart.

I thank the gentleman for making that point.

Mr. BARTLETT of Maryland. Thank you very much. If you continued that, last year, May 27 was tax free day. That is more than 42 percent. But we were not through yet supporting Government, because between May 27 and July 10, every person in America who worked spent all of their money, all the money they made went to pay for unfunded Federal mandates, so the cost of total Government last year took all of the income of all working Americans up until July 10.

This is a tax burden that we cannot bear.

Just a word, in closing, about the capital gains tax. By statute, CBO cannot dynamically score a tax cut. They must statically score it. What that means is all of those capital gains tax reductions will certainly create jobs and increase revenue to the Government. They cannot score it that way, but everyone who studies this knows a capital gains tax cut is a real winner for everyone.

INTRODUCTION OF THE VETERANS HEALTH CARE REFORM ACT OF 1995

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

Mr. EDWARDS. Mr. Speaker, the Congress has a long record of support for America's veterans and for the VA health care system on which so many veterans depend.

That system, like health care delivery generally, is facing an era of challenge and change. A critical factor for both the private and public health sectors, of course, is the high cost of health care delivery. Managing within a fixed budget, the VA has long been a cost-conscious provider of care. In recent months, however, VA's leadership has initiated additional reforms aimed at achieving more efficient service delivery.

We continue to press the VA to streamline and improve its delivery of care. We also recognize, however, that the Department operates within a statutory framework which from time to

time needs revision. It has become clear to me that at least one key element of VA benefits law no longer serves the veteran or VA effectively. Specifically, the laws governing eligibility for VA care have become archaic and need to be modified. Those laws—some reflecting medical practices of years ago—make it easier to get costly hospital in-patient care than routine outpatient treatment. As a result, VA facilities often face the choice of denying a veteran routine outpatient treatment, providing that treatment illegally, or hospitalizing the individual to circumvent statutory limitations.

There is relatively broad consensus that enactment of health care eligibility reform is a top priority. Veterans have been urging Congress to enact a law which would guarantee comprehensive health care coverage, including long-term care, to service-connected, low-income, and others with a high priority to VA services. We attempted to achieve that goal last session as part of the broader pursuit of national health care reform, but were ultimately unsuccessful. I do not believe the prospects for that kind of comprehensive legislation have improved.

In my judgment, we can best achieve our common goals for VA eligibility reform incrementally. The reforms proposed in the Veterans Health Care Reform Act of 1995, which I'm introducing today, are incremental, but they are also important. My bill would for the first time eliminate barriers to routine outpatient treatment, and make medical need rather than a questionable legal test the basis for determining whether a patient requires hospitalization or a clinic visit. The changes would not only make VA eligibility rules more rational, they would expand the benefits available to most veterans. Under current law, only a limited group of veterans—those 50 percent or more service-connected disabled—are assured of receiving comprehensive outpatient treatment. The bill calls on VA to manage resources so as to provide comprehensive outpatient treatment, as well as hospitalization, to a much broader spectrum of veterans, including those receiving compensation for a service-connected disability, former prisoners-of-war, World War I veterans, and lower income veterans.

Although I believe VA medical care merits a greater percentage of discretionary funding than it receives, the bill's proposed expansion of eligibility does not depend on additional appropriations. The bill instead envisions that the VA will shift care from its hospital wards to its outpatient clinics, and with the shift free up resources. Studies have found that some 40 percent of episodes of VA hospital care could more appropriately have been provided on an outpatient basis. In part, the problem is that VA facilities have more hospital bed capacity than they need, but not enough space and staff devoted to providing outpatient treatment. The bill would reverse that. It would provide VA a means to expand its outpatient treatment capacity by permitting the Department to retain for these purposes third-party collections above the Congressional Budget Office baseline level.

Let me stress that this bill is an important step forward, and a step on which we can build in the future. While its provisions would only have effect for a 3-year period, its implementation will provide the kind of data and experience VA and the Congress need for the still more comprehensive reforms that veterans seek and deserve.

DISTORTIONS ABOUT THE TAX REDUCTION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DOOLITTLE) is recognized for 5 minutes.

Mr. DOOLITTLE. Mr. Speaker, many of us are looking forward with greater anticipation tomorrow to passing what is a most significant provision of the Contract With America. That is the tax bill with all of the attendant benefits for families throughout the United States.

We have heard much talk from the other side about benefiting the rich, gross distortions of what this bill actually does, and a constant reference to the rich or to really utilizing a technique, if you will, of class warfare.

Mr. Speaker, I just would like to point out the Constitution of the United States and the writings of the Founders of this great country make no mention of class or income level. Indeed, the Declaration of Independence proclaims that all men are created equal, which means that all men and women stand equal before God in their entitlement to exercise their inalienable or God-given rights of life, liberty, and the pursuit of happiness.

We all know that the American family is overtaxed today. In fact, Americans are overtaxed, paying a higher percentage today in taxes than at any time since World War II, and we are not in a war right now, Mr. Speaker. We are fighting for survival against the Government which seeks to regulate and tax out of existence the very Americans who provide for its support.

Now, we hear from many critics on the other side the idea that we ought to sacrifice in essence for Government so that Government can tax the people's money, bring it back here to Washington, run it through the bureaucracy and trickle it back down again out to the end recipient.

Study after study shows that we lose between half and two-thirds of every tax dollar that is taken in that fashion. That is a gross waste of resources and a burden on Americans that we can no longer afford. We are making a start to turn that around with this very important piece of tax legislation tomorrow which cuts taxes for everyone.

I would just like to reference a chart that shows the effect, for example, of the capital gains tax cut where we are constantly criticized for benefiting the rich, and I would just like to reference this chart prepared by the Bureau of National Affairs which indicates that the distribution of tax returns reporting a capital gain with income measured as the adjusted gross income minus the capital gains, and you can clearly see that 70 percent of the returns filed claiming capital gains are for people whose incomes, adjusted gross incomes, are under $50,000, 70 percent. For those with adjusted gross incomes of over $200,000, only 2 percent filed such returns.

So do we all benefit from these capital gains provisions? Yes, we do. And by the way, the distribution of the benefits for the $500-a-child tax credit is roughly in similar proportion to what we see here with the capital gains.

Again, the vast bulk of the benefits go to people of middle incomes. But again we are changing the tax provisions to say children have value and whether you are rich or poor, we as a government are going to recognize that with a $500 per child tax credit. It is right in the philosophy of a man who as a good Democrat, President John F. Kennedy, who proclaimed "A rising tide lifts all boats." That is the philosophy of the Contract With America. We believe in restoring competitiveness to our economy. We believe in increasing the rate of economic growth. We believe in increasing the savings rate of individuals, and we do that in this tax bill by changing the provisions relative to IRA's, individual retirement accounts, so that all people have an incentive to put some money away for a rainy day and when they do that, after 5 years, they can take it out tax-free.

That will create the incentive that Americans need to begin saving once again. The whole basis of this country, the free enterprise system, is based on incentive.

In the Contract With America we restore that incentive.

I look forward to that very important bill tomorrow.

BACK TO THE FUNDAMENTALS ONCE AGAIN

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Illinois [Mr. POSHARD] is recognized for 5 minutes.

Mr. POSHARD. Mr. Speaker, I love baseball. Growing up in farm country in southern Illinois, I always managed with my cousins to start the baseball season this time of the year with some

pickup games, and I dreamed of the time that I could become a baseball coach. I went into the Army when I was 17, and I got out at age 20 and started going to the university. I got a bachelor's degree in physical education and became a baseball coach. I started coaching in a small rural high school. After the basketball season had ended my first year of coaching, it was only a few weeks' time that we had to get into the baseball season. In between that and the April showers we did not have much practice time. Lo and behold, the kids had not had the privilege of playing in Little League or Pony League or Legion Ball, so they knew nothing about the fundamentals of baseball.

In our first game of the year we were playing another team in a nearby community. We were behind 9 to nothing in the bottom of the 5th inning. In high school ball there is a 10-run rule. If you are behind 10 runs at the end of the 5th inning everybody goes home. They make the assumption you are not going to catch up; the game is over.

So the opposing team had the bases loaded and nobody out. If the kid on third base scores the game is over and we all go home. So I walked outside the dugout and yelled to my men in the infield. I said, "Okay, men, let's bring the infield in for the play at the plate." I turned and walked back to the dugout and every single kid on the infield followed me straight into the dugout. Well, I was shocked. Derisive laughter came out of the stands. People were guffawing their heads off. I chewed my kids out. But the truth is, on the way home I got a guilty conscience. You see, it was not their fault that I had not taught them a basic fundamental of the game, how to bring the infield in and throw the guy out at the plate. It was my fault. I had forgotten to teach the fundamentals. I want to tell you in this last baseball strike here lots of fundamentals were forgotten, mainly that baseball is a game. But let me tell you about a labor-management dispute that is not a game.

In my district the United Paper Workers, the United Auto Workers, the United Rubber Workers have been in the midst of a labor-management dispute for some as long as 2 years. These are people that will never make a million dollars in their entire lifetime.

They are not cry babies. But their babies are crying. No jobs, less food on the table, no health insurance. These people do not labor in high-paying, hero-worshipping jobs in right field or center field or even the infield. They labor in coal fields and cornfields and wet-milling plants and making rubber tires and making heavy equipment, tough jobs.

When their complaints of unfair labor practices were filed, some as long as 2 years ago, no one expedited their case in the National Labor Relations Board. When their employers locked them out in the case of the rubber workers permanently replacing them because they wanted the same contract as this Japanese-owned corporation that their counterparts had received from American companies, no Federal judge said a word. Why? Is their labor less worthy? Are their families less important to the welfare of this country? How can we be so out front for people making $4 million or $5 million a year and so reluctant to help people making $20,000 or $25,000? I know unions are not in favor today. But I grew up in coal-mining country. I saw young men go down into the mines and come up, at 35 years of age, with black lung and die and leave their families with nothing, until the UMWA organized. I saw the working conditions change so that accidents did not take hundreds of lives.

Mr. Speaker, Mr. President, I am not asking for the administration or the Congress to take sides in this labor-management dispute, but I am asking that the same sense of urgency and concern be given to the working people of this country.

Let us not forget the basic fundamentals of what built this country: Respecting people's work and expecting that their government will go to bat for them no matter their station in life or their position of power and influence in this country.

PASS H.R. 1215

The SPEAKER pro tempore. Under a previous order of the House the gentlewoman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to support an increase in the Social Security earnings limit and to ask for the repeal of the Clinton tax hike on Social Security benefits. Both are included in H.R. 1215.

Mr. Speaker, the Social Security earnings limit is an unfair and detrimental burden on all senior citizens who find it necessary to work. A fixed Social Security income alone, or a planned savings program designed to supplement income during retirement, does not in any way provide sufficient financial security for senior citizens to live in the current world of rising prices. Moreover, and equally important, after being accustomed to bring in the work force for various decades, retirement leaves many seniors with a feeling of worthlessness and a lack of identity, hence there need for employment.

Unfortunately, Mr. Speaker, instead of repealing the earnings test which he once felt was punitive, President Clinton failed to even increase the earnings limit. Last year, his Social Security Administrator testified that only a $1,000 increase was possible.

Under current law, senior citizens lose $1 in Social Security benefits for every $3 they earn above $11,280.

The earnings limit translates into an added effective tax of 33 percent, combined with a 7.65-percent FICA withholding tax, and a 15-percent Federal income tax. This combines into a preposterous effective marginal tax rate of 55.65 percent—twice the tax rate of millionaires. This, Mr. Speaker, is outrageous, because it keeps people from working and I feel that no one person should be discouraged from working or, worse yet, penalized for trying to be financially independent. That is why I favor H.R. 1215, which eliminates the bias against older Americans who continue to work in order to help themselves and to create a better future for all.

This legislation phases an increase in the earnings limit to $30,000 by the year 2000 and allows seniors to earn $4,000 more each year.

An increase in the earnings limit is synonymous with positive benefits for senior citizens and for the overall welfare of this Nation. An increase in the earnings limit will provide for increased economic growth resulting from the wealth of expertise gained from seniors who possess decades of workplace experience, not to mention a strong work ethic, punctuality, and flexibility. We need the expertise and manpower that our seniors provide, in addition to the billions of dollars in the annual output of goods and services which their manpower renders.

The implementation of the earnings limit is a complicated procedure which requires that seniors produce estimates of their earnings for the upcoming year so that the Social Security Administration can reduce their checks. Any incorrect estimate, however, translates into a lump sum reduction in benefits or, worse yet, increased costs for these seniors if they have to employ tax accountants to determine the changes in their tax rates.

As if these limits to earnings were not enough, Mr. Speaker, current tax laws serve to place even harsher penalties on America's seniors, specifically those who continue to work, be it for financial or emotional reasons, beyond the age of 65. By requiring America's seniors who earn more than $34,000 as individuals, or $44,000 as couples, to pay income taxes on 85 percent of their Social Security benefits, the 1993 Clinton tax hike on Social Security benefits placed a heavier economic burden on millions of middle- and low-income senior citizens.

The bill repeals the Clinton tax hike in a 5-year period. By the year 2000 the percentage of the tax on Social Security benefits will be lowered to 50 percent. This was the amount originally in effect before the 1993 tax increase. H.R. 1215 is designed to grant tax fairness for millions of American families and, more importantly, for those who have made this country what it is today, our elders.

By increasing the earnings limit seniors can receive, and eliminating the 1993 tax hikes to which they are exposed to, this legislation will serve to lift the financial burden of our older Americans and will grant them a feeling of usefulness and contribution as they continue to produce in the workplace.

WHAT ARE OUR PRIORITIES AS A SOCIETY?

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

Mr. WARD. Mr. Speaker, I am proud to join my Democratic colleagues today in speaking out against the proposed cuts in student loans offered under the Republicans' rescission package. Now let me hasten to point out that I am not saying, as you may have heard some Members of the other party say today, that Democrats just want to tax more. It is not a question of taxing more, it is a question of what is going to be cut? It is a question of what are our priorities as a society?

As we have seen in these rescission programs, the priorities that have been reflected in the cuts that have been made are not the priorities that I was elected to Congress to talk about or to promote.

I want to mention one thing that is particularly of concern to me today. This concerns this body, that as a body we should have a rule, as we did in the State of Kentucky where I served in the Legislature, that any conference committee change of a bill has to be explained on the floor of this House.

What we have seen, ladies and gentlemen and Mr. Speaker, is a change in a very simple bill, a simple bill that was passed by a wide margin in the House and in the other body, but with little differences. Those differences were worked out in a conference report. That conference report had the power to add things that were never discussed in either the House or the other body. But with that power what they did in this case was to add one tax break for one very rich individual named Rupert Murdoch. This tax break, one of 17 that were proposed, relating to the Federal Communications consideration of purchases of minority enterprises, sales to minority enterprises, a tax break that will mean tens of millions of dollars in money directly to that corporate empire, which was not told to us on the floor of this House when it was brought up.

As I say, in the State of Kentucky, there is a specific rule, a requirement that a change of that nature has to be raised on the floor. Had it been raised, Mr. Speaker, there would have been cries of foul from one side of this floor to the other. Had it been raised the bill would have been changed on the floor or defeated and sent back to be changed before it was brought back before us.

□ 1745

So today I have urged the President to veto that bill, veto that bill because, while it does offer an important tax break to small business people who buy their own health insurance, that is something we can do in an hour and a half after the veto.

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

I am so glad that the gentleman is talking about this.

Now I have got a newspaper article here from the New York Daily News where Mr. GINGRICH says, "I'm against affirmative action for rich people," and he was urging the repeal of this tax break.

Now I am also further reading here that the exception cleared by the House leaders was so tightly crafted that, by rearranging the dates in the legislation, it hands the break only to Murdoch.

I ask, "Can you believe that we were duped just like that?"

Mr. WARD. I appreciate the gentlewoman from Georgia making that point because what it shows is that it is business as usual.

I am a freshman Member; the gentlewoman from Georgia is a sophomore Member. We were sent here to do things differently that work. We were sent here to change things.

Ms. MCKINNEY. We abolutely were.

Mr. WARD. I yield again.

Ms. MCKINNEY. We were sent here to change things, but, as it stands, nothing is being changed. These people are going too far, the Gingrich revolution has gone too far in the special interests category, benefiting one person, and I cannot believe that we began this hundred days with a discussion about NEWT GINGRICH and Rupert Murdoch with their arms entwined, and now here we are ending this hundred days. What? With the same discussion, about the gentleman from Georgia [Mr. GINGRICH] and Mr. Murdoch with their arms entwined again.

Mr. WARD. Mr. Speaker, I thank the gentlewoman, and the point I want to make is, "If you're going to give up this kind of revenue to the Federal Government, what are you going to cut to make up for that revenue," and that is what we have seen, especially in the student loan program.

H.R. 1215 WILL RESULT IN A BALANCED BUDGET BY 2002

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from New Jersey [Mr. MARTINI] is recognized for 5 minutes.

Mr. MARTINI. Mr. Speaker, I am pleased to report that when H.R. 1215 comes to the floor, the tax relief bill this week, it will now contain language that clearly states that the tax cut provisions in the bill can only become law as part of legislation that will result in a balanced budget by the year 2002. This provision certainly strengthens the bill and clarifies and reinforces our party's commitment to balancing the budget as well as providing tax relief to the American people. I intend to support the rule and H.R. 1215 and urge the support of all of the Members of the House.

As a freshman this year, this past fall I also ran on a platform committed to reducing the deficit, reducing the size of the Federal Government and, ultimately, balancing the budget, and I think that point of view was shared by the majority of the Members of this House.

Looking at the bill, H.R. 1215, in anticipation of this upcoming vote this week, as originally reported from the committee, it did not contain, in my opinion and in the opinion of several others who have worked very hard in the past week to bring this language to the bill, my colleagues, the gentleman from Delaware [Mr. CASTLE] and the gentleman from Michigan [Mr. UPTON]. In reviewing that bill it would appear to us it did not contain the type of safeguards that deficit reduction would not take place to passage at the cost of the promised tax cuts.

As a freshman going through one rescission bill in the past, a month here as a Member of the House, I quickly began to realize that, faced with the tough decisions, how difficult it is to bring a majority to reducing the size of government, to making government more cost effective and to bringing about the deficits that we so direly need to balance the budget.

We certainly have a responsibility to the American people to take the additional step of tying the tax cuts directly to the passage of budget reconciliation legislation that will balance the budget by the year 2002.

I am pleased to say, as well, our leadership has agreed this requirement in this language should be included in the tax bill that we will be voting on this week. I would like to take a moment just to briefly explain what the three provisions of this language are.

First and foremost, it assures us that there will not be any implementation of a tax package that we vote on this week unless and until this House later this year puts into place a balanced budget or a budget that reflects that we will reach a balance in the year 2002. It further provides, No. 2, a mechanism by which we can focus on that process each year from now until the year 2002, and in the event we do not reach those deficit reductions anticipated for each year, each Budget Committee of the respective Houses of Congress would report to the Congress of

policies and recommendations to get us back on to that glide path, but, most importantly, Congress would then have to incorporate those policies and recommendations in that year's annual budget resolution. So there is some teeth to this provision that will force the Members in Congress, as a body, to each year look at the glide path to reaching a balanced budget by the year 2002 and to take the necessary actions to incorporate those provisions into that year's annual budget resolution.

The third part of this, I think, is important because to ensure the responsibility for balancing the budget, as is articulated by all of us here, including the executive branch, that process should be shared by both the legislative and the executive branches, and the third part of the language that will be included in the tax bill will require the executive branch annually to submit, in addition to his proposed, to the executive's proposed, balanced—proposed budget each year, should it not be balanced, the executive branch will be required by this language, as well, to come up with an alternative budget that will reflect how he would or she would envision reaching a balanced budget by the year 2002.

In closing Mr. Speaker, we strongly believe that these provisions strengthen and improve H.R. 1215. In my opinion they will lessen the prospect that each Member of Congress, when faced with the tough deficit reduction decisions that we will have to make later on in this year, that each Member of Congress will not blink in the bright lights of those decisions, but rather will go forward in making those decisions, understanding that, in addition to the good fiscal policies that this bill will now reflect, there will also be a vested interest in the American people to obtain the much needed tax relief that they so rightly deserve. We will make tough spending cut decisions before tax cuts go into effect with this language included in the bill.

In closing, Mr. Speaker, this provision is good policy and is fully consistent and supportive of the Contract with America in providing the necessary tax relief that the American people so rightly deserve. We will support the rule and the bill and recommend its support by other Members of Congress.

REPUBLICAN TAX CUTS—POLITICIAN'S DREAM

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

Mr. DURBIN. Mr. Speaker, during the course of the next 24 to 48 hours there will be an extensive debate on the floor of this House of Representatives about a tax cut bill. Talk about a politician's dream, to stand up in front of the American people and say, "Guess what? I've got a tax cut for you."

Mr. Speaker, people applauded. They say, "You're the greatest elected official in the world. How can you be so generous and so kind?"

Well, there will be some of us who will be questioning this tax cut, and you say, "Wait a minute. Why would any politician in his right mind question the idea of a tax cut? Don't you want to promise people you're going to cut their taxes?"

Well, of course we do, and there are a lot of deserving people in America who should have their taxes cut, but unfortunately the Gingrich Republican tax cut bill is not a fair bill for this country.

First let me tell you this:

This year we have a $190 billion deficit, $190 billion more that we will spend than we take in. This tax cut proposed by the Gingrich Republicans is going to add about another $190 billion more to the national debt over the next 5 years, and, over 10 years, $630 billion more to the national debt. Why are we doing this at a time when we are cutting school lunches and other programs because of deficits? Why would the Gingrich Republicans want to give tax cuts away and add to the deficit, require us to cut even deeper into spending for education and for school lunches? Well, let me tell you why.

Take a look at what this tax bill does. It tells the whole story. Who is going to get the benefit of this tax cut? Working Americans? Folks who get up every day, pack the lunch box, punch the clock, drop the kids at day care, do the things you have to do? They will get a little bit, but look who the real winners are. Take a look at this chart. Who benefits from the Republican tax bill?

Under a $30,000 income, if you happen to have a family, making under $30,000, your average cut for your family is $124, $2 and, what, 80 cents a week or so? And then take a look. From 30,000 to 75,000, $760; 75,000 to 100,000 thousand, $1,572. Hang on to your hats, folks, when you get over $100,000. From 100,000 to 200,000 the Gingrich Republicans want to give you $2,465 in tax breaks, and the superrich, the privileged few over $200,000, $11,000 tax break, an $11,000 tax break to folks making over $200,000 a year?

Pardon me; what did I miss here? We are in a deficit? We are cutting school lunches? We are cutting back on student loans? We are reducing money for schools and education for our future so that folks making over 200 grand a year can have an $11,000 tax break? That does not make any sense.

Let me yield to my colleague from Texas.

Ms. JACKSON-LEE. I thank the distinguished gentleman from Illinois [Mr. DURBIN], and I think what you have just highlighted is a lot of smoke and mirrors. I am confused, and I am asking the same question. You know, we get labeled a lot, liberals and conservatives, conservatives and liberals. The idea is to come here and represent the American people.

I say to the gentleman, You made a good point. People are excited about a child tax credit. Do you realize that 40 percent of the children getting this tax credit are the children of the wealthy, and yet those low income family children will benefit only 3.5 percent?

Then they talk about the marriage penalty. I have had good working people sit in my office, labor folk who work every day. They simply say, "Give us a living wage, give us a job. We'll work with this country. We just want to send our kids to school. We just want to make sure they've got a good meal." And yet, when we think about the marriage penalty, let me tell you what it actually does.

The provision would only help 14 million of the 30 million couples who experienced a marriage penalty. In addition, the average benefit is only $145 per couple, and the penalty is far more than it is in terms of what we are getting as a benefit, and yet the smokes and screens tell us that we are getting a great benefit for the American people.

I am wondering, What's the rush? What's the rush? This does not account for the 1995 taxes. We need to deliberate and begin to talk about bringing down the deficit because we are going to lose $650 billion in revenue with this kind of tax cut.

Mr. DURBIN. Let me tell the gentlewoman she has hit the nail on the head. The reason why there is a rush is the folks making over a hundred grand a year are going to need $2,465 in tax breaks under the Gingrich Republican bill, and the folks over 200 grand, 11,000. Well, I want to suggest to you, Let's make a deal, and here is the deal, a bipartisan approach, Democrats and Republicans together, and here is what I would like to suggest:

One hundred and six Republicans wrote to Speaker GINGRICH and said, "This is embarrassing. It is embarrassing to be giving this kind of tax break to people at a time when we have a deficit and we're cutting school lunches, student loans." And 106 Republicans said to the Speaker, "Why don't you cut it off at $95,000? If the families making $95,000 or less, let's give them the tax break for their kids. Don't give it to the superrich, the privileged few."

Well, those 106 Republicans stood up to Speaker GINGRICH. They made a proposal we can do business with. Let us get Democrats and Republicans together in a bipartisan way helping real working families.

DEMOCRATS NEVER SEE A TAX CUT THEY LIKE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Washington [Mrs. SMITH] is recognized for 5 minutes.

Mrs. SMITH of Washington. As my colleagues know, it does not surprise me that the gentleman from Illinois [Mr. DURBIN] does not believe this is a time for a family tax cut. Until 6 months ago, I was not planning to come here. I was a write-in candidate, and I was sent by a blue collar Democrat district who said, "We have had it with Congress. We're going to replace the person who is here who has never seen a tax cut she liked either," and they replaced her with me after I had passed a measure in our State that said no more tax increases without a toll of the people, after we had put our State on a budget of no larger budget increases than population and inflation. And guess what? They sent us a message, and they sent us a message because my colleagues who were here on the Democrat side have never in 42 years of being in control seen a middle-class tax cut that you liked.

Let me tell you my other profession, and I do believe politics can be a good profession, we can make it that, my other one, though, is preparing tax returns and helping people with their tax planning.

□ 1800

For many years that is what I did for a living. Next April, let me tell the families that I worked for and helped plan their taxes what is going to happen on their taxes, and it will remove the rhetoric of the percentages and the crud that you have been hearing from the other side.

If you have two kids, I am going to say you got a $1,000 bigger refund because you got those two kids than these folks that have been fighting and giving you all the rhetoric from the other side.

You pass this tax cut, it is $1,000 in you pocket. You can fix the old car, you can take the kids to Disneyland, it is money in the bank if you have two kids.

Now, if you have three kids, you get $1,500, and you need to also know that most kids are middle class, they are people right in the middle, mom and dad are working, they are under $100,000.

This rhetoric about it going to the rich means if some rich person happens to have a kid, they get $500, too. Now let me ask you, if I line up six kids here, are you going to tell me one of them is not worth $500 and the other five are?

Mr. SAXTON. Will the gentlewoman yield to me?

Mrs. SMITH of Washington. I would be glad to.

Mr. SAXTON. Mr. Speaker, the gentlewoman just made a point that most families that are going to benefit from the $500 tax credit are middle class, and that is, in fact, absolutely correct. This chart shows graphically just how that works out.

As a matter of fact, according to this chart, which comes from the Tax Foundation, who will get the contract's $500 per child tax credit, it shows clearly that 85.5 percent of the people who will get the tax credit, the family earns less than $75,000 a year as the gentlewoman correctly pointed out, and that those over $75,000, there are only 12.5 percent who will benefit from the tax cut.

Mrs. SMITH of Washington. So it does not go to the rich unless some of us in the middle there are in the rich?

Mr. SAXTON. I said the families that make $75,000 a year, perhaps the one spouse makes $40,000 and the other spouse makes $35,000 a year, that to most people today would be considered to be a middle-class family.

Mrs. SMITH of Washington. So that family next April when they come in and have their tax return done, that family is going to get $500 off their taxes per child.

What was the rate? You know, I had heard it but I cannot remember. What was the rate? In 1948 I do know it was 2 percent of the family income went to Federal tax. I know it is somewhere around a quarter now. Do you know what that is now?

Mr. SAXTON. Well, on average today the total amount that government takes out of a family's budget is well over 40 percent.

Mrs. SMITH of Washington. And the Federal takes quite a bit?

Mr. SAXTON. This is an attempt to get back to what it was at an earlier time before inflation eroded the exemption that we have for members of our family.

Mrs. SMITH of Washington. Well, you know, I think it is just about time——

Mr. HOKE. Would the gentlewoman yield for one question?

Mrs. SMITH of Washington. I would be glad to yield.

Mr. HOKE. Does not what this chart reflect or prove is the central problem that we have got with taxation, and that is this chorus that you hear over and over and over which is to say, tax the rich, tax the rich, tax the rich? The problem with it is that there are not enough rich people to actually make the difference that they want to make.

The reason that we have a tax burden that is strangling this country is because there are too many taxes on middle-income working men and women, that is the problem. If we could go further, we would. That is the solution in easing the burden on the middle class.

Mrs. SMITH of Washington. That is right. I think when we do it tomorrow the American people are going to be tickled.

SUPER-WEALTHY GAIN AT EXPENSE OF COLLEGE STUDENTS

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, in the coming days, pundits and politicos will take to the airwaves to grade the Republican Contract With America and the first 100 days of the 104th Congress. But, how you grade the Contract With America all depends on where you're sitting:

For instance, if you're a billionaire tax evader sitting on a Caribbean beach somewhere, give the contract an A+, because Republicans have preserved the tax loophole that allows you to renounce your citizenship and avoid paying taxes.

And, if you're a lobbyist or a corporate special interest sitting in a wood-paneled boardroom, give the Contract an A+, because it eliminates that pesky corporate minimum tax and rolls back health and safety regulations.

But, if you're a senior citizen sitting in your New England apartment, the contract gets a failing grade, because it cuts your heating assistance for next winter.

If you're a elementary school student sitting down to a reduced-price lunch in the school cafeteria, the contract gets a failing grade, because it cuts school lunch and deprives thousands of children the one balanced meal they get all day.

And, if you're Victoria Dunn, a mother and college student who I met last week, the contract fails you twice.

Victoria, a 37-year-old student who also has a daughter who is a college freshman, came to a student loan forum I sponsored on Friday in my district. She came because Republican cuts in student loans threaten both her's and her daughter's education.

"I'm scared to death about this," she told me. "God forbid this happens and I can't finish my degree. It's my hope for my future."

In Connecticut, the Republican proposal would increase the cost of a college education by $4,547 per student. Nationwide the Republican proposal represents a $13 billion cut that will result in the largest increase in colleges costs in history. That's an increase that will end the dream of a college degree for many students in my State. Students like Victoria Dunn.

How you rate the first 100 days of the Republican-led Congress, all depends on your perspective. If you happen to be a lobbyist, a millionaire, a billionaire, or a corporate special interest—you're a winner. But, if you happen to be a child, a senior citizen, a student or a middle-class family, unfortunately, you lose.

I would now like to yield to my colleague from North Carolina, Mrs. CLAYTON.

Mrs. CLAYTON. I thank the gentlewoman from Connecticut for yielding.

Mr. Speaker, there are winners and losers in this tax ill. Americans should know, making the tax bill fair to Americans and who wins and who loses in that should be reemphasized. I just want to ask the gentlewoman from Connecticut, who do you think really are the big winners in this again? I understand that we are saying this is going to be tax relief all America is going to benefit from. The gentlewoman who spoke earlier said that when next tax time comes, who will be the great winners in this? Will it be the average American who is under the $50,000 or will it be those who are working every day trying to send their kids to school, or will it be the very poor or who really will win under this big tax break we are going to give by Friday? Who are the winners under this?

Ms. DELAURO. Mr. Speaker, it is very clear. I tell the American people that they need to take a look at the numbers, not to listen to what we have to say, but it is clear those who make over $200,000 in this country, the richest 1 or 2 percent in this Nation are going to get an $11,000 tax break.

Those people who are working middle-class families who are making $30,000, $40,000, and $50,000 a year are looking at a pittance in terms of a tax break. They are looking at $274.

Now, you tell me where that is equity. The other piece of this tax cut package says to the richest corporations in this Nation, let's repeal the alternative minimum tax, that floor that you have to pay in taxes to this Nation to contribute to the well-being of this country, let's eliminate and you pay zero taxes to the United States.

Mrs. CLAYTON. Will the gentlewoman yield?

Ms. DELAURO. I would be happy to yield.

Mrs. CLAYTON. Mr. Speaker, also being part of an American is to have equity, and part of it we think the compassion of this American society would say that those that are most vulnerable should not have to pay at the expense of allowing those who are the very rich, that are schoolchildren, that are senior citizens, that are veterans. There are people who are paying dearly for this tax, in fact we have already paid for it and we will pay more.

Mr. Speaker, tomorrow we will begin debate on the Republican tax cut proposal.

At a time when low- and middle-income Americans are struggling to make ends meet, relief is being given to the rich, while burdens are being borne by the poor.

The tax cut plan gives $11,000 to those who make more than $200,000.

For those who make less than $30,000, the plan allows a paltry $124.

The plan reduces the capital gains tax to its lowest in 40 years, and gives the richest 1 percent in America, 20 percent of the tax breaks.

A $500 tax credit is available to taxpayers who earn up to $200,000.

While cutting taxes for the rich, the plan cuts programs for children, senior citizens, and college students.

Who loses under the plan, Mr. Speaker?

The Federal School Lunch Program, serving 25 million children each day; the Women, Infants, and Children Program, serving 100,000 pregnant women and children; and the student loan program, serving 4½ million students.

Who wins under the plan?

Those who have made billions in America and now renounce their citizenship to avoid taxes; those who have made millions and now want a tax giveaway on top of profits earned from investments; and those who have made the most money from those who have the least money.

To pay for this tax cut, the Republican majority has constructed a series of attacks on programs that benefit the poor.

Most of the money comes from spending caps and from drastic cuts in public assistance programs.

Little or none of the money comes from those with a lot of money.

We have heard that, "winning isn't the most important thing, it's the only thing."

Under the plan, those who need to win lose and those who do not need to win prevail.

In the end, Mr. Speaker, I suppose children, seniors, pregnant women, and students will win.

After all, winning is, "the only thing."

I thank the gentlewoman for yielding.

Ms. DELAURO. I thank the gentlewoman.

SENIOR CITIZENS WILL BENEFIT FROM THE REPUBLICAN TAX BILL

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

Mr. MILLER of Florida. Mr. Speaker, the previous speaker talked about who are the winners in this tax bill that we are voting on tomorrow. Well, let me tell about who are some of the winners, and those are the senior citizens of this country.

The seniors represent a very large portion of my congressional district in Florida. In fact I have more senior citizens in my congressional district than any other congressional district in the country, and this bill has significant benefits for the seniors of our country. Let me tell you why.

First of all, we hear about the child tax credit and the capital gains. The seniors would support this tax bill just for those two reasons alone. For the child tax credit, who knows better the cost of raising a child than the senior citizens? It is their children and grandchildren who are raising these kids in the country today, and they know they need that $500 tax credit. So that is one reason the seniors will support this bill.

Capital gains. Senior citizens have a lot to gain from the capital gains. When seniors retire from up north and move to my district in Florida, they are selling their small business, they are selling real estate, they are selling their investments, they are selling stocks, and they are moving to Florida. They are paying capital gains.

Mr. Speaker, capital gains affects real people that are not wealthy people, and that includes senior citizens. So for those two reasons they should support the bill alone, but there are a number of very specific pieces of this legislation that help senior citizens specifically. Let me identify two of them. One is the repeal of the 1993 tax increase of social Security and the other one is raising the earnings limit on senior citizens.

Mr. HOKE. Would the gentleman yield for that?

Mr. MILLER of Florida. Yes.

Mr. HOKE. The gentleman said there were some winners, and the senior citizens are the winners under the bill. Have the senior citizens been the losers in the past year or so?

Mr. MILLER of Florida. Yes, seniors are always on the losing end. In 1993 that tax bill increased the tax on Social Security. Now, I don not know, this is over $34,000 worth of income. That is not a wealthy person to me. They raised the tax on Social Security for someone making $34,000 a year. That is not very fair.

Mr. HOKE. Mr. Speaker, my understanding is that that cut Social Security benefits for senior citizens by $24.8 billion. Not a single Republican voted for that either in the House or the Senate?

Mr. MILLER of Florida. Absolutely. That tax increase in 1993 was a tax increase to balance the budget and to reduce spending. That thing, our deficit in this country is getting higher and higher every year. The solution to solving our deficit problem is cutting spending, not raising taxes.

As Ronald Reagan used to say, it is not that we are taxed too little, we spend too much. Until we address the spending side of the equation we are not going to get this deficit under control, so raising taxes in 1993 was a wasted exercise and it was very painful for our senior citizens as they are finding out this month of April when they pay their taxes for 1994.

Another thing that is going to be really good for seniors, in addition to the repeal of that tax increase in 1993, the other is raising the earnings limit for senior citizens. This is a penalty on lower income seniors. If you make over $11,280 you get taxed at 33 percent of your Social Security income.

President Clinton campaigned on that issue back in 1992, and we do not even hear about it anymore. It is a regressive tax on working seniors. Wealthy seniors, they have $100,000 of income on interest and dividends and stock investments and such, they get

to draw their Social Security, but a working senior citizen, once he makes over $11,280 has to pay a 33 percent tax. That is in effect what he is paying. That is not fair.

This tax bill repeals that over the next 5 years. This tax relief bill is good for senior citizens, it is paid for by spending reductions, and that is the only way we are going to balance this budget, is when we go after spending reductions. It starts us on the glide path to a balanced budget. Seniors know it is a moral issue to balance that budget, and we have got to start working on it sometime. Tomorrow is the day that we can cast our vote to move in balancing that budget.

□ 1815

ELIMINATION OF ALTERNATIVE MINIMUM TAX

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from New York [Mr. SCHUMER] is recognized for 5 minutes.

Mr. SCHUMER. Mr. Speaker, we are going to be voting on this tax bill and there are some parts of it that I think are good and that I will support. Certainly the parts on the senior citizen taxation is something I have always supported, but there are lots of things in the tax bill that I think would make the American people's hair stand on edge if they knew. These are not the things the Republicans are getting up and talking about, but they are things that are things for their buddies. The worst of them all is the elimination of alternative minimum tax.

Let me tell you why I feel strongly about this. In 1986 Congressman Marty Russo—who is no longer in Congress—and I proposed an alternative minimum tax. Until that point, some of the biggest corporations in America were paying no taxes at all. Imagine how the average working stiff felt. He or she worked hard, paid 5,000, 6,000, 7,000 and 8,000 bucks in taxes and the companies in America like Mobil, like Ford, like Champion International, like UniCal, like Shell, like Scott Paper, like Phillips Petroleum paid not a smaller percentage of taxes but less dollars. They paid no taxes at all because they had the ability to hire the accountants and the lawyers and pay none.

Mr. Speaker, we stopped that. We did not say they had to pay more taxes then the average American but we said they ought to pay a minimum of 25 percent, no matter how many lawyers or accountants or loopholes they were able to employ.

Now, quietly, almost whispered, the Republicans have decided in this tax bill to repeal that and so the good old days, at least they think they are the good old days, when major corporations paid no taxes at all will return. It is a disgrace.

Mr. Speaker, here at the same time we are telling students they ought to pay more for their loans. We are telling Medicare recipients that they ought to get less back and pay more. We are telling kids on school lunches there may not be enough money for them. We are telling Champion and Chrysler and Dow and Ford and Mobil and Scott and Shell and Texaco, some of the biggest companies in America, "You can go back to the good old days when you paid no taxes."

There has been a coalition, the AMT Working Group, that are companies that are lobbying to eliminate this alternative minimum tax provision. We can see why. Almost every one of them in the 3-year period 1982 to 1985 paid not a little bit of taxes, but no taxes for some point in time, for 1 of those years, 2 of those years, up to 4 of those years. It is 4 years.

So my colleagues, let us not pass a tax bill that benefits the wealthiest corporations. Let us not pass a tax bill that gives such a high proportion of the money to corporations and then cut money for the students on loans, cut money for the kids on lunches.

What kind of contrast is that? Who is the Republican party representing? This was not in the contract. Every one of you who signed that contract talked about a $500 credit for children. Mobil does not have any children, yet they are getting a tax reduction. Texas Utilities does not have any children.

So this is the wave of the future, I am afraid to say, my colleagues. Once the contract is over, the contract some of us did not like parts of it, some parts I supported, but once the contract was a restraining thing for our colleagues on the other side, business and the wealthiest of businesses are going to run rampant.

Now, I like these businesses, frankly. I think they are good for America. I think they employ people, but I like the average American a little bit more. If the average American has to pay taxes, why should not our biggest companies?

That is our message. It is very simple. You do not see them talking about that in lights, but you can be sure in the corporate boardrooms tonight and tomorrow night and after the tax bill passes, they are going to be congratulating each other, having put one over on the American people and repealing the Schumer-Russo alternative minimum tax.

ALTERNATIVE MINIMUM TAX REPEAL PART OF GROWTH PACKAGE

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

Mr. SAXTON. Mr. Speaker, the gentleman from New York [Mr. SCHUMER], my good friend, and I work about as well together as a Democrat and a Republican who come from different ends of the political spectrum can work.

I would just like to say to the gentleman that I appreciate the things that he just said about the alternative minimum tax and the companies that he referred to. He mentioned that they do not have children and I guess that is true, but I will tell you what. They have a lot of workers. Mobil has a lot of workers and Ford has a lot of workers and Chrysler has a lot of workers. I cannot really read the whole list. I am sure all those big companies have a lot of workers that depend on them.

One of the things that my friend from New York did not say is that what the alternative minimum tax repeal does is to make it easier for these companies to do business. Studies show conclusively that 42 cents out of every dollar that we give back to a corporation in taxes goes directly to the workers in salaries, more workers, and higher salaries. So the repeal of the alternative minimum tax is not such a bad way to go to make things better for everybody.

As a matter of fact, that is what the Republican tax package is about: To make things better for everybody. It is patterned, believe it or not, after something John Kennedy said years ago when he said, "A rising tide lifts all boats." It is true. This is a growth-oriented tax package and the alternative minimum tax provision is part of that growth package.

Mrs. SMITH of Washington. Would the gentleman from New Jersey [Mr. SAXTON] yield?

Mr. SAXTON. I will yield to my colleague, the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. I want to ask you a question, but I want to say something first. I remember why I got into politics. I just was sitting here thinking they doubled my taxes in one year on my small business. Had more than 125 people. They doubled them.

And in our State we have a business and occupation tax. That means you can have no profit like these companies, and the government still taxes you. So you can end up with a net nothing, and the government gets theirs. They skim off the top always, just like the minimum tax. Always, always.

In the early 1980's, I was losing money. At the same time, we had this business and occupation tax, which was a gross tax. It was gross in many ways. I laid off two people. I got mad. Folks, I was a Democrat, 30-some-year Democrat, adamant Democrat.

I got a book on how to campaign. The guy was a Democrat that had voted for the taxes raised, and I defeated him, too, and I think about that.

You have to stop thinking that every time you turn around it is better to

tax. Because I lost two jobs, and I think, "Isn't that what we are talking about, job creation in most of this? Don't most dividends that you get from stocks, I think I pay tax on all the dividends I get from stock, isn't that tax, too? Aren't they getting their tax out of these corporations?"

Mr. SAXTON. Well, it is tax.

I would say to the gentlewoman when I was chairman of the working group that put the growth part of our tax package together during the summer of last year and we identified a number of issues that we thought needed to be changed and had broad agreement, for example, the capital gains tax, which was increased in 1986 from 20 to 28 percent, statistics show again, conclusively, that not only did it not raise the money that CBO said it would raise, but it acted as a wet blanket on the expansion of business. And that is what caught up with us beginning in 1988.

One of the red herrings that is brought by our friends on the Democrat side is that the rich get all the breaks from the capital gains. As the gentlewoman knows, who prepared taxes for people and businesses for years, and as this chart shows, 38.4 percent of the distribution of capital gains realizations, 38 percent of the money from capital gains comes from people under $50,000. So 38 percent of the tax break comes for people who make less than $50,000. That is the biggest single group of people who will benefit from the capital gains tax cut.

Of course, 22.4 percent make between 50 and 100. When you get to $100,000 to $200,000, which I consider a pretty good salary, it is only 13.8 percent of the people who pay capital gains there and 25.4 percent who make over $200,000.

So by far and away the benefits here are for people who are in the modest income category.

This is another issue here on this chart that has been, I think, mischaracterized by the other side of the aisle, the distribution of the $500 per child tax credit. We had this chart up here a few minutes ago when somebody else was speaking, and it shows clearly that 87.5 percent of the people who will benefit from this, the families earn less than $75,000 a year.

MIDDLE-CLASS TAX CUT

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

Mr. OLVER. Mr. Speaker, I think that the discussion here that has been going on really is most appropriate because tomorrow we are going to be talking about the beginning of the debate on the middle-class tax cut.

We have all heard a great deal about the middle-class tax cut over the last couple of years, and the reason why we have been talking about a middle-class tax cut is that the middle class really is very anxious.

Jobs have been insecure for a number of years, for quite a few years. The cost of health care in the last 15 years has gone up by an enormous amount. The cost of educating your college-age kids has gone up tremendously, much faster than inflation.

In sum total, I think it can be summarized in this chart, which shows what has happened over the last 15 years or thereabouts, or at least the 15 years from 1979 to 1993 when for different parts of the electorate, different parts of the citizenry and the electorate, of course, the rate at which people's income has gone up has been very different from the rate at which inflation has gone up.

People's income, for people who are relatively low- and middle-income folks down here at the left side of the chart, has actually been going up slower than inflation for that 15 years, and so the broad middle class in here has seen their incomes erode for a long period of time. The very high-income people in the top 20 percent, these rightmost two bars representing the top 10 and the next 10 percent of all people's incomes in this country, they have seen their incomes in that 15 years go up considerably faster than inflation and have done pretty well in that period of time.

So we have heard, theretofore, a great deal about a middle-class tax cut in order to give people down in this region, which the middle of the American citizenry falls right in this region, who have lost a little bit in the last 15 years certainly, and those who are in the lower middle class and those who are low-income working people and down there have all seen their incomes go down, and so indeed they should be very anxious.

Well, so what do we have now coming up? We are going to be starting debate on a $190 billion tax bill. By the way, there is not a single economist who came before the Committee on the Budget in all of our hearings yet this year who suggested that we should be giving a tax cut of this sort when we are running the kinds of deficits, when we are running 200——

Mr. KINGSTON. Would the gentleman yield?

Mr. OLVER. No, I do not have time to yield.

Mr. KINGSTON. I will give you a minute of my time when it is my turn.

Mr. OLVER. Fine. I will yield if you would take less than a minute so I will not lose any of my time.

Mr. KINGSTON. We will time it.

I have a chart here. I do not know if you have seen it, but what this one shows clearly is that a lower tax rate actually increases revenue to the Federal budget and also that the economic——

Mr. OLVER. Lower tax break.

Mr. KINGSTON. A lower tax rate increases revenue to the Federal budget.

Mr. OLVER. If I may reclaim my time, I think that I am not sure exactly where that chart is from. It is hard for me to see it, but we tried that economics. It was called voodoo economics by the gentleman who was later the President of the United States and who had served as Vice President under President Reagan.

Mr. KINGSTON. Was that John F. Kennedy? I see that this goes back to 1960.

Mr. OLVER. Mr. Speaker, is this my time or not my time?

The SPEAKER pro tempore. The gentleman from Massachusetts has the time.

□ 1830

Mr. Speaker, the idea that you can increase revenues was very thoroughly debunked in the 1980's, when tax reductions were given and when the deficits went right through the ceiling during that period. And during a 12-year period we saw more than a quadrupling of our national debt, with deficits year after year that ran between $200 and $350 billion per year, that economically have brought us to the sorry state that we are presently in.

But in any case, no economists agree that we should be doing this kind of tax break.

Now, let us look at the tax break that is going to be given, though, given that we might want to do something for people in this lower area, this left hand area who are middle-class people and whose incomes have been going down hill in the last few years.

I am going to show a second chart here which shows where the actual tax benefits under the contract that we are going to be starting to debate tomorrow will fall. This is a little different from the chart that some others of my colleagues have been showing because it is trying to show what happens while we are in the phase-in period in the next 5 years, rather than the out years.

During that phase-in period, more than 50 percent of all the tax break would go to the highest income, two groups here, and those are exactly, of course, the people who fall in these two categories out here who have done the best during the 1980's. More than 50 percent of all the tax break occurs there.

ON THE TAX BILL

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, just to continue with those charts, the first chart, this is the tax cut for working-class families. For those families earning less than $25 thousand,

there is 100 percent tax cut. For those families earning less than $30,000, a 48 percent tax cut. For those less than $45,000 a 21 percent tax cut.

You see the tax cut continues to go way down. Those families with over a $200,000 income only have a 2-percent tax cut. So it must be tremendously frustrating for people to look at one side of the aisle and then the other side of the aisle as we go through these charts.

But if you look at what is going to happen in terms of the tax day. You know, the tax day is how much of the year you have to work so that work and that effort goes to the Federal Government to pay taxes. Currently, it is June 4. Under the budget proposal that was submitted by this president, that tax day increases to June 7.

Under this tax proposal that we are going to be considering for the next 2 days, it goes back to May 26 and, my colleagues, it even should be earlier than May 26.

There has been suggestions that the tax breaks go to big business. With all due respect, I suggest to you, Mr. Speaker, that taxes placed on business are passed on in the price of their products. Right now between the regulations and the taxes that we charge business, they are paying every year $750 billion. That is twice the amount that you are paying on increased costs of the goods and services you buy compared to what you spend in your tax bill. It is bad enough, in the next couple weeks, as you sit down and figures out your tax bill of what you have to pay this Federal Government to operate its huge, overzealous, overbloated government, but just think for a minute the price, increased price that you pay for the products in this country because of the regulations that cost $500 billion a year to that business that they pass on to you in increased costs of their products, to the additional $250 billion that we change those businesses in taxes.

If they are not successful in passing it onto you and I, the consumers of this country, then they go out of business. So I guarantee you, they price on that product.

Let me show you what we are doing to business in this country on taxes. On the far-right column, you see in the United States we charge our business on our capital gains tax rate the marginal rate is 28 percent. You compare that to France, it is 18 percent; Germany totally exempts their businesses; Japan is down to 20 percent; U.K. exempts the first 5,500 pounds and after that charges 40 percent.

We are overtaxing our businesses. We are losing businesses that, No. 1, go out of business; that, No. 2, decide to go to another country to operate. We cannot continue to place our businesses at a competitive disadvantage with what other countries in the world are doing.

I request my colleagues to look at this tax bill of what is good for business and jobs.

Mr. SAXTON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from New Jersey.

Mr. SAXTON. I just want to be recognized to ask the gentleman a question. And that is, as you pointed out, correctly, our capital gains tax rate is high. Mr. SCHUMER was just talking about the alternative minimum tax.

When corporations or businesses are charged these taxes, how do they recoup the money that they have sent to the Government? Where do they get the money to send down here to Washington, DC for the politicians to spend?

Mr. SMITH of Michigan. They increase their price of toys and toothbrushes and automobiles and everything else. The only thing that that business can do is pass on that cost.

Mr. SAXTON. It is the consumer that ends up paying higher prices so businesses can pay taxes to send to Washington for the politicians to spend.

Mr. SMITH of Michigan. Yes, and I think the important point is, we cannot place our businesses at a competitive disadvantage with other businesses in the world. We have got to encourage them to buy the equipment and machinery that is going to make their employees more efficient. If you put good tools in the hands of our workers, they are going to outproduce anybody on Earth. And we have got to have a tax system that encourages that action by business.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from Georgia.

Mr. KINGSTON. I was on the board of directors of a corporation before I came here. I know from talking to other business people that generally you decide how much profit you are going to make. Everything else is overhead, your payroll, taxes, everything else. I think you can successfully argue that corporations are not going to pay taxes regardless of what the rate is because it is a pass-through cost, just as the gentleman from New Jersey and you have said. It all goes back to the consumer so we are just playing games when we say it is corporations.

Mr. SMITH of Michigan. It is a hidden tax.

EFFECTS OF THE TAX CUT

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

Mr. SKAGGS. Mr. Speaker, we are now into the home stretch, I think to the relief of Members on both sides of the aisle, the home stretch of the 100 days. And as has been announced by the Speaker, we are able this week to appreciate in all of its glory the crown jewel of the contract, the tax bill that the Members of the Republican Party are going to bring to the floor later this week.

I think it is important for the country to understand in this week in which we are finally able to pull all of this together to understand who are the winners and who are the losers in this entire contract exercise.

Particularly with regard to the tax bill, we should be under absolutely no illusions that this bill certainly fulfills the promises that have been made over the months and years by the GOP to its supporters. That distribution is accurately reflected in the chart here to my right.

About half of the benefit from this tax legislation will go to the top 10 percent in this country, about a five-to-one return. The Wealthiest 5 percent get about a 7-to-1 return, getting about over a third of the benefits of this tax legislation. The wealthiest 1 percent, a 20-to-1 return.

I am sure that this nice return on investment was made possible in part, as we are learning more and more about the very intimate relationship between many special interest lobbyists in Washington and the drafting of legislation being brought to the floor by the new majority party, despite their protests about a new way of doing business, makes it all the more understandable why we had such a hard time at the beginning of the session getting them to take seriously the efforts that many Members on our side were trying to make to take up gift and lobbying reform.

I wish we would not be having these kinds of pie charts and demonstrations of exactly who gets the benefits from these tax breaks, if some of the very well-intended moderate Members on the majority side of the aisle had been more successful in getting their leadership to pay attention to the inequities in this bill.

Mr. SAWYER. Mr. Speaker, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Speaker, I rise because in fact as we are doing this, we are taking, in order to finance these kinds of tax breaks, at least $13 billion from the pockets of Americans who are trying to send their kids to school, to higher education. I would not raise this except for the fact that we have been here before.

This Nation a century ago made a fundamental decision, when we looked around the country and we saw 200 institutions of higher education largely for the sons of the very wealthy in this country and we saw the railroads expanding westward, we said that in order to build a nation as fast as we are expanding, we need to elevate our skills. And so we took from some of

those expanding railroads and we invested those dollars in the largest single expansion of higher education this Nation has ever seen.

It did not quit even until today. And with it we have created the skills that have defined the American century.

Today we run the risk of reversing that decision, of giving back those dollars to those corporations in ways that they may not need and absolutely depriving Americans from the chance to continue, at a time when it has never been more important, the increasingly important effort to raise job opportunities and standard of living with the ability to bring skills to the American workplace. We have been here before, Mr. Speaker.

Mr. HOKE. Mr. Speaker, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Ohio.

Mr. HOKE. Here is my question for you——

Mr. SAWYER. I was in the middle of a sentence, but that is all right.

Mr. HOKE. Mr. Speaker, I apologize to the gentleman.

Mr. SAWYER. The fact of the matter is that today, the fundamental underpinnings of Federal aid to higher education in the form of Stafford Interest-Deferred Loans, Perkins Student Loans, College Work-Study programs and Supplemental Education Opportunity Grants are really the equivalent today of what those land grant colleges were 100 years ago. In order to sustain that growth into the next century that we developed in this century, in order to have the kind of productive leadership that has defined the American era, in order to extend that American era into the leadership of a redefined world, it seems to me that the last thing we need to do is to take those $13 billion out of Americans' pockets and to give them back in the form of tax breaks that we do not need.

DISCUSSION OF THE TAX BILL

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

Mr. HOKE. The question that I wanted to ask the gentleman was if he was aware that 39.2 percent of all Federal income tax paid is paid for by only 3.3 percent of the taxpayers, the top 3.3 percent of taxpayers pay 40 percent of the taxes?

That being the case, the numbers that you quote there, they are, you know, made to appear, and I do not know if the numbers are right on the floor. You know on the floor we see all kinds of stuff and people make averments that God only knows if they are true or not, but I will assume your chart is correct.

It only stands to reason that the people making more money are going to get more dollars back when you consider the fact that you have got 3.3 percent of all returns, all individuals paying income tax paying 40 percent of the taxes. This is the way, this is the way our system works.

The problem is that we do not have enough people at the top, if you tax them completely, if you leave them with just a, you know, a minimum wage, it still does not solve our deficit problem.

What has happened is that we have year after year after year continually eroded to a greater extent the amount of money that is being paid by middle-class working American men and women. That is the problem we have in our tax system.

Mr. SKAGGS. Mr. Speaker, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Colorado.

□ 1845

Mr. SKAGGS. I think the gentleman's point begs the question. One, are we doing deficit reduction? We are not. The tax bill, as the gentleman knows, is going to bust the deficit.

Mr. HOKE. Mr. Speaker, reclaiming my time, I want to recognize the gentleman from Massachusetts [Mr. OLVER], who my good friend from Georgia [Mr. KINGSTON], borrowed a minute from, and I want to give him back his minute, if he will take it quickly.

If not, I yield to the gentleman from Georgia [Mr. KINGSTON] while the gentleman from Massachusetts is moving to the microphone.

Mr. KINGSTON. Mr. Speaker, it is important for us to realize that lower taxes, specifically lower capital gains taxes, increase revenue, and that does not come from the Republican Party, it comes from the Congressional Budget Office. A young fellow named Steve Robinson and I spent the whole day tracking this.

This chart is busy, and it is very difficult to see it, but generally what it shows is, remember back in high school sines and cosines and that go like this: Basically when the tax revenue is high, the capital gains tax is high, and let's say the capital gains tax is low, it goes like a wave, then the tax revenues are the same thing.

At a high tax rate, the revenues are low. At a low tax rate, the revenues are high. It goes like that. There is an absolute relationship between the two. It is not voodoo economics. This actually goes back to——

Mr. HOKE. What you are saying is there is a direct correlation between raising rates and lowering revenue, lowering rates and raising revenue?

Mr. KINGSTON. That is exactly right. That is the point I was trying to make.

Mr. HOKE. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. OLVER].

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

I'm not sure how many economists or how many economics books would agree that there is a direct proportion of the nature that you have just described. I do not think there are very many of them that do.

However, it is clear that what is happening here is that $15 billion, for instance, of the elimination of the tax, the alternate minimum tax on corporations, which you would give back $15 billion to corporations, would be taken by the Republican proposals as $15 billion directly from financial aid for American students, who really do cut across the middle class in this country.

Mr. HOKE. Mr. Speaker, I am going to reclaim my time. It does not answer the question, and frankly, that disinforms, it confuses the public. In a word, being polite, it fogs the facts, at the very least.

Mr. Speaker, I want to quote a very famous American, and I'm not going to say who it is, but I want to quote some of the things that he said in the not very distant past at all.

First of all, he had said "Our present system exerts too heavy a drag on growth. It siphons out of the private economy too large a share of personal and business purchasing power. It reduces the financial incentives for personal effort, investment, and risk-taking."

He goes on to say "Our tax rates are so high as to weaken the very essence of the progress of a free society, the incentive for additional return, for additional effort." Then he says "I am confident that the enactment of the right tax bill will in due course increase our gross national product by several times the amount of taxes actually cut."

Who was this unrepentant supply-sider? Who was it? Jack Kennedy. That is who it was. He knew that by reducing tax rates, you increase revenue.

THE TRUTH ABOUT THE BUDGET AND TAX CUTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Speaker, I am really taking the time because I think that, beyond the comments about jewels and gold and crowns, we have a very important obligation to the American people really to take our reasonable time to be reasonable, to let you understand the facts.

I know there have been a lot of cross signals, a lot of rebutting of what the tax cut really means, but I would simply like to suggest that all of us of reasoned mind can argue about Social Security and the exemptions that may be proposed in this particular tax legislation, and the value of it.

My question becomes: What is the rush? Because as we look at what can

help senior citizens, and I certainly have supported programs to improve the conditions of senior citizens, and to ensure that the maximum income that they may earn as working senior citizens goes into the maintenance of their quality of life, but that is not really the issue. We've got a murky water here, muddy waters, if you might.

First of all, no one will acknowledge that the revenue being reduced by this tax cut, without the Democratic alternative, is some $650 billion over 10 years. Many of you would listen to that number and begin to say "Well, it's way beyond my comprehension."

What is not beyond your comprehension, however, is the necessity for me to assure you that your grandchildren will not have a deficit so overwhelming that they will have no quality of life.

The importance when I speak to working people in my district, they are true Americans, they are patriots, because they believe in this Nation. They want us to be prepared militarily. They want to have the opportunities for affordable housing for their citizens. They want to make sure that those young people seeking an opportunity can do work study and college loans, but yet, rather than giving them those opportunities, we are burdening them with a deficit that is so overwhelming it is incomprehensible.

Let me explain to you again, as I had the opportunity to talk to the gentleman from Illinois, I like the idea of a child tax credit, because every child is worthy, but now we are knocking heads with the rich children and the poor children, for most of the tax credit goes to families way beyond your imagination in terms of income.

Those people that are at the lowest income level, who do pay taxes, they only bear 3.5 percent of the benefit of a child tax credit. Twenty-four million children in this Nation would not receive any benefit from the tax credit. What that means simply is we are knocking heads with rich children and poor children. As far as I am concerned, all children are worthy, and there should be an applicable tax credit that goes across the line.

Then the smoke and mirrors that I talked about earlier, because all of the married couples are running to their tax preparers, shouting about the marriage penalty. I believe in family. We should affirm family. It is important that we ensure that people do the right thing, and that is to be married.

But yet this particular tax benefit, in quotes, again the smoke and mirrors game, only provides an average maximum benefit of $145 per couple, which is less than the current marriage penalty. The average marriage penalty for couples earning between $30,000 to $40,000 is $260, and $1,540 for couples earning between $75,000 and $100,000.

Wouldn't we be better suited to tell you the truth, and tell you that it is more important to invest in your young people, for them to have college loans and work study programs; that we want to ensure that school lunches are maintained; and yes, we want to infuse energy into the economy, so that you will have jobs?

I certainly believe that we must begin to look seriously at making sure that the economy is such that you will want to invest and buy businesses and transfer property. We have to support that. That is the true American dream.

However, let me tell you what happens to this present tax break. For someone earning under $75,000, oh, you think you are going to get a big lump of money. It will only buy you a couple of tanks of gas for the family car. You only average $36 a month.

I have been in local government and I have had taxpayers say "The heck with that. I want good parks. I want police. I want fire persons to come to the serious crises, the fires, in the necessary time." Citizens of America believe in government, if it does the right thing, but $36 a month, a couple of tanks of gas, and then we cut at the very fabric of what we need to ensure that we are good governments.

What does a $200,000 a year person get? Cadillacs, Mercedes, and BMWs. Let us have the truth be told about this tax cut. Let us tell the American people the real truth and get rid of the smoke and mirrors. Let us work together to get a better tax cut.

THE DIFFERENCE BETWEEN REPUBLICANS AND DEMOCRATS

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

Mr. KINGSTON. Mr. Speaker, if we could sum up what we have been hearing for the last hour on the floor of the House, I think you could just say Democrats love taxes. Republicans hate taxes. Democrats love big government. Republicans hate big government. Democrats love the public sector. Republicans like the private sector.

I won't venture to say that maybe Democrats seem to love poor children and hate rich children, but there does seem to be, in the Democrat mindset, a distinction between a rich child and a poor child, as opposed to loving all children equally.

Let us get back to the tax issues. I think the reason why the Democrats are gripping this tax so hard is because they love taxes. We are taking taxes away from them. You don't mess with their toys. They don't like that. So what do we have?

Ms. JACKSON-LEE. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. Certainly.

Ms. JACKSON-LEE. Mr. Speaker, I appreciate the dialog the gentleman is raising.

Mr. KINGSTON. I'm going to yield quickly. Don't make a speech on my time.

Ms. JACKSON-LEE. I fully appreciate the comments you have made.

My question becomes, however, if you tax credit falls in a greater percentage to the higher income persons of this Nation, and none of us will talk about children, and does not equally benefit those working families who have children in the lower income rungs, would you not think out of this logic that this is a tax credit for the rich?

Mr. KINGSTON. Reclaiming my time, Mr. Speaker, I guess one of the big differences in Democrats and Republicans is we are not afraid of achievement. You know, if somebody pulls themselves up and they start out of school, and maybe they go to college and maybe they don't, maybe they serve in the military, maybe they don't, but they get a job, and the man and woman hang together and become a family, and they move up into an income bracket, well, I don't think it is right to suddenly say "Ha, your child is now not worth any money anymore."

I say "Go for it. We want that achievement." I know a lot of government bureaucracies which are affinity groups to the Democrat party want more dependents. They tend to fight success. We want to nurture success. We want to say "Go all the way to the top." That is why we want to return, and not even return, just don't take it away to begin with, people's tax dollars from them.

Let me give some very important statistics which I really wish you all would, and I will promise you, any of your Democrats or any of your constituents that would call my office, I will give you a copy of these charts, and I will explain it to you. Let me tell you what these numbers show. When taxes are high, growth goes down. When growth goes down, the deficit increases. If growth and revenue increase, the deficit is lowered.

This is not just JACK KINGSTON and the gentleman from Georgia, NEWT GINGRICH, and the Republican Party, this comes from the Joint Economic Committee, which as you know, is Senate and House Members chaired by, I believe, the Committee on Ways and Means members, the gentleman from Florida, Mr. GIBBONS on this side, and Mr. MOYNIHAN on the Senate side.

They say "As these increases in productivity, brought about by lower taxes and economic growth, accumulate over time, a gradual expansion of taxable income base generates additional tax revenues." This is straight from here.

Ms. JACKSON-LEE. Mr. Speaker, will the gentleman yield just for a moment?

Mr. KINGSTON. I yield to the gentlewoman from Texas

Ms. JACKSON-LEE. I say to the gentleman, I, too, applaud excellence. That is why we must give to those who are making $30,000 and $35,000 a year, who are working as hard but are yet not getting the tax benefits.

Mr. KINGSTON. Reclaiming my time, I will be glad to yield when we get back on your time schedule.

Ms. JACKSON-LEE. We must realize that the taxes in this country are low.

Mr. KINGSTON. Mr. Speaker, I want to say to the gentlewoman, and learned, and one of the more intelligent Members on the Democrat side, surely you know the wisdom of the chart shown here earlier, saying the bulk of the tax returns go to people who make under $75,000 a year. What could be better for the middle class?

It was your President who promised the middle-class tax cut. We are just the party who happens to be keeping its feet to the fire on it. Welfare reform, let's end welfare reform as we know it. The President forgot about that, but we are going to help him out with it. The balanced budget amendment, we are going to help him out. The line-item veto, no mention of it for 2 years, but we are going to help him out.

Mr. DOYLE. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Pennsylvania, but you have been not been yielding to us, and I hope you will yield back when you have the time.

Mr. DOYLE. Mr. Speaker, a quick question. You made the statement that when we have tax cuts, that that causes growth in revenues to the Federal Government and helps lower the deficit. I would just ask the gentleman, back in the 1980's when we had three tax cuts, I guess the same would hold true back then?

Mr. KINGSTON. Taking back my time, absolutely. In 1980, the total revenue is $500,000. By 1990, it is $8 trillion.

Mr. DOYLE. How do you explain the deficit going from $1 trillion to $4 trillion during that same time? The deficit quadrupled in that time.

THE REPUBLICANS' PROPOSED BUDGET WILL SEVERELY UNDERCUT THE OPPORTUNITY FOR AMERICA'S CHILDREN TO ATTEND COLLEGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. LOFGREN] is recognized for 5 minutes.

Ms. LOFGREN. Mr. Speaker, I don't have a chart about tax cuts, and I do not plan to give a talk about tax cuts specifically, today, except that we have talked a lot about the need to help the middle class, and there is a big argument on whether this tax cut really helps the middle class or just the wealthy.

Mr. Speaker, I would like to talk about something that really is important to the middle class and to the working families of this country. That is the chance to make sure that your child can go to college after they got straight A's in high school. That opportunity is about to be severely undercut.

The plans in the works are to cut about $20 billion in student loans over the next 5 years, as well as 750,000 students off the work study program.

□ 1900

I would argue that these cuts are unwise, they are pennywise and pound foolish. We know that we have a lot of problems in this country, but when I think about the problems that I see in San Jose, the kids that are getting in trouble, I know that there are not kids hanging out on the street corner dealing drugs or holding weapons when they are on the honor roll.

In our country, I was on the county board of supervisors in Santa Clara County until January 4 of this year and I can attest that there is not a single "A" student in the juvenile hall. The more we put into education, the more we put into achievement for our young people, the more we will see problems resolved and a country that is full of excellence and hope instead of despair. I think the cuts that are proposed in the student loan program have a lot to do with that and I am hearing about the middle-class cuts and the $500 per family and how that will help. I am cognizant that the cut per student that is proposed for 4 years of undergraduate education is about $5,000, and if you have 2 kids, as is common, going to college, that is over $10,000 in cuts that you are looking at as a family. The $500 is not going to make it. It will take 21 years of $500 tax credits to make it up. I know. My children are 10 and 13. I do not have 21 years to save up that money at that rate.

I heard the Speaker say that we should be a country of excellence, we should be a country that rewards those who work hard and try to get ahead, and I think back on my own life and the opportunities that this country gave to me.

I worked the night shift in a factory in my last year in high school. My parents were working people, they were great people, but they did not have a lot of money. We just barely made ends meet. Through working and through student loans and through scholarships, I was able to go to college and I was able to have a part of America that I would not have had otherwise.

I remember several years ago I was out visiting Overfelt High School in east San Jose, an area that educates the children of blue-collar families, working families, and I gave a talk to three combined classes and encouraged them to get A's in school and look ahead and go to college, and then I left. About 2 years later, I was invited back and I was talking to the students and afterwards a young girl came up to me and she said, "You changed my life." I was shocked. I did not remember her. She said, "You told me I could go to college and not to worry about how to pay for it. I have just been admitted to the University of California, I am going to major in physics and here is my honor roll." She got on the honor roll because she believed if she worked, if she got A's she would have a chance to go to college. That is what this country has been all about and that is what a $20 billion cut in student loans will destroy.

We say that we are for the middle class. If we are for the middle class, let's take care of the thing that matters most to each of us and that is our children. Along with that, I think about the benefit for this country. After World War II, a whole generation of men were given the opportunity to go to college through the GI bill. At the time, it was looked upon as a benefit for veterans, but in fact in addition to a benefit for veterans, it was a benefit for the country, because a whole group of people whose parents were not rich had the chance to get an education, and those people became engineers, they became scientists and they built Silicon Valley and the affluence that they built through their education carried the economy of this country to this day.

If we were to put that kind of emphasis on the middle class, on the children, on the future, and our need to develop high-technology jobs and a highly skilled work force, we would not have to be worrying about the deficit or the future.

What we need to do is to invest in the future, and I would argue this and relate this story. A gentleman came to me in San Jose 2 weeks ago and said, "Don't give me a tax break. Put it all in education. Let's give this country a future."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1215, CONTRACT WITH AMERICA TAX RELIEF ACT OF 1995

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–100) on the resolution (H. Res. 128) providing for consideration of the bill (H.R. 1215) to amend the Internal Revenue Code of 1986 to strengthen the American family and create jobs, which was referred to the House Calendar and ordered to be printed.

H.R. 1215, TAX FAIRNESS AND DEFICIT REDUCTION ACT

The SPEAKER pro tempore (Mr. HOKE). Under a previous order of the House, the gentleman from Kentucky

[Mr. BUNNING] is recognized for 5 minutes.

Mr. BUNNING. Mr. Speaker, I want to extend my thanks to all the Members who have worked so hard on Congress' contract with senior citizens—our commitment to bring economic equity to the older generations of Americans.

Serving as chairman of the Social Security Subcommittee and working with many of my colleagues who share my concerns about the welfare of seniors has been a fulfilling and challenging experience.

We have accomplished a lot in just 3 short months. This week we will see our efforts pay off. This week is a turning point for America's senior citizens.

On the first day of this Congress, I, along with Mr. HASTERT, Mrs. KELLY, and Mrs. THURMAN, introduced the Senior Citizens Equity Act, H.R. 8.

Four of the provisions under the Senior Citizens Equity Act have been incorporated into the Tax Fairness and Deficit Reduction Act which will be on the floor tomorrow.

The Social Security Subcommittee has worked diligently on two of these—the repeal of the 1993 Social Security tax increase and a three-fold increase in the earnings limit for Americans over age 65.

Our subcommittee held hearings and heard from real Americans—working seniors who are unduly burdened by Government policy.

That's what this contract is about—real Americans, working Americans. And giving them the ability to work and earn.

Just as important as the ability to work is the ability to keep what they have spent a lifetime building.

When we made a Contract With America, we also made a promise to senior citizens to restore financial equity and fairness.

Now we are going to keep that promise, by relieving older Americans of some of the major financial burdens placed on them by the Federal Government.

The Government is burdening seniors with tax rates as high as any millionaire could pay. I read in the paper the other day that the new top marginal tax bracket for some retirees is 51.8 percent.

The Government is burdening them with disincentives to work and contribute beyond retirement age. Current law requires that seniors between the ages of 65 and 69 lose $1 in Social Security benefits for every $3 they earn above $11,280.

Most important, the Government has been burdening them with polices that say no. Policies that just don't make sense.

Where is the common sense in a national policy that says don't plan and don't save for your retirement years. Don't continue to work and contribute to society past age 65. Don't expand your long-term-care insurance.

These policies just don't make sense.

It's time the naysaying of the Federal Government stopped. It's time Congress stood up and said yes to our seniors.

Yes to lifting the earnings limit to $30,000. Yes to repealing the 1993 tax hike on Social Security benefits. Yes to providing tax breaks for long-term-care insurance.

There was no good reason to increase the Social Security tax on benefits in 1993. It was unfair to single out Social Security for a 35-percent tax increase. We are going to repeal it.

It is bad policy to hold older Americans' earned income to $11,000 a year.

The earning limit is an antiquated policy that punishes older Americans for being productive citizens. Many older Americans must work to make ends meet. Senior citizens have a wealth of knowledge and experience to share.

The time has come to stop punishing senior citizens. The time has come to recognize hard work, savings, and contributions to society. The time has come and it is now.

We are going to move forward with the Senior Citizen's Equity Act by passing the Tax Fairness and Deficit Reduction Act tomorrow.

REPUBLICAN TAX BILL BENEFITS WEALTHY

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Georgia [Mr. BISHOP] is recognized for 5 minutes.

Mr. BISHOP. Mr. Speaker, as the 100 days come to an end, I want to compliment our friends on the other side of the aisle for the positive things that have happened, including, for example, the enactment of measures to put Congress under the same laws that we impose on others and to restrict unfunded mandates on the States and on communities

Unfortunately, though, these bright moments have been too few and too far between. All too soon, the 100 days became excessively partisan and very extreme. In too many instances, the Contract With America became a means of lining the pockets of the wealthy at the expense of the poor and middle-income working families. It became a flamboyant, circus-like, promotional vehicle worthy of P.T. Barnum at his best. And yes, tomorrow the circus does come to town.

As we consider the Republican tax bill and the offsetting spending cuts, just consider who the winners really are. The wealthiest 10 percent of our population get 47 percent of the benefits. The wealthiest 5 percent get 36 percent of the benefits. The wealthiest 1 percent get 20 percent of the benefits. This causes a revenue loss of $178 billion in the first 5 years, and $458 billion in the second 5 years.

Is this loss of revenue going to reduce the deficit? No. Is this loss of revenue going to balance the budget? No. It is going to the rich.

Who is going to pay for it? I will tell you who is going to pay for it: hungry children who are cut from school lunches, mothers and infants who depend on WIC for healthy births and early childhood development, promising students who cannot afford higher education without student loans, older citizens whose lives depend on heating assistance.

These are spending cuts, Mr. Speaker, but they do not go to balance the budget as Republicans claim they want to do with spending cuts. No. Instead, they choose to take money from children, from mothers, from students and from the elderly and give it to the wealthy 10 percent of our population.

This is a tax bill that robs the poor and working families to pay the rich. This is a tax bill that hoodwinks the American people. This is a tax bill that is immoral. This is a tax bill that ought to be sent to purgatory.

REPUBLICAN TAX BILL BENEFITS REAL PEOPLE

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

Mr. HASTERT. Mr. Speaker, it is interesting to hear my colleague from the other side of the aisle talk about immorality and how tax breaks go to the rich.

But let me talk a few minutes about what this tax bill will do for people, real people, people who are 65 years of age. And because they have never been very wealthy all their lives or never had great jobs all their lives they do not have big pensions, and they do not have a lot of income coming in from other types of investments, investments in rents and other things. But, lo and behold, people who have to work, people who have to work to make ends meet, people who have to work to pay the taxes on their homes that they live in and, heaven forbid, maybe even buy a new car someday, real people like your mother and father and your grandparents, people in your lives that you know every day, day in and day out.

What happened with the 1933 tax bill is something called the earnings test on Social Security. The earnings test on Social Security says once you earn $11,280, you have to pay $1 out of every $3 in penalty that you make on your Social Security.

So when you add up all your taxes and all your tax liabilities, if you are a senior and you are 66 years of age and you have to work to keep your family

together and maybe pay your taxes on your home and maybe groceries and things like that, all of a sudden you are paying a marginal tax of 56 percent, twice the amount that millionaires pay.

But you know in the tax bill that our friends on the other side of the aisle talk so vehemently about, there is some real relief for seniors that have to work, that have to take care of their families, that want to live a life like everybody else, that want to be productive.

Mr. Speaker, what happens there is that seniors get a break with this tax bill, that we raise over the next 5 years the earnings test to $4,000 a year, and so in 5 years you can earn $30,000, not a lot of money in our day and age but enough for sustenance to keep a family together and not pay that penalty on your Social Security.

□ 1915

Now we think this is a fair bill. The President thought it was certainly something fair because he included it in his campaign report. But let me talk to you a little bit about some real people, real people who live in my district and probably in your district and across this country:

Betty Bourgeau: Betty entered the work force at age 50 when her husband left her and her children. She worked two part-time minimum wage jobs at a department store and for a security company. She then became a teacher's aide for a HeadStart program, went back to school and became qualified to be a HeadStart lead teacher. However, Betty quit teaching HeadStart, the job she loved, when she began taking Social Security. She would lose most of her benefits with both jobs. Her department store job included health care benefits she needed, so she remained employed there.

Betty has received several "Employee of the Year" awards at the department store over the years, accompanied by pay raises. However, when she takes the raises, she must reduce her hours or lose more of her benefits to Social Security. This puts her in a particularly difficult situation because her health benefits are predicated on working a certain number of hours for the department store. Regulating her hours is also difficult during the busy holiday season at the end of the year. The store needs her more during these times, but she loses most of her benefits if her work puts her further over the Social Security limit.

Now that type of a situation happens time and time again. Why do we penalize? Why do our friends on the other side of the aisle want to penalize working seniors? Why do they want to vote no on this type of legislation?

Let us look at Mary Lou Livingston from Springfield, IL: Mary Lou was divorced 19 years ago and has worked ever since. She has no pension or retirement plan to draw from. She had to pay the Social Security Administration back $549 in 1991, $281 in 1992, $935 in 1993 and $730 in 1994 for earnings exceeding the Social Security earnings limit. During those years, her average Social Security check was $288 per month. In 1994, Mary Lou cut back her hours to try to avoid the penalty, but still had to pay some money back. Mary Lou supplements her grocery bill each month through the Share Program sponsored by Catholic Charities. This program allows her to pay $14 per month and receive $35 worth of groceries.

Mary Lou works as an information receptionist at the Visitors Center of the Lincoln Home National Historic Site in Springfield, IL. She has worked there for nearly 12 years and has received numerous complimentary letters for her job performance. She was also featured as a staff star of the Springfield Bureau of Tourism.

Here is a person who needs to work, needs to have the tax relief that the tax bill that we will vote on the rule tomorrow will give her, but yet there are some who want to demagogue the issue and talk about how all these benefits go to the rich when, in fact, they go to real people, real people who really need them.

Mr. BILIRAKIS. Mr. Speaker, I want to take this opportunity to express my strong support for increasing the Social Security earnings test and eliminating taxes on Social Security recipients.

With regard to the Social Security earnings test, currently, older Americans between the ages of 65 and 69 lose, $1 in Social Security benefits for every $3 they earn above $11,160.

I have consistently cosponsored legislation to repeal the limitation placed on the outside earnings of Social Security benefit recipients. Current law, in my opinion, punishes seniors who choose to remain productive beyond age 64.

The Senior Citizen's Equity Act, which I strongly support, raises to $30,000 the amount which seniors can earn before losing Social Security benefits. I believe this is a necessary step—we should be encouraging rather than penalizing productive, experienced people who want to work.

I also strongly support repealing President Clinton's Social Security benefits tax—in fact, one of the primary reasons I voted against President Clinton's 1993 tax package was due to the additional tax burden it placed on Social Security beneficiaries.

I am pleased that the Contract With American includes provisions to repeal this unfair benefits tax.

Since I was first elected to Congress, I have always fought to protect the social contract represented by Federal retirement programs, including Social Security. As a Member of Congress who represents one of the largest concentrations of older Americans in the Nation, I am committed to continue this battle to protect the benefits of our seniors.

Therefore, I will be supporting the Tax Fairness and Deficit Reduction Act of 1995 when it is voted upon by the House of Representatives this week.

Mr. GOSS. Mr. Speaker, tomorrow the House will take up the last item in our Contract With America." The passage of H.R. 1215 will reverse the tax-and-spend mentality of recent Congresses, and finally give the American taxpayer some long-overdue relief from the highest Federal tax burden in our country's history. Not only does our bill provide much-needed tax relief for working families, it includes several badly needed, and long-overdue relief measures for our Nation's seniors. I'm especially proud of the fact that our bill provides several carefully crafted provisions to help seniors with the ever-looming, and potentially devastating cost of long-term health care. Our bill will allow seniors to deduct the cost of long-term care insurance premiums and the cost of any substantial long-term care expenses. Adopting these changes will end the tax codes' current discrimination against seniors, and make the tax treatment of long-term care costs similar to that currently provided for employer-provided health insurance and out-of-pocket medical expenses. Not only is this fair—but it is a good idea. These provisions will help seniors provide for their own future health needs while enabling them to maintain their independence and dignity in the event they are saddled with a costly, long-term care episode. Rather than compel millions of seniors to spend down their life savings to qualify for medicaid benefits, as our current laws do, these provisions help seniors preserve their savings while helping themselves. We've also provided a tax credit for families who care for a loved one at home. This will help families stay together, and again, help prevent older Americans from having to suffer, unnecessarily, from the cost and isolation of institutional care. H.R. 1215 also includes several other provisions to provide seniors immediate economic help. First, we've committed to repealing the ill-conceived new tax on social security benefits—imposed by the 1993 Clinton tax bill. This tax is really a double tax on retirees' past earnings. While proponents of this tax like to label it a tax on the wealthy, in reality it applies to any recipient earning over $34,000 a year or to any couple with a combined income over $44,000. This is hardly what most people would consider wealth. And I would contend this is hardly a lavish amount of income for seniors facing today's health care costs. Worst of all, these income thresholds are not indexed for inflation, so over time, as people's earnings rise, more and more seniors will find that they are wealthy as defined by the Clinton tax bill, and be subject to this confiscatory tax. Given all these facts, I think the case for repealing this tax is clear. Finally, H.R. 1215 would provide immediate relief to thousands of Social Security recipients who are currently penalized by the un-American application of the Social Security earnings test limit. Today when a senior between the ages of 65 and 69 earns more than $11,280 a year in wages, we start confiscating a third of that person's Social Security benefits. This puts seniors living on fixed incomes in a terrible dilemma—if they find their benefits are inadequate to live on, and

they try to supplement their incomes by returning to work, they face marginal tax penalties of nearly 50 percent. Worst of all, because the limit doesn't apply to dividend income, capital gains, or other nonwage earnings, it disproportionately impacts those seniors who need the additional income from working. Not only does this discourage people from trying to be responsible and take care of their own needs, it deprives our entire economy of the accumulated knowledge of an entire generation of older workers. By raising the earnings limit to $30,000 per year, our bill takes an important step toward ending this nonsense of the vast majority of seniors who need or want to return to work, and return us to a policy which again respects our traditional American ethics of hard work and self-reliance. Mr. Speaker, these reforms constitute the bulk of our Contract With America's seniors. They deserve the full support of this House tomorrow when we take up H.R. 1215.

TAX CUTS—JUST WHEN WE ARE BEGINNING TO MAKE PROGRESS ON THE DEFICIT

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Massachusetts [Mr. MEEHAN] is recognized for 5 minutes.

Mr. MEEHAN. Mr. Speaker, I rise this evening to talk about the budget deficit, and I have heard comments made back and forth about demagogic conversation, speeches. I ran for Congress because I felt that the Federal budget deficit was out of control and threatening future generations of Americans. We are paying $240 billion a year in interest on the national debt. If you look at projections of Federal spending from now until the year 2002, and 2005 and beyond, it is not easy to see that we are going to bankrupt future generations of Americans. Long-term economic growth will be impossible if we do not get our Federal budget deficit under control, and we must have the courage to act and the courage to make tough choices. Getting the Federal budget deficit under control is not about easy choices, and hear all the talk about tax cuts; those are the easy choices.

I had a plan when I got to Congress, my own plan to actually balance the budget. It was not easy to put together. It was put together through a combination of increases in revenues, in cuts, in spending. I have been committed to cutting the deficit since I got to Congress. It is why I got the fourth highest rating in the country from the Concord Coalition on deficit reduction. I believe that the future growth of this country and the opportunity for future generations of Americans to enjoy the prosperity that this generation has enjoyed hangs in the balance as to whether or not politicians here can make tough choices about how to get our budget deficit under control.

One way that we will never get our budget deficit under control is to give tax cuts just when we are beginning to make progress on the deficit. I am fortunate to have been in the U.S. Congress fighting for deficit reduction, and we have seen, for the first time in 3 years—3 years in a row, first time since Harry Truman was President—where the deficit has actually been cut, we have begun to make progress.

I voted for a balanced budget amendment, a Democrat voting for a balanced budget amendment. That was the easy part. Anyone can vote for a balanced budget amendment. The difficulty is actually balancing the budget, and there is no way that you can balance the budget by the year 2002 if these ridiculous tax cuts are approved by the Congress.

Now the revenue losses to the year 2000 are significant, but the 10-year losses approach $700 billion. It is impossible to balance the budget while providing tax cuts to the tune of $700 billion at the same time, and the irony is everyone in America gets it. People across America do not really think that you can balance the budget by drastically cutting taxes. But what makes this tax cut so tragic is that it cuts the taxes for the wealthiest Americans while enduring a deficit reduction.

Let us balance the budget to a plan to make tough choices over the next several years, and all you have to do is look at projected Federal spending to realize that nonsense about cutting discretionary spending, that we can even balance the budget by cutting children further or by cutting education programs. There is not enough discretionary spending in the budget to do it.

We need to get real about how we are going to cut this deficit. If the choices were easy, politicians in past years would have done it already. This is about difficult choices, and a bidding war over tax cuts for the middle and upper classes has to be avoided if we are going to confront these issues.

The pandering over tax cuts is threatening any chance for deficit reduction. We need to make investments in certain areas, and cutting school lunch programs, and cutting child care, cutting worker retraining, is not the way to prepare future generations to compete.

The Carnegie Corp. did a study last year that showed we are not investing nearly enough in children. You do not balance a budget by cutting children and giving tax breaks to those who are the wealthiest in society.

The Republicans claim that their tax cut will be fully paid over the next 5 years. Let me tell you they have only come up with enough cuts, $189 billion, to pay for the first 5 years, and $100 billion of those are not even specific.

I would hope that we would get real in this discussion. Let us cut taxes and have a debate about cutting taxes after we balance the budget.

Mr. Speaker, the American people get it. I do not know why the Republicans in this House do not get it.

GENERAL LEAVE

Mr. BAKER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include extraneous material, on the special order of the gentleman from Illinois [Mr. HASTERT].

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

There was no objection.

THE FIRST STEP ON THE ROAD TO A BALANCED BUDGET

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

Mr. BAKER of California. Mr. Speaker, I was very much interested in the previous speaker's remarks until at the end he became shrill and partisan as usual, and I have to say that we believe that you have to balance your approach toward balancing the budget just like you have to take incremental steps, and that is why the Contract with America did not say we are going to balance the budget first time you make us a majority because we knew that is impossible. We talked about the year 2002 and how we were going to work and take that first step on the road of a thousand miles to balance the budget. The problem is not that we can cut, because the gentleman had it absolutely right. He said we cannot have just tax cuts for the rich, we cannot have just that, and we do not want to denigrate this debate over who is going to have the biggest tax cut for the American people, and then in the next breath he said, "But we can't cut discretionary spending either because there is not enough money in discretionary spending to balance the budget."

So how was he going to balance the budget?

Mr. Speaker, the answer is, "You're going to do both. You're going to slow down the growth rate of government spending from its 6 to 10 percent rate and get it down closer to the 6 percent growth in income that this Nation has each year, even during the recession."

"Do you think, if you went to the American people," I ask you, "and said, 'Do you think your Federal taxes are just about right? Are they too high or are they too low?' "; what would the American people say to you, Representatives?

The answer is they would say they are too high.

In 1950 this Federal Government took 5 percent of Americans' income. In 1970 this government took 16 percent of

Americans' income. In 1990 we are taking 24 percent of the average American's income. So we are paying today, at the 1970 level, an average family, if we could pay at the 1970 level, the average family would have $4,000 more to spend.

At the same time we are running up a huge debt because we have not even slowed down in our spending, and the debt, which is today over $4 trillion, will leap to about $6 trillion by the year 2000, and by 2010, which is historically when the baby boomers all run from one side of the boat to the other, from the paying side on the Social Security, from the taxpaying side, to the retirement side and the drawing of Social Security. We will have a national debt each year of $6.7 trillion. Debt is going to consume America.

How do we get out of this debt? The answer is we are going to reduce taxes, and we are going to reduce taxes on the producers, even business, and the reason is that is where you create jobs, that is where you put people to work and create taxpayers to bring more revenue to this Federal Government. If we could increase this Federal Government's revenue by 1 percent a year, we would balance the budget about 4 years sooner than the 2002 than we are going to be able to balance it through cuts and through the small tax decreases we are going to have in capital gains.

The budget deficit is projected by the Clinton administration to continue growing into the future without a solution. Interest on the debt today is some several hundred billion dollars. But between 1995 and 2006 we are going to pay $3.9 trillion in interest. That is money we could have spent on our children. That is money we could have spent on problems that we have today—80 percent of the Americans want a balanced budget, and this gentleman says, "You can't cut your way out."

My answer is, "You've got to grow your way out." Americans will pay a lot just in interest on the debt that builds up their entire lives. In 1974, Americans paid a hundred fifteen thousand in their lifetime in interest on the national debt. This year, 1995, a child born today, will pay $187,000 in interest on the national debt.

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

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Mr. OWENS. Is the gentleman aware of the fact that during the last 12 years, beginning with Ronald Reagan that debt accelerated greatly? Jimmy Carter, when he left office, left a national debt of less than $100 billion.

It rose to almost $400 billion under President Reagan, who counseled that lower taxes would mean increased revenue. It never happened, and the deficit exploded.

Mr. BAKER of California. The correct answer is when Jimmy Carter left there was $1 trillion worth of national debt and now there are $4 trillion, but your point is well taken.

Pick the President you like the least. Over the last 26 years we have had how many Presidents? Seven. So I would pick out Jimmy Carter who was playing on the tennis court, and you would pick Ronald Reagan who you say would sleep through all the Cabinet meetings. Then you take Bill Clinton who despite all the rhetoric on cutting the budget is going to add a trillion dollars. Pick the President you want.

Mr. OWENS. What amount of debt was accumulated under each President?

Mr. BAKER of California. Pick the President you want. This Congress for 40 years has had its foot stuck on the accelerator. We appropriate, we spend. Heal thyself.

THE TIME IS NOT RIGHT FOR TAX CUTS

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Pennsylvania [Mr. DOYLE] is recognized for 5 minutes.

Mr. DOYLE. Mr. Speaker, I was born and raised in, and now represent western Pennsylvania and I can tell you that in our region we remember the 1980's very well—we remember the huge tax cuts that were enacted under the guise of stimulating the economy, under the guise of increasing revenues, but the corresponding spending cuts needed to keep the budget under control never took place. What happened? In western Pennsylvania we watched as the Federal budget deficit quadrupled from 1 trillion to over 4 trillion and brought on an economic downturn from which we have not recovered. Now we see that the new Republican majority in Congress wants to do it all again—enact huge tax cuts before we make the necessary cuts in spending. It sounds like the same mistakes made in the 1980's are coming back again in the 1990's.

The Republicans want to enact a bill of massive tax cuts that they claim is designed to help the middle-class. Let it be perfectly clear that this is one Member who believes the best way to help the middle-class, and everyone else for that matter, is to reduce our monstrous Federal debt. Since we are just beginning to make some progress in this area, I do not believe it is the right time for any tax cuts and I am confident that most of the country and the people in my district would agree that we must stay focused on reducing the deficit rather than exacerbating the problem by enacting tax cuts that we cannot afford.

Still, when we actually examine this Republican plan, my opposition to it grows even stronger because there is no question in my mind that these proposed tax cuts will in truth, benefit the wealthiest Americans at the expense of the middle and lower classes! A Treasury Department study has shown that the wealthiest 1 percent of Americans will derive 20 percent of the benefits under this bill. In fact, over half—51.5 percent—of the tax benefits derived under the Republican proposal will go to benefit families with annual incomes over $100,000. This is plainly and simply—an outrage.

Adding insult to this injury, the Republicans have made their "tax credit for families with children" nonrefundable. This means only wealthy families will be able to take full advantage of the credit while low and middle-income Americans lose out again. I heard one of my friends on the other side of the aisle say that the Contract With America wanted to make a statement that children have value, but with this provision, a family of three with one child, earning $15,000 a year would get a $90 credit, not $500. A family of five including three children, earning $22,000 a year would get $375 not $1500. I guess under the contract, a child's value is determined by the wealth of his or her parents.

As I said before, I do not believe the time is right for tax cuts of any kind—but for the Republicans to propose a plan designed to help those who need it least while it hurts those who most need help is not only foolhardy—its reprehensible.

I urge my colleagues to oppose this proposal, and I yield back the balance of my time.

PRO-SENIOR TAX PROVISIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Mrs. FOWLER] is recognized for 5 minutes.

Mrs. FOWLER. Mr. Speaker, I would like to highlight a number of pro-senior provisions which are contained in the Tax Fairness and Deficit Reduction Act. H.R. 1327 not only reduces the tax burden on American families, it repeals the Clinton tax increase in Social Security, raises the Social Security earnings test limit, and provides tax incentives for the purchase of long-term care insurance.

The failed notion that Government knows best how to spend people's money has given us a Government that is too big, taxes that are too high, and a huge debt to lay at the feet of our children. The American people have subscribed to a new idea of government—that people and not bureaucrats know best how to spend and invest money. They have sent a clear message that they do not want Government policies that over-burden the taxpayer while encouraging dependence on Government support.

These provisions are in line with the philosophy of smaller government and

fewer taxes. At the same time, the bill is distinctly pro-senior. First, the bill would repeal the tax increase imposed by President Clinton's tax package of 1993. It would provide needed relief to seniors on fixed incomes, whom the administration labels as "wealthy." Senior citizens with incomes of more than $34,000 a year are not rich. Seniors face escalating costs for housing, medical care, and prescription drugs and the Clinton tax increase made it even more difficult for many seniors to fend for themselves.

The repeal of this provision is also important because it scales back a very dangerous precedent. The Clinton tax on Social Security actually transferred money away from the Social Security trust fund. Revenue raised from the increased taxation on Social Security benefits is not returned to the Social Security Trust fund. We heard lots of talk from opponents of the balanced budget amendment that Republicans were going to raid Social Security, but ironically, it is President Clinton who has set the standard for raiding the trust fund.

The Tax Fairness and Deficit Reduction Act will also raise the Social Security earnings test limit. The earnings test is a penalty imposed on seniors—our most valuable and experienced resource in the work force—who choose to continue working after they turn 65. Social Security recipients earning more than the current limit of $11,280, will have $1 of benefits reduced for every $3 over the limit. That means that low to middle income seniors will face marginal tax rates of 55.65 percent—when you consider the 15 percent Federal income tax and 7.65 for FICA. That is unfair and discriminatory policy that will end under H.R. 1327.

The current earnings test sends a clear message to seniors: Do not work. It will not pay, which is not the message we should be sending.

Finally, this legislation encourages the purchase of long-term care insurance. Too often, senior citizens who have exhausted their resources or rely solely on Social Security as a primary source of income—perhaps because the earnings test discouraged them from continuing to work—must spend down their resources to become eligible for long-term care under the Medicaid program. There must be a better way, and I believe encouraging the purchase of long-term care insurance will allow more seniors to keep their assets and independence from Government support.

Mr. Speaker, these three provisions will greatly benefit seniors, and at the same time encourage self-reliance. I look forward to having the opportunity to support these changes when we consider H.R. 1327 on the House floor this week.

THE REPUBLICAN TAX CUT IS IRRESPONSIBLE

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

Mr. GENE GREEN of Texas. Mr. Speaker, the best of America is to stay and fight and the worst is to cut and run. This Republican majority tax cut takes the money and runs. It does not stay and fight the deficit, it does not stay and fight for better education, stay and fight for summer jobs for teenagers, stay and fight for higher educational opportunity or stay and fight for job training for our future.

Tomorrow the Republican majority will bring this massive tax cut to the floor. Everyone wants a tax cut and so do I, but it is irresponsible with the huge deficit that we have. As a business person, I have used capital gains and investment tax credits to help the business that I help manage grow, but until we get our own economic house in order, cuts are irresponsible.

The bill makes the top 2.6 percent of families the winners with over 58 percent of the tax cuts. Corporations would be winners with repeal of the alternative minimum tax, which simply required a corporation to pay something, even if they made a profit.

Who are the people and the issues losing under this bill? Well, of course deficit reduction, because you cannot have a tax reduction without taking $100 billion out of the effort to reduce the deficit.

Teenage summer jobs. Just two weeks ago we saw the House abolish for this year and next year the teenage summer jobs.

Grade school and college students. We saw $100 million cut out of Federal funding for Chapter 1 funding education. College students, the reduction in the student loan program, and finally the losers are the taxpayers of America.

The Speaker calls this the crown jewel of the Contract With America. Well, this jewel is cracked. Why should hard-working Americans pay taxes while profitable corporations may pay nothing?

Why should seniors go cold in the winter and endure hot summers when the top 2 percent of Americans will receive the 58 percent of the capital gains cuts?

The Republican majority wish to point to the lack of responsibility in our Federal Government, but is it responsible to have a larger Federal budget deficit in 1999 than under current law? No, it is not.

Mr. Speaker, the first 100 days has been a blitzkrieg of cuts in education funding, summer jobs for teenagers, school lunches, denying legal and taxpaying immigrants assistance.

The contract has several issues which I agreed with and supported: Putting Congress under the laws that it passes, line item veto and unfunded mandates, and all of these issues needed to be addressed.

But the crown jewel will be paid for by cuts in safe schools and financial aid for the college students. Congress must not sell out the future for some of the good times for the wealthiest families. The American people are tired of paying taxes, and I am willing to work to have cuts for Americans, but Congress would be irresponsible to explode the budget deficits simply to give tax cuts to a small minority of our Nation.

Mr. Speaker, we all want a tax cut, and their money is best left in their pocket, but it is irresponsible to our children and our grandchildren not to stay and fight for our future.

Mr. BAKER of California. Will the gentleman yield?

Mr. GENE GREEN of Texas. I will be glad to yield, Mr. Speaker.

Mr. BAKER of California. Did you vote for the $17 billion rescission package and would you vote today to cut $213 billion from this budget which is this year's deficit?

Mr. GENE GREEN of Texas. I would be more than happy. Last year I voted, in 1993 as we hear, I voted to cut $250 billion out of the budget that did not have one Republican vote. I did not vote for the rescission because the rescission cut 2,000 jobs in my district of summer jobs programs.

Mr. BAKER of California. The rescission was 8 percent of the deficit.

Mr. GENE GREEN of Texas. On a short term basis, we are going to say, well, let's do not have those 2,000 people in my district or 6,000 in the City of Houston who have a summer job, let's put that money into abolishing the alternative minimum tax for corporations. Let's get our priorities straight.

Mr. BAKER of California. Mr. Speaker, the point I would like to make is you cannot cut your way out of this. You did not vote for the $17 billion in cuts and you are not likely to vote to $213 billion.

Mr. GENE GREEN of Texas. I will vote for cuts.

Mr. BAKER of California. You better pray that the tax reduction brings more revenue.

Mr. GENE GREEN of Texas. Reclaiming my time. I like a lot of Democrats will vote for cuts, but let's vote for cuts that do not take the cuts today and penalize those in the future. Let's vote like you said, let's grow out of this deficit, but you do not grow out of it by cutting job training funds, by cutting summer jobs programs. We want those youngsters to be productive citizens so they will pay those taxes 5 and 10 years from now, but if you cut the job training today and you cut their summer jobs, then growing out of this deficit is really a pie in the sky and a pipe dream, just like the 1981 tax cut was to balance the budget.

Mr. BAKER of California. If the gentleman would further yield.

Mr. GENE GREEN of Texas. I will further yield.

Mr. BAKER of California. Let me be honest, I will not vote to cut $213 billion because it could not be done without hurting all the programs you are talking about. The capital gains tax and the alternative minimum tax will bring us more revenue and allow us to balance the budget sooner. Thank you for yielding.

Mr. GENE GREEN of Texas. If I believed that rationale, I would be voting for it tomorrow, but obviously I do not.

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BUDGET ITEMS INTERRELATED

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

Mr. OWENS. Mr. Speaker, we have heard a lengthy discussion of the tax cut that will be on the floor tomorrow. It is very relevant to the subject that I would like to discuss and that is the coming budget. It is all interwoven. You cannot separate one part from the other. The $17 billion in rescissions that have been passed by the House already, the tax cut tomorrow, the coming budget that we will deal with in May, all of it is interrelated and very complex.

I wished there was some way to really simplify it so anybody could understand it without all of these lengthy discussions, but the discussion is necessary. The charts and the graphs, all of it is necessary but I think it could be summarized and we could take some guides to lead into an understanding of what is happening.

There are a few basic facts that must be understood from the beginning and I want to start by explaining an interchange, a dialogue that I had with one of the speakers where I said that under Jimmy Carter the deficit was less than $100 billion and under Ronald Reagan it went up to $400 billion. I want to correct that. The deficit for one year under Jimmy Carter never exceeded $100 billion. I think the highest annual deficit that Jimmy Carter had in the budget was $64 or $68 billion. Under Ronald Reagan, it soared to an annual deficit of $400 billion. It all added up to, between the time Jimmy Carter left and the time Ronald Reagan left and the present, a $3 trillion difference. The deficit when Jimmy Carter left office was $1 trillion, overall deficit, and it is now $4 trillion. But the annual amount was as low as $64 or $68 billion under Jimmy Carter. It is the highest annual deficit that he ever created. Under Ronald Reagan it went up to more than $400 billion.

Part of the reason it went up so high under Ronald Reagan was due to the fact that there was a philosophy dubbed by many before he was elected as voodoo economics which said that you could lower taxes, lower taxes but increase revenue. We have heard the same argument here on the floor today. Instead of offering it in a voodoo economic package, he came with higher mathematics and said something about cosines and sines and I guess what simultaneous equations must have shown. He said it was complicated. We could not see the chart that he showed. But no matter how complicated you make it, he is still saying the same thing that Ronald Reagan said: "You can lower taxes and at the same time increase revenue".

No matter how many charts you bring, experience, the years under Ronald Reagan and the years after that have shown us that the lower taxes produce lower revenues. Why do you have a deficit? Because the revenues could not keep pace with the spending. The revenues did not match the previous revenues even after you had found ways to lower taxes. It is simple and any high school sophomore would validate that. You cannot lower taxes and increase revenues at the same time.

That is a basic set that we have to put in place. We have to understand part of the problem is the continuing addiction to voodoo economics, the continuing addiction to a kind of magic, an attempt to make the public believe that you can have everything at the same time.

The Contract With America proposes, first, to balance the budget by the year 2002 in a 7-year period. We usually handle budgets over a 5-year period. They projected they could balance the budget by the year 2002 and they have issued a statement that any budget that comes on the floor of the House during the budget debate in May must show that it is on a glide path toward a balanced budget by the year 2002.

If it is on the glide path toward a balanced budget by the year 2002, it means about $59 billion is the amount of the deficit 5 years from now. Our budgets are using 5-year projections, so the budgets that come to the floor will be for a 5-year period and you must show that the deficit is down to $59 billion by the 5th year, which means that it is estimated in 2 more years that the budget would be totally balanced.

They have created that condition, the insistence that there must be a balanced budget by the year 2002. At the same time, the same Contract With America says we are going to increase the defense budget. We are going to increase the defense budget dramatically, although there is absolutely no need to increase the defense budget. I will talk about that later.

It insists that the defense budget must be increased. So you are going to balance the budget, you are going to increase the defense budget, and on top of that, there will be a cut in taxes, a cut in taxes which would generate additional deficit if you do not have simultaneous cuts in expenditures.

So we are down to the problem, is what shall the expenditures be that are cut. If you out there have asked the question, "Why did the Contract With America in the fine print or no print at all, why did it go into such strange budget saving tactics as cutting school lunches?" The Congressional Budget Office says that, yes, there will be a cut over a 5-year period, it is more than $2 billion when you add all the factors in. The conservative Congressional Budget Office confirms that there will be a cut of $2 billion, a savings of slightly more than $2 billion.

Why did the Republican majority reach into the school lunch program to get a paltry $2 billion? Because that is part of what they need to make all of these magical things work together. In order to balance the budget by the year 2002 and give a tax cut, they need every dime they can get.

So they have reached into the school lunch program. They have reached into the Aid to Families With Dependent Children Program and related programs, food stamps. They have reached in there to get additional billions of dollars. They are cutting in order to be able to give the tax cut and at the same time move toward a balanced budget.

Why do we have to have in the middle of the year a rescission package which reaches into an existing budget? We are in this budget year now. We have allocated that money after a lot of deliberation. We authorized the money. We appropriated the money. It is in the budget now, but they reached in to get $17 billion, slightly more than $17 billion to pull it out in order to save money and move toward the balanced budget and to give money for a tax cut.

What do they get? What did they reach in to get? The biggest cut was on low-income housing in HUD. Seven billion dollars was cut out of the Department of Housing and Urban Development, most of it for low-income housing.

What did the get from education? Most of the programs they cut in education, $1.7 or $1.8 billion out of the education budget.

Now they are contemplating moving toward a cut in the student loan program. The student loan program is subsidized. We pay interest on the loans during the time the students are in college. And what they are saying is we will take that away, which increases the amount of the student loan programs to the students and places a burden on that segment of our population which we are most dependent upon to carry forward the America of the year

2000, the America of new world order which must have the best possible technicians and scientists and managers. They will come out of your colleges and universities.

So we are going to tamper with the mechanisms that allow us to educate students. We are going to lessen the numbers of students.

So these are the parameters of what we are dealing with. Where shall we get the money to balance the budget and, at the same time, give this tremendous tax cut to the rich?

Because I think all the charts confess, when it is all over, the charts say that the rich will get the biggest benefits on the Republican side. We heard arguments that, yes, the rich are paying the most taxes; and by, yes, they are paying the most taxes, they, in essence, said, of course they will get the benefits because they are paying the most taxes.

I am sure there are many Americans out there who would like to share in the wealth and would be happy to pay the taxes that the very wealthy pay. If they had more money they would pay more taxes, and they would be quite pleased to be in that category.

So any way you cut it there is an admission that the people who are going to gain most from the tax cut are the wealthiest Americans. They gave the percentages. They showed the graphs and the charts. I will not go back into that, but it is clear what is going to happen.

Then the last speaker issued a challenge: What are you going to cut if you are not going to deal with the deficit? It looks as if any Democrats who want to bring a budget to the floor of the House and offer that budget as an alternative budget is going to have to play by the rules that have been set by the Republican majority. They say you must present a budget which shows that it is going to be balanced by the year 2002.

Any budget that comes to the floor as a substitute, and we hope that they will allow substitute budgets as we have had in past years, will have to be on a glide path and have a deficit in 5 years of no less than $59 billion.

So I am the chairman of the Congressional Black Caucus alternative budget. We are working hard to prepare that alternative budget. We accept the challenge. We do not think that it is necessary.

We do not think that you should create an artificial crisis the way the Republican majority has done. They created an artificial crisis, and we have to squeeze everybody very hard in order to meet these artificially created goals. But if that is the challenge, we accept the challenge.

The last speaker sort of threw that challenge to the Democrat side here and said, "What are you going to cut." Well, we say that we will balance the budget. We will cut what is necessary in order to balance any budget we bring, and we are going to make cuts that need to be cut.

There is waste in government. There is waste in government that can be cut. There is waste in the defense budget that can be cut. There is a bloated CIA that can be cut. There are places where we will show that the American people can get a better deal with a more streamlined government without having to cut the people who are most in need.

The Congressional Black Caucus will again offer its own substitute budget as we move toward the year 2000 and into the 221st century. More than ever before, our alternative budget is needed to offer a vision of America which includes all of the people.

The vision of America offered by the Contract With America and the Republican majority is a vision for an elite minority. An elite minority will be taken care of, and they are proposing to go dump overboard certain other groups. They are going to play a game of triage and just forget about certain segments of America.

They have cut part of the budget which deals with children with disabilities. Part of the Social Security budget has already been proposed to be cut. They are cutting school lunch programs. They are going to cut the aid to dependent children programs. Wherever they are cutting, low-income housing, the HEAP program which provides money for heat for people during the winter, all of those cuts are for people most in need. Americans who are most in need are the ones who are going to be cut.

We are going to show how we can offer a vision of America that does not play the game of triage, that is a vision of America which includes all of the people.

To counter the scorched earth approach of the oppressive elite minority which presently controls the House of Representatives, the Congressional Black Caucus must discharge its longstanding obligation to present a budget which promotes the general welfare and advances the interests of the caring majority. The overwhelming majority of American people can be taken care of in the process of moving toward the year 2000 and balancing the budget and streamlining government.

The CBC, the Congressional Black Caucus caring majority alternative budget, will encompass the interests of all Americans. However, it will also represent a moral counterattack against the forces of the oppressive elite minority which have launched a blitzkrieg against the political, economic, and social infrastructure of the African-American community. Our budget will speak for the caring majority of America.

It will also specifically address the issue of what the oppressive elite minority which presently controls the House of Representatives intends to do to the black community in America, to the African-American community. We have been singled out for special attention. Black people in America are presently being subjected to a powerful and dangerous double-barrel assault. Devastating budget cuts of programs developed over the last 60 years threaten to deny basic necessities to ordinary black citizens and thus break their spirits and cripple their will to fight back.

□ 2000

At the same time, a dirty war, assault on affirmative action, designed to serve as a campaign weapon in the 1996 elections, will seek to brainwash America into the belief that every black is a new kind of Willie Horton threatening to rob them of their job.

You will recall in the Bush campaign against Dukakis, they were running neck and neck until an advertising campaign was introduced of a monstrous person who had been in prison and released and committed murder and all of a sudden, all you saw on the screens was this black Willie Horton and the threat that he was to the American people and that turned the tide and the polls began to show Mr. Bush climbing over Mr. Dukakis.

It was such a great success, it has been repeated in various ways since then. In the campaign of Harvey Gant against a Senator, who is now sitting in the Senate from North Carolina, there was a close race until the Senator from North Carolina introduced a campaign ad which showed a white hand with a job application and a black hand reaching out to take the job application away from them. So that kind of racist appeal, the gut racist appeal, has proven to be workable.

It is a case where civilized people appeal to very primitive instincts. Parties that used to act very responsibly, both the Republican Party and the Democratic Party, the leadership at one time refused to succumb to the temptation to make their campaigns racist. But the Republicans broke with that tradition when Ronald Reagan decided to go to Philadelphia, MS, and launch his campaign. Philadelphia, MS, is a place where three civil rights workers were murdered, two Jewish young people and a black—Chaney, Schwerner, and Goodman were murdered in Philadelphia, MS. Mr. Reagan chose to go there to launch his campaign and send a message to the South and the people who believed, like those in Philadelphia, MS, that there was a new Republican Party.

And since then the use of racism, the use of racism in campaigns has been dignified, has been made acceptable. So we go from Philadelphia, MS, to Willie Horton and now the kingpin of the 1996 campaign is going to be an assault on affirmative action.

The budget process is one attack on the African-American community. The assault on affirmative action is the other.

Tonight I am dealing with the budget process. For African-Americans, the present declaration of war by the oppressive elite majority which controls the Congress represents the clearest and most overwhelming threat to the black community since the first black reconstruction effort was brutally demolished shortly after the Civil War. There were many Members of Congress who were black at one time and, shortly after the Civil War, when the reconstruction effort was underway, they came into Congress. And after the Hayes agreement, the blacks were driven from Congress as they were driven from office all over the country. And the Ku Klux Klan began the riots and murder, brutality, lynching, 100 years of that took place.

So we are not going back to that, but there is an attempt to roll us back into that by taking the second reconstruction, we call the second reconstruction from the time of Martin Luther King, the Montgomery bus boycott to the time we got the Voting Rights Act.

It was the launching of the second reconstruction, that reconstruction now they are going to attempt to demolish. The CBC caring majority alternative budget will be a major component of the master plan which will guide the counteroffensive that we must launch in order to guarantee our survival. Because this budget will clarify and highlight important goals and objectives for all of us, it will serve to strengthen and accelerate a renewed struggle by the African-American community with the help of the other millions who make up the caring majority. The other millions are the enlightened white Americans, Latinos, Asians, native Americans, Jews, Christians, immigrants, and important people everywhere.

We are confident that with their help, the total caring majority, we will be able to defeat the deadly design of the oppressive elite majority. We are confident that we should be able to overcome.

We have, in the Congressional Black Caucus, laid out a set of about 11 basic principles and themes that will guide our preparation of the budget. As you know, we will not be doing the budget until May. The Committee on the Budget is late in that process so we will not be considering it on the floor here until May. But we have set out a set of principles that will guide us.

First of all, we began by condemning the entire rescission package that I have just spoken about a few moments ago. The rescission package was the launching of those devastating cuts primarily aimed at the poor, the urban poor and more specifically aimed at the African-American community. At least 65 percent of the cuts in that $17 billion rescission package, 65 percent of those cuts are aimed at poor urban communities. We condemn that. We hope that the President will veto that package. We hope that the Senate, first of all, the Senate will make some drastic changes. But if they do not make those changes, we hope that the President will veto that package. It is necessary that those $17 billion in cuts not take place in this year's budget.

We also particularly condemn the zeroing out of the Summer Youth Employment Program. We call for the immediate restoration, as the number one item that is most urgent, immediate restoration of the Summer Youth Employment Program. The Summer Youth Employment Program provides jobs for teenagers during the summer. It is a very successful program. It has worked very well. Nobody challenges its effectiveness. It provides 32,000 jobs in New York City. And in big cities all across America it provides thousands of jobs during the summer for teenagers.

Why must this program be zeroed out? No reason has been given except that it is part of the plot aimed at the poorest communities, the urban communities and particularly aimed at the African-American community. We insist that the teenage employment program in the summer be restored.

Item three is the basic principle that we support a tax cut for the working class, as set forth in the progressive caucus budget. They have a tax cut for the people who make the least amount of money, and we are united with the progressive caucus on giving a tax cut to the people who are working people and need the cut the most.

Item five, we support the establishment of a commission on creative new revenue options to develop new sources of Federal revenue and shift the primary tax burden from personal income taxes.

I agree with the other side that personal income taxes should be cut. We should find ways to cut them and cut them fairly. Personal income taxes are too great a portion of the overall Federal revenue package.

There was a time when corporate income taxes bore at least half the burden of the Federal revenue package. Corporate income taxes need to be raised. But that is not creative. That is just an adjustment that needs to happen. We need to look at more creative sources of revenue.

As I have said on this floor before, we are selling the spectrum above us. There was a time when the Government gave land out to people. They did not sell it. When this country was first established, you got land grants and there were land rushes, various ways that people were almost given the land.

Now we have above our heads a realization that above our heads is wealth. The atmosphere above our heads, the spectrum can be sold and is being sold. Why not find ways to get more revenue from the leasing or the selling of the spectrum?

Technology has brought us to this point. The technology was produced by the genius of people over many, many years, but it has brought us to the point where suddenly the atmosphere above our heads is valuable. It is worth a great deal of money. Let us find a way to tax that for the benefit of all Americans. That is just one of the taxes.

Let us place a royalty on all the products that have been developed with Government research. Let us go back and place a royalty on them and let us make certain that all future products developed with Government research have a royalty on them which exists forever, going to the American people, giving the American people the benefits of those technological advances.

There are a number of ways we could change the tax structure, end personal income taxes as we know it. Get rid of personal income taxes or bring it down to such a low level that it is a minor part of the budget by finding other creative ways to tax people. We want to call for this commission.

I see the leadership of the Senate, the Republican leadership of the Senate, the Republican leadership of the House have called for a similar commission. We join with them in the call for the commission, and we would like to offer some ideas. And if they are not going to be creative, we call for creation of a special commission that is going to look for real creative options and not find new ways to bleed the same old people with personal income taxes.

We have a very important item in this set of principles with respect to cutting programs and cutting expenditures. We support means testing for all agricultural subsidy programs. Here is a bombshell. Here is Republican pork. Here is rancid Republican pork.

Go look in the districts of people who represent Kansas and a large part of the Midwest, who claim that they do not want any help from Government. They have been getting help from Government for years and years. A program created by the New Deal to help farmers has been expanded to a program which is an almost racketeering enterprise. Checks are being pumped into big cities to people who have never set foot on a farm. So the agriculture subsidy programs and various programs run by the Department of Agriculture need to be examined closely.

We propose to streamline and downsize the huge Department of Agriculture. They did a great job so we have a most effective industry, an agriculture industry that is unparalleled anywhere in the world. Government can step out now. The agriculture does not need to be the second largest bureaucracy. Right now the Department

of Agriculture is the second largest bureaucracy in the country, second only to the Pentagon in the number of employees.

Instead of calling for the eradication of the Department of Education, which we need very badly, let us downsize and streamline the Department of Agriculture. We will show you how to save money in that process.

We support the collection of fees for the difference between current rates and market rates for electric power, the various power marketing commissions, administrations are giving away revenue that could be gained by charging market rates for electricity where Federal projects are involved in pricing that electricity.

We support the maintenance of foreign aid at the present level. We support the continuation of Federal benefits to all eligible immigrants. We support the elevation of education and job training as the highest priority item in the budget. We are going to offer increases. We are going to call for increases in education programs. We want Head Start to be available for all eligible children, all eligible children. We want no cuts in the college student loan programs or the work study programs or anything related to higher education. We are going to place the increases where they should be.

Finally, we will call the drastic cuts in defense. We do not need, after the cold war is over and the evil empire is defeated, we do not need to spend $28 billion, $28 billion for the CIA. We could, over the 5-year period, cut the CIA by 10 percent a year and by the fifth year you would have it down to about a $14 billion budget. Nobody really knows. This is a conservative estimate, that the CIA and intelligence agency budget is $28 billion.

First of all, we would like to end the secrecy. We see no reason why the American people cannot know exactly what this fumbling, very deadly, some things have been revealed, it is a very dangerous agency. It should let the American people know what the budget is. We want to cut the budget that is there.

We certainly want to cut the F–22. The F–22 is a fighter plane, the most sophisticated ever conceived. It is being manufactured in the district of the Speaker of the House, Marietta, GA. It has great benefits for the district, but we do not need it. We do not need a super-sophisticated fighter plane because we own the most sophisticated fighter plane. If the Russians are not building another one, no other country is building another one, why do we need a plane to compete with our own sophisticated fighter plane?

So we will cut the defense budget. The Congressional Black Caucus budget will go forward to achieve balance, but we will show you where the waste is. We will show you what sensible, compassionate people will look at.

We can cut without throwing people overboard. We can cut and have a balanced budget, a sensible budget without cutting school lunches, without making the lives of senior citizens miserable. We do not want to touch Medicaid. We do not want to touch Medicare. We can show you what the vision of America should really be like.

We represent the caring majority as opposed to the oppressive elite majority. Our budget will reflect that. The caring majority budget will be for all of the people of America.

□ 2015

REAL TAX RELIEF FOR THE AMERICAN PEOPLE

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

Mr. FOX of Pennsylvania. Mr. Speaker, I appreciate this opportunity to speak up on behalf of the American people, I think, who are waiting for the House of Representatives to take its first step towards real tax relief.

The fact of the matter is there are three goals that the American people want us to have. First, they want to make sure we have deficit reduction, they want to make sure we have spending cuts, and they want tax cuts.

We have already passed, within the Contract With America, $180 billion in deficit reduction. We have already passed $190 billion in spending cuts.

What awaits action tomorrow by this House of Representatives, Mr. Speaker, is the tax cut part, the three parts of the Contract With America to help our senior citizens, to help businesses, to help individuals, and to help everyone who lives here in the United States by having a better chance to get a job, a better chance to keep a job, and a better chance to keep their family together, because these tax credits and these tax cuts are of real value to the American people.

We have seen over the period of time, Mr. Speaker, that the government is too big. It spends too much, and the American people remain overtaxed. As we cut spending, American families deserve tax relief. That is why 76 percent of the tax cuts go directly to families.

We also want to make sure that when America's families say good-bye to one another in the morning, they have good jobs to head off to. Twenty-four percent of the tax cuts go to job creation. The tax money is not ours. It belongs to the taxpayers. It is about time we cut Government spending, reduce the size of the Government, and let people keep more of what they make.

Our tax cuts, which represent 2 percent of Federal spending over the next 5 years, are fair, they help Americans from all walks of life, and they will lead to a better future with better jobs.

First, let me speak about the family tax credit. This bill would provide families with a $500 tax credit for each qualifying child under age 18. This will help families with their expenses.

The marriage penalty tax relief: This would make sure that married couples who file joint returns would be eligible to claim an income tax credit. Generally the credit is intended to mitigate the unfavorable tax consequences that the present law has, which may arise when two single workers marry.

The American dream savings account: For so long now, we are talking about in this bill a new savings vehicle called the American dream savings account. This would permit annual nondeductible contributions of up to $4,000 for a married couple filing a joint return, $2,000 for an individual.

We are also talking about deductible contributions to spousal IRA's, individual retirement accounts. This will increase savings and encourage each family to prepare for the future. This bill would permit deductible IRA contributions up to $2000 to be made for each spouse.

Senior citizens' equity: The Republican Majority has called for, and this bill would allow for, the repeal of the 1993 Clinton increase in the amount of Social Security benefits which are subject to income taxation.

The present law requires senior citizens, most of them, to pay income tax on up to 85 percent for their Social Security benefits. This would roll it back to 15 percent.

It also would raise for the first time Social Security income and allowances. Right now if you are getting Social Security and you are employed, you can only make $11,280. Under our proposal tomorrow, this would over 5 years gradually raise to $30,000 that senior citizens could earn.

Not only would it give them the chance to have more funds to in fact pay for expenses—many of them are living on fixed income—but, Mr. Speaker, it would also bring more tax dollars into the system. It would extend the quality and the length of years for our seniors who have given so much to our country and to each of us.

This would also provide, the same legislation, tax incentives for private long-term care insurance. This would improve for health for all Americans. Long-term care is always thought of as expensive care, but under this tax incentive for private long-term care insurance it would be encouraged.

It would also allow for tax-free withdrawals from IRA's for just this kind of insurance, long-term care. It would also give accelerated death benefits under life insurance contracts. The bill would provide terminally or chronically ill individuals with new means of paying their increased medical bills and living expenses.

Finally, let us talk about capital gains relief. Mr. Speaker, this bill contains four different capital gains provisions, the most important of which would be a 50 percent capital gains reduction for individuals. This would encourage savings, business expansion, and job creation. It also would provide a 25 percent corporate alternative tax for capital gains.

Everyone knows that capital gains is going to help this country move forward. It will be the kind of stimulus that would encourage investment, savings, and new jobs.

Within this legislation will be pension reform for the Members of this House. It will call for our pensions to be more akin to Federal employees' and not some bloated pension that was in prior Congresses. This is the kind of recovery and reform where we are leading by example, Mr. Speaker.

This goes part and parcel with the franking reform we are discussing, and we are going to act on; the gift ban we are going to act on; and campaign reform we are going to act on. It is part of moving this Congress to the kind of new credibility that the American people want us to have.

Mr. Speaker, as well, this legislation would allow for expensing for small businesses. The bill would increase the amount of property a small business can expense. This would have the effect, of course, of encouraging the engine of our economy, Mr. Speaker, small businesses, the chance to grow, produce, and hire.

This is certainly what we want to do, because the backbone of our country are the small businesses. You have heard time and again from the U.S. Chamber of Commerce and the National Federation of Independent Businesses just how important it is to help our small businesses grow.

We already passed legislation to have the 25 percent deduction for the insurance paid for by the employers. We hope that will now go to 100 percent, but this is one more way we can help small businesses in fact meet their expenses and be able to meet their payroll, and then be able to move on to new heights.

There is also within this legislation, Mr. Speaker, tax credits for adoption expenses of up to $5,000; tax credits for the care for the elderly. This is very important to individuals throughout the country in every single State.

Mr. Speaker, the fact is we can have all three with this legislation. We can have our spending cuts, which are very important to trimming an out-of-control Federal budget. We can have our deficit reduction. We also can have our tax cuts.

The fact is, without all three, the country won't move forward. New jobs can't be created, and we won't realize the American dream.

We have other legislation that is going to happen after the 100 days. We are talking about the kind of review where we are going to sunset Federal agencies. The freshman class has come forward with the possible dissolution or elimination of certain agencies and functions, but we have legislation as well that is going to call for every 7 years to review Federal regulations, to review Federal agencies, and to sunset those regulations and those agencies when they are not performing.

This is all part and parcel of the 104th Congress moving forward. I believe, Mr. Speaker, with the adoption of these tax cuts, we will in fact realize the dream that many Americans want us to have, to keep the contract.

We already had the balanced budget amendment. We have a line-item veto. We have prohibited unfunded mandates being sent back to States and local governments. We have had regulatory reform, legal reform. Now we need to have the final, 10th item on the contract for us to deliver on.

We believe this is legislation, Mr. Speaker, that is bipartisan in nature. This is not just Republican or Democrat, this is not for liberals or conservatives, for those who live in the North, the South, the East, or the West.

This legislation, this tax program, is something that every Member can embrace. We hope that the Senate, once it is passed in the House, will find favor with it as well, because the American people have, by overwhelming numbers, said a tax cut, as long as you are going to have deficit reduction, spending cuts, is consistent with what the American dream is all about: expanding opportunity, helping us keep jobs and get more jobs, helping us make sure that each family in fact has the opportunity to help provide for their children, to make sure they can buy a home, and to make sure that they can provide for their expenses.

That is what these tax cuts will do, give them that kind of flexibility, Mr. Speaker. We believe this is a step in the right direction. No one piece of legislation is going to solve all the problems. It takes cooperation. It is going to take persistence. However, this legislation is a step in the right direction. Tax-and-spend prior Congresses have been out of touch, been out of control.

This 104th Congress has already seen, by bipartisan adoption of the contract items which have overwhelming numbers from the Republican side, and great numbers, as well, from the Democratic side, that we can stop the finger pointing, we can stop the gridlock, and we can work together for the American people. That is what they want us to do.

They want us to work together. They want us to make sure when we go to Washington, we don't get caught in that Beltway mentality of an echo chamber that says "Whatever you are doing is fine." We need a make sure we keep track back home, go to those town meetings, and hear what they are saying.

What I am hearing is they want tax cuts, but they want to make sure they are tied to deficit reduction. That is what this legislation does. Under the proposal from the gentleman from Delaware, MIKE CASTLE, and as well from the gentleman from Michigan, FRED UPTON, and also from the gentleman from New Jersey, BILL MARTINI, we are going to have that initiative within this legislation which will make sure that we tie the tax cuts we are speaking of to deficit reduction. That is very important for our long-term economic health.

However, I believe that you will find that senior citizens can certainly find favor with this. Couples, married, middle class individuals, everyone in the economic stream will find that this legislation is going to give us that boost. It is going to give us that hope.

Together with our great community groups that are doing wonderful things in the private sector to help our communities be strong, we can make sure that we are doing our part by getting out of the way of business, helping expand opportunity, and making sure that House bill 1215, which is the tax cut legislation, will in fact move us forward.

I believe this is a step in the right direction. I would like to call on the gentleman from Michigan, NICK SMITH, at this time to continue this dialogue with the American people, because we need to make sure, Mr. Speaker, that in fact this legislation is adopted for the benefit of all Americans, and for moving our country forward.

Mr. Speaker, I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. FOX] for yielding to me.

Mr. Speaker, first let me say that it is individuals like the gentleman from Pennsylvania [Mr. JOHN FOX], who are part of the driving force that is keeping the momentum going in this Congress to do the tough job of cutting spending and balancing the budget, and at the same time cutting taxes, so my compliments to the gentleman from Pennsylvania and my colleagues in the freshman class.

I think the question we really need to address, Mr. Speaker, is what do we want, what are we after, what do we want to achieve. I think probably it is a nicer, more friendly, better place to work and to live and to raise our kids.

How do we get there, I think is the next question. Part of what we need is more and better jobs in our society. Right now that is a real challenge. What we have seen over the last 40 years is a situation where we continue to increase the taxes on individuals and businesses so that government can do the things that they think are good for you.

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We are suggesting now that we leave more of that hard-earned money in the pockets of people that are out there working for that money, and let them decide how to spend it, instead of this huge, overbloated government bureaucracy in Washington, DC.

What has happened in this country is our savings rate that used to be high, we have one of the lowest savings rates out of the industrialized world. When you add to that low savings rate the fact that the Federal Government is now overspending $300 billion a year, if you include what we are borrowing from the Social Security Trust Fund, we are overspending $300 billion a year, that in itself is negative savings, so we end up, compared to the rest of the G-7 countries, at the bottom of the totem pole on savings. That means there is less potential money out there to borrow, to lend.

The Federal Government now borrows 42 percent of all the money that is lent out. Last year, out of every cent and every dollar that was borrowed, here is the Federal Government saying "Hey, we have to have that money, because we are doing important things." They are borrowing 42 percent of that dollar.

Somehow, Mr. Speaker, we have got to expand capital formation in this country. All economists agree that expanding capital and capital investment is the key to economic success. We have a low savings rate. The Federal Government's overspending has driven up the interest rates to businesses. What can we do to encourage productivity in this country, and allowing our businesses to be more competitive with the businesses in other countries?

If you look at the way the United States taxes our business when they invest money in equipment, in machinery, in facilities, we see that our marginal tax rate is higher on our businesses than almost any other country in the world. So what we are doing is we are penalizing the business when they buy that machine or that tool or build that new facility to allow their workers to work more efficiently, because here is what has happened. Let me tell you the way it works in this country.

□ 2030

We have a Tax Code that says that if you buy this new machinery and equipment you are going to have to spread the deduction out over the useful life of that machine or equipment or facility. That means that as we require them to spread this out over 5 or 10 or 15 or 20 or 30 years that inflation eats up the value of that deduction.

So what we have in this tax bill that we are going to start discussing tomorrow is we have a provision that says, look, for small businesses, we are going to stop penalizing you for buying that machinery and equipment, and we are going to allow you to deduct that as a business expense in the year that you purchase that machinery or equipment or facility, up to $35,000. That stops the penalty.

We are additionally saying for that out-year depreciation we are going to allow you to index that depreciation for inflation so inflation does not eat up the value of that deduction when you get to it.

Here is what the economists say is going to happen if we pass this bill into law. It is going to reduce the cost of machinery and equipment and those facilities by 16 percent.

What is going to happen if we lower the cost of new, modern, state-of-the-art tools that we can put in our workers' hands by 16 percent? I will tell you what is going to happen. Businesses are going to buy more of it. Those manufacturers that produce those tools and equipment, those builders and workers that build those facilities are going to build more of them and produce more of that machinery and equipment because now there is a higher demand for it.

The economists project that if we pass neutral-cost recovery into law and if we increase the expensing from the current $17,500 up to $35,000 and if we stop the penalty of the alternative minimum tax, we are going to end up with 3 million new additional jobs by the year 2000; we are going to increase the average salary, the average wage of these individual workers all across the United States by $3,500; and we are going to expand the gross domestic product by $1 trillion. That is going to result in increased revenues coming into the Federal Government.

So the point is, as we look at the rest of the countries around the world we are, in effect, treating our businesses with greater penalties when they buy this machinery and equipment. And we cannot continue to do that. It is a post-war era. It is a situation where every country now wants to develop the kind of laws, the kind of tax policies to attract capital.

If you look at Adam Smith, Adam Smith says the countries that are going to progress and produce those jobs are the countries that have the kind of tax policies that attract capital formation.

Ludwig Vaughn Mises in 1949, when he came to this country, he looked around and he said, "Why is the United States moving ahead of the rest of the world?" What he said, he said it is because we have a policy in this country of encouraging savings and encouraging capital investment. That is exactly what this tax bill does.

I encourage my colleagues to sit down and figure out what can we do as a Nation to increase the number of jobs, increase the quality of jobs and, ultimately, increase the quality of life.

I would suggest that one part of that situation, part of that decision, part of that conclusion has got to be treating our businesses on our Tax Code similar to what happens in other countries, treating our families similar to what other countries are doing to their families in terms of the tax obligation.

If you are an average family now in the United States with at least one person working, you now pay over 40 percent of every dollar you make in taxes. So what this Contract With America is suggesting is not only do we lower taxes but we cut spending enough that we get on the glide path toward a balanced budget. That is so important.

I see my colleagues on the liberal side saying, "Don't cut taxes. Don't cut taxes." I would simply remind everyone that it was about a year and a half ago that we had the largest tax increase in the history of this Nation, a $250 billion tax increase. Some of us on the Republican side said, look, since the economists say that a tax increase is bad for the economy, should we be giving a tax decrease as part of our Contract With America? The overwhelming answer was yes.

The next question was, how do we reduce taxes? We decided to give it to families and families with kids. We decided to give it to senior citizens. We decided to give it to businesses in such a way that they are going to expand their jobs and the employment opportunities. That is what the Contract With America said. That is what we are doing.

This week we are taking up that tax bill, but I need to remind everybody that being on the glide path to a balanced budget is just as important as these tax reductions.

The interest on our gross Federal debt this year is $339 billion; $339 billion is 25 percent of all revenues coming in from all sources to the U.S. Government. We have got to get on this glide path. We cannot continue saying that these are good programs, they should not be cut, we should not tamper with all of the things that the Federal Government is doing.

The fact is that we have had no shortage for good ideas on good programs. We are not only cutting the fat now. We are going to move into some cuts that are going to affect all of America. It is going to be Americans that are going to have to decide, look, are we willing to sacrifice a little so that we do not leave our kids and our grandkids with this huge mortgage and this huge debt that is now $5 trillion?

I thank the gentleman from Pennsylvania for yielding. I think it is so important that we have this debate, that we have this discussion, and I appreciate this opportunity, I say to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. I thank the gentleman from Michigan [Mr. SMITH] for his leadership, frankly, in

the House. We have relied on several key individuals who are veterans here in Congress to move forward this dialogue, Mr. Speaker. The gentleman from Michigan [Mr. SMITH] has certainly been someone in whom we have relied in the Republican Conference as well as the entire House because he has spoken out for our seniors, for our families and for our businesses, our small businesses that really drive the economy.

I wanted, Mr. Speaker, if I could, to continue the dialogue that the gentleman from Michigan [Mr. SMITH] has started with regard to some of the other points that were raised in view of the importance of what is happening here tomorrow on this historic debate with regard to tax credits and tax cuts.

The gentleman from Illinois [Mr. HASTERT], the lead sponsor of the Senior Citizens Equity Act, has said it is time to retire the high-tax burden on our Nation's seniors, instead of retiring older Americans who want and need to work to remain independent, productive members of society. That is just what this tax cut bill will do.

The bill includes several tax-cut provisions designed to allow all Americans, poor, middle class, young and old, to keep more of their hard-earned money they would otherwise turn over to bureaucrats.

H.R. 1215 also has the added benefit of reducing the budget deficit. The bill will include caps on discretionary spending that the Congressional Budget Office says will cut the deficit by $91 billion over 5 years, which is $62 billion more in deficit reduction than President Clinton proposed in his budget.

While H.R. 1215 helps families and promotes economic growth and increase jobs, it also helps millions of senior citizens. It will make sure that the earnings limit, which has punished low-income seniors, will, in fact, be changed. Seniors want to work, and they are needed in the work force. The earnings limit increase will help all Americans.

The long-term care insurance that we have discussed in the legislation will ease the financial drain on seniors and their families. It will give private, long-term care insurance the same preferable tax treatment as accident and health insurance. It will exclude from income up to $200 per day in long-term care benefits, will allow long-term care services to be treated as medical expenses.

I would like to now at this time yield to the gentleman from Michigan [Mr. SMITH] for further comments regarding the benefits of this legislation.

Mr. SMITH of Michigan. I thank the gentleman from Pennsylvania for yielding.

These are two interesting charts. We talk about tax day, how long you have to work into the year to use that income to pay the Federal Government in taxes. Right now, tax day is June 4.

Under the administration's proposal, we actually increase taxes; and tax day by the year 2002 goes to June 7.

With this tax bill that we are about to pass tomorrow, actually tax day, because of the tax reduction, goes back to May 26. Some people say maybe that is not far enough. Maybe we should reduce taxes more. But this is a giant start.

Members of Congress are not used to taking away things from people. Our political careers have sort of depended on giving more and more to people.

I like to use the comparison of the Alamo and thinking that maybe one of the reasons those at the Alamo fought so hard was that there was not any back door. But in our Federal Government there is a back door, and that back door is taxing and borrowing. So we have continued to tax and we have continued to borrow to increase the propensity that we will be reelected by doing more things for more people. That has got to come to a stop if we give a hang about our kids and our grandkids.

We have heard a lot of people say, "Look, it is a tax break for the rich." Actually, if you look at the tax cut for working-class families, if you are a family making less than $25,000 your taxes are reduced by 100 percent. If you are a family making $30,000, your taxes are reduced by 48 percent; $45,000, they are reduced by 21 percent; $50,000, reduced by 17 percent.

You see on down there, if you are a family making over $200,000, your taxes are only reduced by 2 percent. All of the economists have indicated that a tax increase is a depressant on the economy. That is where it is important that we modify the $250 billion tax increase that we had a year and a half ago and that we do it in such a way that it promotes jobs, promotes business and promotes a better life.

I go back to John Kennedy, because the idea that reducing taxes was good for the economy is not a Republican idea. John Kennedy said that when he came in, he went and he reduced taxes. This chart just shows what happened after the Kennedy tax cuts. The real gross national product of this country in 1963 went from 4 percent, in 1964 it increased 5 percent and then in 1965 and 1966 it went on to 6 percent. The personal savings in billions went up. Business investment, which means jobs, went up.

Mr. Speaker, I plead with my colleagues, I plead with the American people, let's move ahead, let's have some of these tax cuts that are going to promote and expand our business, our economy and the well-being of the American people, and let's go ahead and cut the kind of spending cuts that are needed to get us on the glide path to a balanced budget and ultimately achieve that balanced budget by 2002. These tax cuts do not go into effect until we have passed the bill that lays out and locks in how we are going to reduce spending and get to a balanced budget by the year 2002.

Again I thank the gentleman from Pennsylvania [Mr. FOX] for yielding and I appreciate this opportunity.

Mr. FOX of Pennsylvania. I thank Mr. SMITH for his participation in this meaningful dialogue. The American people are waiting for what we will do to not only continue our fight to have the reduction in our deficit, a spending cuts reduction but also the third part which they are looking for now are the tax cuts, how we will make it possible.

We have heard from some on the other side of the aisle that say we are going to pay for these tax cuts at the expense of students. Nothing could be further from the truth. There is no Republican proposal to eliminate the Pell Grant Program, the college work study program, or the student loan program. We are going to continue these programs and they are very valuable to our students.

Let me look if I may, Mr. Speaker, to some very important individuals who, in fact, are Governors of four States who know best what has happened on a State level when they have cut taxes. What has happened in four States. I could give now at this time a letter which goes to some of the points they have made in recent discussions before my colleagues here in the House.

The four governors we are speaking of are William Weld, Tommy Thompson, John Engler, and Christine Todd Whitman. They write in support of the efforts both to cut Federal taxes and reduce the Federal budget deficit. As Governors, they have all cut taxes the same time. Yet they have also balanced their budgets.

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They have not accepted the false dichotomy that claims that governments, State or Federal, can only balance their budgets, or cut taxes, but not both. They have been able to do both in their State capitals, exactly what we need to do in the Nation's Capital, cut the deficit and cut taxes and cut spending. They believe that government has a moral responsibility, as I do, to make the tax burden on the people of this country as low as possible and that focusing on the so-called revenue loss leads down a path that asks the question, the wrong question, "How much does a given tax cut cost government?" That is like worrying that a bank vault might reduce the income prospects of a bank robber.

Our motto instead should be this:

"There is no such thing as government money, only taxpayers' money."

The burden of proof is on those who would increase taxes. The burden of proof is also on those who advocate current rates of taxation in the face of rational, just, and economically compelling arguments in favor of tax cuts.

In short, we should be cross-examining government expenditures, not tax cuts.

The Governors think, as I do, that taxes are too high.

In Massachusetts they cut taxes nine times over the past 4 years, and yet they do not face a problem of either declining revenues or unbalanced budgets. In fact their tax revenues have grown by $2.2 billion over that time period. They have balanced six consecutive budgets despite the nine tax cuts, but, in fact, because they have the tax cuts.

In Michigan, 15 tax cuts in 4 years have turbocharged the State's economy to its best performance in a generation. These cuts include cutting property taxes on homeowners by two-thirds, Mr. Speaker, eliminating the State's tax on capital gains, cutting property taxes, private pensions and inheritances. While taxpayers are saving more than $1 billion annually, State revenues have continued to rise in Michigan.

In Wisconsin they cut taxes by more than $1.5 billion over the past 8 years, including the income tax, capital gains tax, inheritance tax, and gift tax. What happened, you say? Their economy created new jobs at nearly double the national rate and more new manufacturing jobs than any other State in the Union. Revenues to State government grew by 48 percent, and they balanced their budget each and every year. The lesson from Wisconsin is clear: Tax cuts help create jobs and opportunity for families and individuals and more revenue for Government.

In New Jersey they promised to cut State income taxes by 30 percent, and Governor Whitman delivered over 3 years to create jobs and spur economic development through private-sector investment.

When the people's money is in the hands of government, it falls into many pits of stagnation dug by Washington bureaucrats. Money in private hands, however, Mr. Speaker, actively seeks out the entrepreneurial ventures of the present day that become the future job creating companies. By overtaxing, government has in its power to destroy small business, whether it be your home State of California, Mr. Speaker, or my home State of Pennsylvania. Before it is ever launched, we do not want to make a family choose between paying their rent and putting money aside for their children's education, to destroy a family's dream of owning a home.

A reduced capital gains burden will also be likely to persuade people to hold on to their investment longer, thereby increasing economic growth and the effect on the entire economy. When more stocks are bought and held longer, moreover, interest rates will tend to be lower as companies will rely less on borrowing. As a consequence the same family will find buying a home more affordable.

In short, tax cuts start not a vicious cycle that imperils fiscal stability, but a chain of prosperity that touches almost everyone, children, the parents, home buyers, and home builders.

The arguments against tax cuts just do not fly, Mr. Speaker, as they did in Massachusetts, Michigan, Wisconsin, and New Jersey. There is no either-or dilemma here when it comes to taxes, spending, and deficits. They can all be cut. Washington has an obligation to follow the States and to do for the American people what they want, and that is to make sure we help get the American dream, we achieve it in our lifetime, helping our children and grandchildren by continuing our trend of spending cuts, deficit reduction, and the tax cuts they want as well.

Mr. Speaker, I say, "Thank you for my colleagues for listening and for hopefully voting with us tomorrow to make a difference for America, to make government smaller and to make our dreams brighter."

NATIVE SAMOAN-AMERICAN JTPA PROGRAM

The SPEAKER pro tempore (Mr. BILBRAY). Under the Speaker's announced policy of January 4, 1995, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 60 minutes as the designee of the minority leader.

Mr. FALEOMAVAEGA. Mr. Speaker, I reserve as much time as I may consume and ask unanimous consent to include extraneous materials. I rise today to talk about welfare reform and in particular a JTPA program that is earmarked for elimination in the Republicans' rescission bill H.R. 1158.

Mr. Speaker, I would like to talk about a program that provides assistance to the Samoan-American community in three States—the Samoan Service Providers Association [SSPA] in the State of Hawaii, National Office of Samoan Affairs [NOSA] in San Francisco, Los Angeles, Orange County, and San Diego—the State of California, and the American-Samoan Comprehensive Employment Program [ASCEP] in the State of Washington, a tristate program that assists training and retraining of Pacific Islanders for employment and community development.

Let me begin by stating the statement of purpose of the Jobs Training Partnership Act [JTPA], and it states:

> It is the purpose of this Act to establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the work force and enhancing the productivity and competitiveness of the Nation.

Mr. Speaker, this is what the JTPA program is supposed to do, prepare disadvantaged youth and adults by training them and in some cases retraining for entrance into the work force. It is the government's responsibility, to associate programs and community needs. The future of our great country depends on providing our people with the education and skills, in channeling our greatest asset—people, to maintain our work force, our economy and our communities. This great country is a melting pot of cultures and ethnic races each contributing something special to our country, our communities and our workplace to benefit generations to come.

Why do we have a program that targets a special population? Because the previous system did not cater for them. Because the previous system did not provide for diversity, sensitivity and competence. It was made possible by federal government oversight to ensure that the needs of this small population were met.

Mr. Speaker, I agree that we must look at reforming much of our welfare system and to look to make it equitable and fair, in terms of how it is funded and the distribution of those funds for the betterment of society and local communities. I agree it is time to hold onto what is right and what works, and to cut off or sift through that which impedes the course of action of turning our people into productive and responsible citizens.

Mr. Speaker, the course of action that H.R. 1158 proposes is not only ridiculous, but it is dangerous. This Republican led Congress has raced ahead to complete their Contract with America at the expense of many hard-earned programs. Already we are experiencing the results of rushed legislation, staffers too tired to check the bills, Republican legislators who now realize that this rescission bill includes programs they had not intended to be affected—now they want to raise amendments and reinstate that funding. There is reason for long serious deliberation—to avoid any loopholes and ensure that the legislation is in agreement to the intent.

I honestly do not believe that there has been much thought especially to the consequences, the long-term effects, that many of the proposed rescissions will force upon current and future recipients of welfare.

Mr. Speaker, I am deeply concerned over the ramifications that H.R. 1158 will have on the local Samoan communities in Hawaii, California, and Washington. A JTPA program that serves and has the support of the community—and all of a sudden we want to cut it off completely. Let us proceed with caution—the people of America sent out a clear message when we debated health care reform in the 103d Congress. Let us not rush into this until we have reviewed these important issues.

Mr. Speaker, when the JTPA program for the Samoan-Americans was established, the intent was to provide an agency that was competent, sensitive and attentive to the needs of the people from the Pacific. Based on the 1984-85 Department of Labor study "Unemployment, Poverty and Training Needs of American-Samoans," office personnel in existing services and programs knew little about the unique aspects of the Samoan culture and tradition. Our people found that employment training agencies were not user friendly and that the environment was insensitive and not what they were expecting in terms of receiving help. There was a little attempt by employment programs to overcome this industry-wide shortage of Samoan-American staff who could liaison with participants and organizers. Programs did not contain a bilingual element—in most cases Samoan-Americans required language training and therefore were at an immediate disadvantage if a program lacked this bilingual component. They found that the cultural differences and indifferences for the training needs were not met by JTPA personnel.

As a result of this, Mr. Speaker, Senator INOUYE, helped pass legislation that provided for a special job training and employment program for Native Samoan-Americans residing in the United States. This is the only JTPA program that provides assistance to Samoan-Americans.

I would like to take this opportunity to refresh my colleagues on the history surrounding this program and to bring them up to date on the success of the JTPA Native Samoan-American program.

In 1988, Senator DANIEL INOUYE of Hawaii introduced an amendment to include Samoan-Americans in the JTPA Native American Programs under title IV(A) of the JTPA Act. However, by the time this amendment passed Congress, the program was funded as a discretionary program under title IV(D) of the JTPA Act as a pilot and demonstration project.

In 1991, Senators PAUL SIMON, TED KENNEDY and STROM THURMOND included a provision in S. 2055 Job Training and Basic Skills Act, to amend the JTPA Act to include Native Samoan-Americans and those residing in the United States in the Native American Program. Unfortunately, when the bill went to conference on July 29 to 31, 1991, the Samoan-American provision was defeated. The conferees had contended that it was within the jurisdiction of the Committee on Interior and not the Committee on Education and Labor in order to amend the definition of Native Americans.

Today, the program is still scored under title IV(D), as a discretionary item and the State Department of Labor of Hawaii continues to administer the program.

Why would we seek to include Native Samoan-Americans in the JTPA Native American Programs? Because the JTPA-NAP program was established by Congress to address the serious unemployment and economic disadvantages which exist among members of these communities, namely Native American Indians, Native Alaskans, and Native Hawaiians. And I feel that the Samoans who have migrated from American Samoa to Hawaii and the United States proper do qualify.

As Members of Congress will testify, of all the minority groups in the United States, Native Americans, Native Hawaiians and Native Samoan-Americans suffer the most economically, primarily due to educational, cultural, and language barriers. I submit to my colleagues in the House that 25 percent or more of the Samoan-Americans population here in the United States live in poverty.

An official 1980 census cited 42,000 Samoans in the United States proper. At that stage nearly half of that Samoan population was residing in California and more than one-third was in Hawaii. Although severely undercounted, the 1990 U.S. Census cites 63,000 Samoans now living in the United States, an increase of 50.1 percent over the 1980 statistics, 50 percent live in California, 23 percent in Hawaii and 6.5 percent in Washington. Overall 87.6 percent live in the West region of the United States.

I might also note, Mr. Speaker, that despite a 95-year relationship between American Samoa and the United States, the first official census taken by the U.S. Census Bureau of the territory was in 1990—only 5 years ago.

Statistics from the Hawaiian operation continue to show that male Samoans have an unemployment rate of over 9 percent while the unemployment female rate remains at 12 percent, both above the national norm. More than any other ethnic group, Samoans have substantially higher school dropout rates with higher incident rates of gang violence. In excess of 30 percent of the Samoan population in Hawaii reside in public housing projects, and Samoan youths and adults rate the lowest in terms in educational competencies and vocational/occupational skills.

Since its inception in 1988, the JTPA Samoan Employment and Training Program has begun to address employment and training needs of our people. Hawaii last year enrolled 360 participants and terminated 174. Of the 174 terminated, 98 percent were placed in unsubsidized work averaging $10.65/hour for adults and $8.49/hour for youth.

California enrolled 578 participants against a planned enrollment of 625 and terminated 477; 240 participants out of the 477 were placed in unsubsidized jobs, that equates to a 50 percent success rate.

The success of this program is evident from the mass mailing my office received recently because of the rescissions bill:

Ms. Paulette Solt, Supervisor Senior Probation Officer of the Juvenile Probation Department for the City and County of San Francisco said the program provides, "counseling, remedial education assistance, job education and readiness, and youth employment that is culturally and linguistically relevant."

Donna Briggs of the Department of Social Services, also for the City and County of San Francisco said, "Problems I've experienced during the four years that I worked with Samoan families, were monumental largely due to the fact that I am not Samoan and knew nothing about who they are as a people."

The Mayor's Office of Community Development for the City and County of San Francisco said, "The employment and training program they are currently providing is very successful at placing Samoan American youths and adults into jobs relating to the training they received as part of their community development."

The City and County of Los Angeles has the largest Samoan population in the continental U.S. and Shirley Crowe-Massey, Principal of the Long Beach Unified School District said, "Many Samoan youths are at risk due to cultural and language barriers. The office of Samoan Affairs addresses the needs of and provides for Samoan students and their families; it is an organization that is uniquely equipped to do so."

Robert Agres, Jr., Deputy Director of the City and County of Honolulu Department of Human Resources said, "While Samoans in Hawaii have made much progress over the years in moving towards increased economic independence, they continue to be the most economically and socially disadvantaged ethnic group in the State. Programs, like that of the [American Samoan JTPA program], are an investment of federal dollars . . . they help Samoans to move away from the dependence on public support . . . to become contributors to the economic life of our community."

Mr. Speaker, of concern to many of the letter writers, from school teachers, to church groups, to probation services, to travel agencies, to past and present participants, was—who would become the intermediary agency should the Native Samoan Americans JTPA Program be cut?

Mr. Speaker, Before this American Native Samoan JTPA Program was here, there were no training programs that address the concerns of American Samoans, and there were no agencies familiar in the makeup of Samoan Americans in their surrounding communities—and this may be very true for many of the minority communities out there today. There was no one who could identify with the cultural aspect and the embodiment of being Samoan.

But, we now have the Samoan American JTPA Program producing promising results, considering the difficulties in obtaining data and preparing appropriate training for these people. The Hawaii program statistics indicate that the cost per participant was $1,806 last year. California's cost per participant was $1,907 with an average cost

per participant was $1,643 over that last 3 years.

Mr. Speaker. I submit it would cost the Federal Government a lot more if these people were on welfare. In terms of investment this program sounds like a good return—it is a cost-effective initiative as well as a high yield in turning out productive and responsible citizens of our community.

Mr. Speaker, many of the graduates of the JTPA Program are now earning decent wages and holding meaningful jobs; several have gone on to pursue degrees in higher education and some have even started their own businesses. It is evident that the program removes members of our community from the welfare roles, and more importantly, it will keep them from getting back to the welfare rolls.

Mr. Speaker, I am in strong support of retaining the JTPA Program because it provides meaningful training for meaningful employment opportunities for our citizens. It is a proactive training program for youth and adults and especially their families improving their access to employment, improving their skills and enhancing the competitiveness of our labor force. It takes the sting out of turbulent years when families are in this transition phase of training and settling into new neighborhoods. It is a program that supports community development and cohesive and it is our responsibility as legislators to ensure that such programs remain part of our community and not be subject to the slash and cut program as outlined in the contract on America.

Mr. Speaker, I can only imagine what effect block granting will have on minority communities. If we choose to send block grants to the State level you can bet your bottom dollar that the black community will suffer, the Hispanic community will suffer, the legal immigrant communities will suffer, minority communities will suffer. It is at the local level of our communities where our concerns are felt and it is here where they should be addressed.

Mr. Speaker, the GAO report "Block Grants—Characteristics, Experience, and Lessons Learned" reinforces many of my concerns with block granting. I would like to see the local community service providers, the people who give their time and skills, the people who get their hands dirty, to continue to administer these programs without strings attached—to the State level. I am not convinced that States have the vested interest in serving a population that is politically and economically insignificant or if it can operate with the same efficiency and effectiveness. Let us not gag programs that we know make a difference in motivation, in personal self esteem, in positive reinforcement and outlook on life. Let us preserve this program that has continually proven to be successful while moving ahead to improve and provide a valued community service.

Mr. Speaker, how can we be sure that block granting to State governments will channel funds to the most needy in our communities? How can we be sure that these State governments are going to spend the money for the express purpose that Congress intended these funds to be spent? What certainty is there that we will help the minority communities who suffer the most, who put up with the discriminations because of their race, the way they dress, their language, where they work, and their gender?

Mr. Speaker, do not place the JTPA Program in a block grant if you intend to have it administered at the State level and on that basis Samoan-Americans would have "zilch" representation. Looking at OMB's Directive 15 Census category of Asians or Pacific Islanders [API] American-Samoans were 0.86 of 1 percent out of a group that total about 8 million people. With no disrespect intended, the political arena favors the Asian-American population and in terms of allocating resources it would appear that Samoan-Americans would not receive the attention deserving of such a special population. It is interesting to note that the stereotyping of Asian and Pacific Island Americans in the contemporary United States has led policymakers and corporate leaders to view this API category as "the model" for other minority groups. On the contrary, Mr. Speaker, for some 500,000 Pacific Island Americans, the American experience has been one of a vicious cycle of broken homes and families, tremendous tensions among young people currently involved in gangs and drug trafficking, limited educational opportunities, and simply out of frustration and tensions, these citizens of our community inevitably become victims of the "dark side" of life, and simply adding greater costs to both local, State, and our national government.

Mr. Speaker, my office has received hundreds of letters of support from all segments of the community, government agencies, local referral groups, institutions, church groups—each endorsing the special expertise that this program provides. They know of the impact that this program achieves because they deal with them on a day-to-day basis. We cannot ignore what they have to say: Don't close the door. Don't close the door.

Mr. Speaker, the success of this program can largely be attributed to the caliber of senior personnel and the personal interests they hold for our American Samoan people: Mrs. Pat Luce-Aoelua of the National Office of Samoan Affairs [NOSA] has been in the business of caring, education, and counseling our people for over 20 years. She has carried out many research projects from cultural awareness to mental health training and has been on call as a consultant to many of the local Federal agencies in California. Bill Emmsley of the Samoan Service Providers Association [SSPA] has also been very instrumental in reaching out to our community in Hawaii. His involvement also stems back to over 20 years and has a strong commitment to employment training.

Many of SSPA's participants have gone on to community colleges and even to university. SSPA recently graduated 17 participants from one of its entrepreneur training programs. In Seattle the operation is cared for by Logologo Sa'au, Jr. Although smaller in size, the operation in Seattle is just as important. Remember this is a tri-State program, the only program reaching out to many of your constituents who are American Samoans.

In closing Mr. Speaker, I would like to share a few lines from a letter that speaks out in strong support of the Samoan-American JTPA program. From the mayor's Office of Community Development, City and County of San Francisco:

> . . . attests to the fact that the [Samoan-American JTPA program] has an excellent operation as we have witness[ed] for the past 3 years. The employment and training program they are currently providing is very successful at placing Samoan-American Youths and Adults into jobs relating to the training they received as part of their community development. This is a program that we can all be proud of as they continue to provide outstanding counseling, education and training to this economically disadvantaged population.

Mr. Speaker, I include for the RECORD statements on this subject from program directors Pat Luce-Aoelua for California, and Bill Emmsley for Hawaii.

Mr. Speaker, I yield back the balance of my time, and I thank you for your patience and attention.

STATEMENT BY NATIONAL OFFICE OF SAMOAN AFFAIRS, INC., CALIFORNIA ADDRESSING H.R. 1158 AND 1159 JOB TRAINING PARTNERSHIP ACT

On March 16, 1995, the House of Representatives adopted two rescission bills (HR 1158 and HR 1159) relating to the Job Training Partnership Act. Certain provisions of the HR 1158 eliminated funds specifically earmarked by Congress for the American Samoan Job Training and Employment Program.

As the Executive Director of the National Office of Samoan Affairs which administers the American Samoan JTPA Program in the State of California, I am aware of the disappointments and dissatisfactions expressed by members of Congress with the level of accomplishments and the number of successes attained by the JTPA system as a whole. I can also understand and appreciate the fervor of Congressional effort to reform the system through either rescinding or reducing funds for the JTPA Program. However, I find it extremely perplexing to accept the House Committee's decision to rescind the funds for the American Samoan JTPA Program since Congress, by its own initiative and foresight, had adopted legislation, signed into law by

President Ronald Reagan, authorizing special funding for the American Samoan JTPA Program in 1988. This enactment was based on the findings of the "Unemployment, Poverty and Training Needs of American Samoans" study by the U.S. Department of Labor as mandated by Congress in 1984. This study was conducted by Northwest Laboratory.

The findings of the Department of Labor study indicate that American Samoans are not making dramatic inroads into local labor markets, and predict that, based on demographic factors such as American Samoans residing in the United States live in urban, economically depressed areas; they are dispersed throughout the states and therefore are not visible in substantial numbers such as other large minority groups to be addressed by the Service Delivery Areas within the JTPA structure. The American Samoans continue to "fall through the cracks." The problems currently exhibited by American Samoan will continue into the future unless culturally relevant programs are structured.

Various studies have shown that American Samoan adults encounter difficulties in finding and maintaining jobs because they lack training, job information, and knowledge on how to access resources, providing training and employment information.

But American Samoans in general do not utilize educational training and employment services commensurate with their numbers of needs, according to the DOL-commissioned study. As it is implemented, the Job Training Partnership Act exists to provide employment and training services to individuals and groups with socioeconomic characteristics, such as American Samoans.

Unfortunately, available evidence indicates that the present and future needs of American Samoans residing in the United States cannot be effectively met by existing JTPA traditional services.

The Department of Labor found that personnel in existing services and programs know little about the unique aspects of Samoan culture and tradition. Research also indicates that there have been few outreach efforts and only isolated attempts to hire American Samoan program staff or to increase American Samoan participation in programs. Due to these failures, local American Samoan communities lack knowledge about the range of existing services and consequently, participation is low.

On the other hand, those programs do not offer ESL training targeted for American Samoan-speaking adults and youths. Since many American Samoans require language training, in addition to technical training, they cannot easily participate in other programs lacking an English-Samoan bilingual component. The data indicate, American Samoan communities in the United States have high proportions of hard-to-train, hard-to-place persons. Because of the JTPA funding evaluation criteria, this makes American Samoans high-risk participants in programs sponsored by the general community. These same criteria makes American Samoan community sponsored program high-risk compared to programs which serve other minorities. It is for these reasons, then in 1988 and more so now, with one of the youngest population in the U.S., median age 21, that the existing American Samoan JTPA Program is so important to American Samoans in the United States.

The large family sizes and low income place many American Samoan families below the established poverty levels. According to the 1980 Census Bureau, the percentage of American Samoans living in poverty in the United States was 27.5%, compared to 9.6% for the total U.S. population. After 10 years, the incidence of extreme poverty for American Samoans is still about the same, 140 percent higher than for the country as a whole.

According to the 1990 U.S. Census, 25% of American Samoans lived in poverty in the United States compared to 10% for the total U.S. population. One out of every four American Samoan families live in poverty. The rate of poverty for the individual for American Samoans is 26% as compared to 13% for the total U.S. population. 9.9 percent of all American Samoans in the labor force are unemployed, a rate of 150 percent of the overall U.S. unemployment rate of 6.3 percent.

The action by the House Committee in this matter was not only ill-advised, insensible and reckless, but also insensitive to the continuing needs of the American Samoan population, a high risk population. With the tremendous pressure in Washington to reduce spending, it appears that programs with very little political pressure/influence are mindlessly being eliminated regardless of their benefits to the various communities across the country.

The perception of the American Samoan Program by the House Subcommittee as a political "luxury" that Congress can no longer afford is irresponsible. To this economically disadvantaged American Samoan population, the Program is the lifeblood of their livelihood. To its many participants, the Program has made the difference for their success in not only finding but keeping a job. To the very few, it's the opportunity to improve the quality of their lives and that of their families. All of them consider the Program as a serious and meaningful commitment by the Congress to reach out and help a struggling, underemployed and underserved, at-risk-population of indigenous people to the United States. Assuredly, the Program has gone far more than it is simply an aid for this group who ostensibly "fall through the crack" of governmental, mainstream programs. It has become a symbol of governmental foresight and responsiveness to the concerns and needs of this indigenous population of Native Americans.

I have received numerous letters and telephone calls from the participants of the Samoan Program, past and present, and from the Samoan traditional leaders. They expressed their concerns and disappointments with regard to the present situation. It is not an exaggeration to say, Mr. Chairman, that my people also expressed high regards for the Program and held steadfastly to the notion that the American Samoan JTPA Program represented a serious commitment by the Federal Government to provide economically and educationally disadvantaged American Samoans with skills and support services necessary to succeed in the labor market.

Although we understand and appreciate the need for the Federal Government to reform the JTPA system through consolidation or elimination of unnecessary or ineffective programs, we know, for good reasons, that the American Samoan Program is not one of them. I am proud to say that in California, the American Samoan Program has been a big success. For a brief example, our program has enrolled 3,472 adult and youth participants and placed a total of 1,247 in employment since the program's inception in 1988. These figures are higher than the national level. Unsubsidized placement for the past 3 years was met at 109%, 129% and 102%. Our data also shows that during the last 3 program years, it costs the Program an average of $2,258 for an adult participant to go through the program and find a job, while it costs $1,643 for a youth participant. Both cost factors are far below the national level.

The existing program's outcome fully demonstrates the cost effectiveness as well as the successes that would not have come about had it not been for the American Samoan JTPA Program.

Mr. Chairman, we strongly recommend the reinstatement of the American Samoan JTPA in its present form. The proposed statement is consistent with the historical precedents of the U.S. Government designed to protect the people of American Samoa. American Samoans are legally recognized as nationals of the United States, and authority over American Samoa is vested in the President.

The natives of American Samoa are Native Americans and are entitled to ask Congress for special consideration based on what Congress said that it has "a special responsibility for the Samoan people that grows out of the treaties of friendship and commerce negotiated in the last century and the trust relationship created when the islands were ceded to the United States in early 1900s (H.R. 97-889, 1982:109-110).

With more American Samoans living in the United States than in American Samoa, with the largest concentration living in the State of California, the Government of the United States, through this program, will begin to meet its responsibility to this Native American population in the U.S.

On behalf of the American Samoan Community in California, we thank you.

Soifua ma is Manuia (Long Life and Good Health to You)

PAT H. LUCE,
Executive Director.

SAMOAN SERVICE PROVIDERS ASSOCIATION (SSPA), SAMOAN TRAINING & EMPLOYMENT PROGRAM (STEP),

Honolulu, HI, March 26, 1995.

Hon. ROBERT LIVINGSTON,
Chairman, Appropriations Committee.

DEAR MR. LIVINGSTON: As the Executive Director of the Samoan Service Providers Association, an established community-based non-profit organization in the State of Hawaii, I am writing to urge you to help preserve (reinstate) $5 million in funding for the American Samoan JTPA program for fiscal 1995, which Congress passed with strong bipartisan support last year. I justify my request based on the following reasons:

On April 17, 1900, the "Stars and Stripes" waved proudly over American Samoan soil: Since, the Samoans have fought courageously in all of our country's wars in the defense and the preservation of freedom and of our "way of life". In fact, during the Vietnam War (on a per capita basis) there were more American Samoans killed or wounded in battle than any other ethnic group in our country. Our unwavering patriotism and love for our country is very much evident. It is through our mutual Deed of Cession, the United States of America signed its obligation to be the custodian of American Samoa's education and welfare affairs. This trust has been honored by the United States since, and we hope it continues to be;

Unlike other American indigenous groups such as, the Native American Indians, Native Eskimos, etc., they have received special recognition and preferred treatment, and thus, have numerous federal programs at their disposal to service their respective

communities. Believe it or not, JTPA is the only program that is currently serving the American Samoan community in the entire United States of America. Dreadfully, the current proposal (H.R. 1158 as reported), if it passes, will totally eliminate the only program that is helping our communities (Hawaii, California and Seattle) to realize the American dream. One in every four American Samoan families are under poverty which is well below the national norm, and we have the highest unemployment rate and high school drop-out among all other ethnic groups nationally;

Furthermore, as "welfare reforms" are being debated in Congress, the American Samoans have consistently advocated for JTPA programs as a means to the end. We deliberately did not opt for social service oriented programs, because we vehemently believed that by teaching specific skills, JTPA participants would not only learn long life skills toward "self-sufficiency", but they would also enhance the quality of our labor force which benefits our private sector through competitive selection. So, you see, we are not asking to sustain a "pork" program nor for a handout, but a "win-win" program that addresses both the public's educational and training need as well as the private sector's; and,

Finally, our program has proven to be working extraordinary given the level in which participants entered; their employment barriers; and educational deficiencies. Last year's (PY '93–'94) JTPA efforts produced superb outcome performances: we enrolled, in our state alone, a total of 360 participants and terminated 174 participants. Of the 174 terminated, 98% were placed in unsubsidized work averaging $10.65/hour (for adults) and $8.49/hour (for youth). Of the 98% placed, 31% were on various public assistance programs and with remaining percentage of having multiple employment-barriers at the time of their enrollment. Contrary to popular belief, our JTPA program has operated efficiently and effectively, and has continued to fulfill the purpose of JTPA above and beyond its measurable expectations.

Therefore, as data indicate, our JTPA program has worked marvelously throughout the years, and will continue to provide substantial opportunities for our disadvantaged community in our state. Having completely eliminate the only program that is now serving our community will have devastating impact socially, economically, as well as politically. So please, we urge you and the rest of your committee to reconsider the current proposal which unjustifiably eliminate the American Samoan's JTPA program totally and reinstate the already allocated $5 million.

Your serious consideration is most greatly appreciated.

Sincerely,

WILLIAM T. EMMSLEY, Jr.,
Executive Director.

[From the National Office of Samoan Affairs]

TABLE I.—GOAL ANALYSIS AND PARTICIPATION SUMMARY OF THE NATIVE AMERICAN SAMOAN JTPA PROGRAM IN STATE OF CALIFORNIA

Program	Enrollment data			Terminations			Unsubsid. placement		
	Act.	Pln.	Percent	Act.	Pln.	Percent	Act.	Pln.	Percent
1988–89	237	237	100	148	148	100	113	113	100
1989–90	391	364	107	264	364	73	171	143	120
1990–91	604	480	126	361	480	75	176	243	72
1991–92	878	520	169	533	520	103	243	223	109
1992–93	784	572	137	701	572	123	304	235	129
1993–94	578	625	92	477	572	83	240	235	102
6-program year totals	3,472	2,798	124	2,484	2,656	94	1,247	1,192	105

Program Year 1988 was the beginning of the Native American Samoan JTPA Program in California. Since that time, 3,472 Native American Samoan residents in the Counties of San Francisco, Los Angeles, Orange Co. and San Diego have participated in the Program, receiving training and employment services it offers.

This Table shows the administering agency, the National Office of Samoan Affairs, has consistently surpassed their set goals, in all measuring categories of activities. Enrollment is consistently above the Plan which resulted in 124% overall performance in a 6 year period. Terminations is slightly below Plan with 94% as a result of participants lacking employable skills, insignificant work history and limited education which necessitates longer occupational/skill training period and remediation. In addition, our Summer Youth Program started two weeks prior to the closing of our 1990, 1991 and 1992 program year. The outcome is, summer youth participants were carried over to the next program year, which resulted in higher enrollment for the next beginning year. For those years, enrollments were consistently high and terminations dropped slightly.

Unsubsidized Placement, however, except for 1990–1991 PY was consistently above Plan. We closed out the 6 Program Year Total with 105% achievement of Plan for Unsubsidized Placement.

[From the National Office of Samoan Affairs]

TABLE II.—GOAL ANALYSIS AND PERFORMANCE ACHIEVEMENT SUMMARY FOR PARTICIPANTS OF THE NATIVE AMERICAN SAMOAN JTPA PROGRAM IN THE STATE OF CALIFORNIA FOR THE LAST 3 YEARS

Indicator description	PY 1991–92	PY 1992–93	PY–1993–94	3-PY average
Adult entered employment rate (percent)	87	96	84	89
Adult employability enhancement rate (percent)	103	108	114	108
Adult cost per entered employment	$1,723	$2,299	$2,753	$2,258
Youth entered employment rate (percent)	107	137	226	157
Youth employability enhancement rate (percent)	153	151	121	142
Youth cost per positive termination	$1,564	$1,458	$1,907	$1,643

TABLE II shows an average of 89% of Adult participants entering unsubsidized employment at a Cost of $2,258 per participant and 157% of Youth participants at a Cost Factor of $1,643. Both Cost Factors are far BELOW national level.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCDADE (at the request of Mr. ARMEY) for today, on account of illness.

Mr. TORRES (at the request of Mr. GEPHARDT) for today, on account of a medical emergency in the family.

Mr. RUSH (at the request of Mr. GEPHARDT) for April 3 and 4, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TIAHRT) to revise and extend their remarks and to include extraneous matter:)

Mr. WELDON of Florida.
Mr. LIGHTFOOT.
Mr. GOODLATTE.
Mr. LIVINGSTON.
Mrs. JOHNSON of Connecticut.
Mr. SMITH of New Jersey.
Mr. SOLOMON, in two instances.
Mr. WOLF.
Mr. BAKER of California.
Mr. GILMAN, in two instances.
Mr. PACKARD.
Mr. FIELDS of Texas, in two instances.

(The following Members (at the request of Mr. THORNBERRY) to revise and extend their remarks and to include extraneous material:)

Mr. THORNBERRY, for 5 minutes, today.
Mr. MCINTOSH, for 5 minutes, today.
Mr. SHADEGG, for 5 minutes, today.
Mr. MARTINI, for 5 minutes, today.
Mr. TALENT, for 5 minutes, on April 6.
Mr. BILIRAKIS, for 5 minutes, on April 7.
Mr. KINGSTON, for 5 minutes, today.
Mr. BURTON of Indiana, for 5 minutes each day, on April 4, 5, and 6.
Mr. MILLER of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. BECERRA) to revise and extend their remarks and include extraneous material:)

Mr. BECERRA, for 5 minutes, today.

Mrs. COLLINS of Illinois, for 5 minutes, today.

Mr. VOLKMER, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. POSHARD, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Mr. WARD, for 5 minutes, today.

Mr. DURBIN, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. SCHUMER, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. OLVER, for 5 minutes, today.

Mr. SKAGGS, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Mr. EDWARDS, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Mr. DEUTSCH, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. HILLIARD, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mrs. THURMAN, for 5 minutes, today.

Ms. LOFGREN, for 5 minutes, today.

Mr. BISHOP, for 5 minutes, today.

Mr. OBERSTAR, for 5 minutes, today.

Mr. SAWYER, for 5 minutes, today.

Mr. MEEHAN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. WARD, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. ROS-LEHTINEN, 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. BECERRA) and to include extraneous matter:)

Mr. MINGE, in two instances.

Mr. MILLER of California.

Mr. RANGEL.

Mr. REED.

Mr. VISCLOSKY.

Mr. MENENDEZ.

Mr. HAMILTON.

Mr. TORRES, in two instances.

Mr. ACKERMAN.

Mr. KENNEDY of Rhode Island.

Mr. SANDERS.

Mr. LANTOS, in two instances.

Mr. FRANK of Massachusetts.

Mr. RICHARDSON.

Mr. BORSKI.

Ms. LOFGREN.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BARTLETT of Maryland, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 831. An act to amend the Internal Revenue Code of 1986 to permanently extend the deduction for health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchange effectuating policies of the Federal Communications Commission, and for other purposes.

ADJOURNMENT

Mr. FALEOMAVAEGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 5, 1995, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

682. A letter from the Comptroller General of the United States, the General Accounting Office, transmitting a review of the President's third special impoundment message for fiscal year 1995, pursuant to 2 U.S.C. 685 (H. Doc. No. 104-58); to the Committee on Appropriations and ordered to be printed.

683. A letter from the Chairman, Joint Chiefs of Staff, transmitting a copy of a report to the Congress entitled, "1995 Force Readiness Assessment"; to the Committee on National Security.

684. A letter from the Directors of Congressional Budget Office and Office of Management and Budget, transmitting a joint report on the technical assumptions to be used in preparing estimates of national defense function (050)—outlays for fiscal year 1996, pursuant to Public Law 101-189, section 5(a) (103 Stat. 1364); to the Committee on National Security.

685. A letter from the Employee Benefits Manager, Farm Credit Bank of Columbia, transmitting information on the retirement and thrift plans of the Farm Credit Bank of Columbia and the audited financial statement as of August 31, 1994, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

686. A letter from Director, Institute of Museum Services, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

687. A letter from the Administrator, General Services Administration, transmitting an informational copy of a construction prospectus for the U.S. Secret Service administration building, Beltsville, MD, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

688. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the certification by the Federal Aviation Administration of airports serving commuter air carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule III, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules, House Resolution 128. Resolution providing for consideration of the bill (H.R. 1215) to amend the Internal Revenue Code of 1986 to strengthen the American family and create jobs (Rept. 104-100). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HUTCHINSON (for himself, Mr. INGLIS of South Carolina, Mr. CANADY, Mr. HOEKSTRA, Mr. POSHARD, Mr. GOSS, Mr. PARKER, Ms. DANNER, Mr. DICKEY, Mr. JACOBS, Mr. WAMP, Mr. HASTINGS of Washington, and Mr. CHRISTENSEN):

H.R. 1383. A bill to amend the formula for determining the official mail allowance for Members of the House of Representatives, and to require that unobligated funds in the official mail allowance of Members be used to reduce the Federal deficit; to the Committee on House Oversight.

By Mr. HUTCHINSON (for himself, Mr. EDWARDS, and Mr. SENSENBRENNER):

H.R. 1384. A bill to amend title 38, United States Code, to exempt certain full-time health-care professionals of the Department of Veterans Affairs from restrictions on remunerated outside professional activities; to the Committee on Veterans' Affairs.

By Mr. EDWARDS (for himself and Mr. MONTGOMERY):

H.R. 1385. A bill to amend title 38, United States Code, to improve the delivery of health care to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ARCHER:

H.R. 1386. A bill to amend section 353 of the Public Health Service Act to exempt physician office laboratories from the clinical laboratories requirements of that section; to the Committee on Commerce.

By Mr. BARRETT of Wisconsin (for himself and Mrs. MALONEY):

H.R. 1387. A bill to amend the Congressional Budget Act of 1974 to establish a process to identify and control tax expenditures; to the Committee on the Budget, and in addition to the Committee on 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. CLINGER (for himself, Mrs. COLLINS of Illinois, Mr. SPENCE, and Mr. DELLUMS) (all by request):

H.R. 1388. A bill to revise and streamline the acquisition laws of the Federal Government, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committees on

National Security, the Judiciary, Small Business, Science, and 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. HINCHEY (for himself, Mr. SANDERS, Mr. BROWN of California, Mr. FROST, Mr. FATTAH, Mr. OWENS, Ms. VELÁZQUEZ, Mr. UNDERWOOD, and Mr. MARTINEZ):

H.R. 1389. A bill to amend the Internal Revenue Code of 1986 to expand the availability of, and amount of, deductible individual retirement account contributions, and for other purposes; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 1390. A bill to provide means of limiting the exposure of children to violent programming on television, and for other purposes; to the Committee on Commerce.

By Mrs. JOHNSON of Connecticut (for herself, Mr. BLILEY, and Mr. ARCHER):

H.R. 1391. A bill to amend section 4358(c) of the Omnibus Budget Reconciliation Act of 1990 to permit Medicare select policies to be offered in all States on an extended basis; 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. LIGHTFOOT:

H.R. 1392. A bill to enhance the safety of air travel through a more effective Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROSE:

H.R. 1393. A bill to direct the Secretary of the Army to carry out an environmental restoration project at the eastern channel of the Lockwoods Folly River, Brunswick County, NC; to the Committee on Transportation and Infrastructure.

By Mr. DEUTSCH:

H. Con. Res. 55. Concurrent resolution requesting the President to return the enrolled bill (H.R. 831), and providing for its reenrollment without the targeted tax benefit contained therein; to the Committee on Ways and Means, and in addition to the Committee on House Oversight, 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. STUPAK:

H. Con. Res. 56. Concurrent resolution expressing the sense of the Congress that rural health care should be addressed in any Federal health care legislation; to the Committee on Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLYBURN:

H.R. 1394. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Bewildered*; to the Committee on Transportation and Infrastructure.

By Mr. LIVINGSTON:

H.R. 1395. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel *Shaku Maru*; to the Committee on Transportation and Infrastructure.

By Mr. SHAW:

H.R. 1396. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Fifty One*; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mrs. ROUKEMA and Mr. CAMP.

H.R. 103: Mr. THOMPSON, Mr. BARTLETT of Maryland, and Mr. BREWSTER.

H.R. 145: Mr. ROGERS.

H.R. 159: Mr. NORWOOD and Mr. TANNER.

H.R. 200: Mr. ENGLISH of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. BUYER, Mr. HOBSON, Mr. ROHRABACHER, Mr. KNOLLENBERG, Mr. KLUG, Mr. BAKER of Louisiana, Mr. ROSE, Mr. BURTON of Indiana, and Mr. CALLAHAN.

H.R. 218: Mr. KLECZKA.

H.R. 219: Mr. RIGGS.

H.R. 244: Mr. KENNEDY of Massachusetts.

H.R. 303: Mr. CAMP.

H.R. 311: Mr. MINGE, Mr. OBERSTAR, Mr. KLECZKA, Mr. LIPINSKI, Mr. BARRETT of Wisconsin, and Mr. DOYLE.

H.R. 394: Mr. BRYANT of Tennessee, Mr. UPTON, Mr. BLILEY, Mrs. MINK of Hawaii, Mr. SOLOMON, and Mrs. SEASTRAND.

H.R. 468: Mr. BURTON of Indiana, Mr. NEY, and Mr. TRAFICANT.

H.R. 500: Mr. MCINNIS.

H.R. 580: Mr. LUCAS, Mr. EMERSON, Mr. HOLDEN, Mr. PETERSON of Florida, Mrs. VUCANOVICH, Mr. BATEMAN, Mr. SOLOMON, and Mr. MARTINEZ.

H.R. 612: Mr. JOHNSON of South Dakota.

H.R. 645: Ms. LOWEY and Mr. FARR.

H.R. 662: Mrs. CHENOWETH, Mr. COOLEY, and Mr. JEFFERSON.

H.R. 696: Mr. JOHNSON of South Dakota and Mr. HILLEARY.

H.R. 752: Mr. SHAW, Mr. RAHALL, Mr. ENSIGN, Mr. CLEMENT, and Mr. NEAL of Massachusetts.

H.R. 773: Mr. DOYLE, Ms. FURSE, and Ms. LOWEY.

H.R. 774: Mr. THORNBERRY.

H.R. 850: Mr. ALLARD.

H.R. 867: Mr. DOYLE and Mr. BLUTE.

H.R. 1020: Mr. COLLINS of Georgia, Mr. LAHOOD, Mr. CLYBURN, Mr. PICKETT, Mr. EHLERS, Mr. FOGLIETTA, Mr. ZELIFF, Mr. CALLAHAN, Mr. SENSENBRENNER, Mr. FUNDERBURK, Mrs. MYRICK, Mr. HEINEMAN, Mr. FOX, Mr. SPENCE, Mr. BORSKI, Mr. LATOURETTE, Mr. RUSH, Mr. KLINK, Ms. ROS-LEHTINEN, Mr. HILLIARD, Mr. LIPINSKI, Ms. BROWN of Florida, Mr. TAUZIN, Mr. MCCRERY, Mr. CAMP, Mr. BAKER of Louisiana, Mr. WELDON of Florida, Mr. HEFNER, Mr. BISHOP, Mr. PAYNE of Virginia, Mr. TAYLOR of North Carolina, Mr. BLUTE, and Mr. LINDER.

H.R. 1024: Mr. GALLEGLY.

H.R. 1039: Mr. CALVERT and Mr. INGLIS of South Carolina.

H.R. 1041: Mr. CALVERT and Mr. INGLIS of South Carolina.

H.R. 1042: Mr. CALVERT and Mr. INGLIS of South Carolina.

H.R. 1045: Mr. BACHUS and Mr. KOLBE.

H.R. 1104: Mr. HANCOCK, Mr. ZIMMER, Ms. FURSE, Mr. COBURN, Ms. DANNER, Mr. ALLARD, and Mr. RIGGS.

H.R. 1147: Mr. PALLONE, Mr. SERRANO, Ms. WOOLSEY, and Mr. HINCHEY.

H.R. 1160: Mr. BROWN of Ohio.

H.R. 1201: Mr. MARTINEZ.

H.R. 1208: Mr. INGLIS of South Carolina.

H.R. 1229: Mr. BALDACCI, Ms. LOFGREN, Mr. SERRANO, Mr. POMEROY, and Mr. FARR.

H.R. 1232: Mr. HASTINGS of Washington and Mr. RADANOVICH.

H.R. 1279: Mr. STUMP, Mr. BALLENGER, Mr. WAMP, Mr. CHRISTENSEN, and Mr. MCCRERY.

H.R. 1297: Mr. LIPINSKI and Mr. FATTAH.

H. Con. Res. 23: Mr. INGLIS of South Carolina, Mr. LONGLEY, Mr. LUTHER, Mr. LAHOOD, Mr. NADLER, Mr. TAYLOR of Mississippi, and Mr. HASTINGS of Washington.

H. Con. Res. 35: Mr. BROWN of Ohio.

H. Con. Res. 50: Mr. FROST and Mr. KLUG.

H. Con. Res. 53: Mr. HILLIARD, Mr. HINCHEY, Mr. BURTON of Indiana, Mr. GEJDENSON, Mr. PETE GEREN of Texas, Mr. ENGEL, and Mr. FARR.

H. Res. 118: Mr. MCDERMOTT, Mr. STARK, Mr. GREENWOOD, Mr. JOHNSTON of Florida, Mrs. LOWEY, Mr. BROWN of California, Mr. BEILENSON, Mr. STUDDS, MR. DELLUMS, Mr. FRANK of Massachusetts, Mrs. MORELLA, Mr. BOEHLERT, Mr. FARR, and Mr. FROST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 310: Mr. SCHIFF.

EXTENSIONS OF REMARKS

AMERICORPS: ANOTHER FAILED ELITIST PROGRAM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. SOLOMON. Mr. Speaker, in typical liberal fashion, the President 2 years ago chose to respond to declining voluntarism by throwing Federal money and bureaucrats at the problem. At the time, I warned against this wasteful use of limited tax dollars because it would jeopardize worthwhile and necessary projects.

Lo and behold, 2 years later, that is exactly what happened. President Clinton's pet project was funded at the expense of needed veterans' health care projects. Mr. Speaker, veterans are people who know all there is to know about national service and deserve the assistance our limited resources can provide. To that end, my good friend and chairman of the Veterans' Committee, BOB STUMP, and I sponsored an amendment to restore the funding for VA outpatient clinics by rescinding funds from AmeriCorps.

Like all other liberal programs, AmeriCorps is wrought with abuse and spends half its money on bureaucracies and paperwork. Just like their School Lunch Program, which supports bureaucrats instead of feeding hungry children, this volunteer program, intended to provide student aid, funds even more bureaucrats rather than directly aiding students. Furthermore, Mr. Speaker, the liberals and President Clinton have succeeded in exacerbating the problem of voluntarism by throwing money at it. Their volunteers receive more money and benefits than many of our hard-working citizens. On top of that, the tax dollars funding this program often go to wealthy families, maintaining their elitist pool of feel-gooders instead of inspiring do-gooders. Supporting existing community based groups who already perform charitable duties would incite civic virtue and activism amongst others.

Mr. Speaker, since my warning 2 years ago wasn't enough to discourage my fellow Members from creating another wasteful, bureaucratic program, I would like to offer the following article that appeared in the Hill newspaper as evidence of its failure. "AmeriCorps: Rhetoric vs. Reality" provides justification for rescinding valuable tax dollars from this misguided program.

[From the Hill, Mar. 29, 1995]

AMERICORPS: RHETORIC VS. REALITY

(By Allyson Tucker)

Thanks to a $1.7 million public relations budget, AmeriCorps, the Clinton administration's national service program created in 1993, remains a sacred cow despite a cost of $30,400 per "volunteer" and abundant evidence of waste and abuse.

Consider the facts. In 1993–1994 AmeriCorps had about 20,000 "volunteers" who the Clinton administration promised would be working as teachers, doctors and police officers to help improve communities. The reality, however, is that the majority of these highly paid "volunteers" work in federal or state bureaucracies, government-funded programs or even political action organizations.

For example, more than 2,800 AmeriCorps participants work in federal departments or agencies, including 1,200 in the U.S. Department of Agriculture, 525 in the Interior Department, 210 in the U.S. Department of Justice, 135 at the Environmental Protection Agency and 60 at the National Endowment of the Arts.

The federally funded Legal Service Corporation, the chief litigator for the welfare state (which for example, represents drug dealers when they are threatened with eviction from public housing), was awarded 44 AmeriCorps volunteers, cost the U.S. taxpayer $959,000 plus an additional $1,242,784 in "matching funds." In San Francisco, the AmeriCorps "Summer of Safety" program organized 40 groups to rally against the federal crime bill's "three strikes and you're out" provision.

More than half of the money spent on AmeriCorps ends up funding bureaucracies and paperwork. 'Educrats' at Northwestern University, for example, were given $140,000 by AmeriCorps to develop "a plan to complete for more AmeriCorps money next year," without funding a single "volunteer." Similarly, Americorps gave bureaucrats a $100,000 planning grant to study a volunteer corps in the Virgin Islands and gave the Council of Great City Schools, which is devoted to the "advancement of education in inner-city public schools through public and legislative advocacy," a $200,000 planning grant. Again, none of this money went to help students pay for college.

Despite the rhetoric, AmeriCorps does little to help working families pay for college. At a 1993–94 price tag of $155.5 million, about one-tenth of one percent of the 16 million students enrolled in post-secondary education participated in AmeriCorps. Even if Congress expands the program to 150,000 participants by 1997 as the Clinton administration has requested, less than one percent of students will be able to participate.

Furthermore, the majority of the students recruited come from wealthy, not poor or needy, households. The AmeriCorps program is not means-tested (the liberals in Congress defeated conservative efforts to develop a means test). Thus, the children of wealthy and influential people can elbow out poor students for participants in the program. As Sen. Robert Byrd (D-W.V.) noted on the Senate floor, instead of sending one AmeriCorp participant (who may or may not need financial assistance) to college, five needy students could qualify for Pell Grants.

Nor does AmeriCorps promote "volunteerism". Each AmeriCorps "volunteer" is paid a $7,400 stipend and a $4,750 tuition credit, worth approximately $7.27 per hour, plus medical benefits and free child care. The total, tax-free AmeriCorps package is worth nearly $20,000 annually, more than the income of 39.3 million working Americans. The total, non-taxable income of an AmeriCorps "volunteer" exceeds the median income of workers in the private sector, including those with years of experience. The educational benefits also exceed those available to veterans. In addition, at least $15,000 per participant goes for overhead and administration.

Worse than President Clinton's good intentions gone awry and the litany of waste and abuse is AmeriCorps' effect on the essence of volunteerism. Private sector community service is thriving. The Labor Department estimates that there are currently three million unpaid volunteers between the ages of 18 and 25, most of whom work for religious organizations, the backbone of community activism.

The laudable goals of AmeriCorps do not match its reality. If the goal is to expand educational opportunity, the AmeriCorps budget would be better spent on direct aid to students. If the goal is to stimulate service, Congress should amend the tax code to allow for tax credits or increased deductions for those who donate their time and money.

THE HOME RUN READER SUMMER READING PROGRAM

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. LIGHTFOOT. Mr. Speaker, I would like to bring the Members' attention to a reading program in my district which has done a great deal to motivate young people to read. It seems commonplace to hear about American students who do not meet the strenuous criteria we must require of them. Unfortunately, it is not unusual to hear about young Americans who graduate from high school without adequate reading skills.

This program is sponsored by the Daily Tribune newspaper in Ames, IA, and the Iowa Cubs baseball team and is entitled, appropriately enough, "The Home Run Reader Summer Reading Program." This program was conceived with the sole purpose of helping children discover the pleasure of reading. The program has been successful.

Last year marked the launch of the program and over 5,000 children and 26 libraries in 4 Iowa counties were involved. The students ranged in age from 2 to 16 years of age and read or had read to them an astounding 50,000 books, according to Mary Youngerman, a constituent in my district who served as the coordinator of the program. This summer, the program will span eight counties and its estimated that 12,000 young people will participate.

It is my hope that participating in this program will initiate a love of reading in children that will last them for the rest of their lives. According to Ms. Youngerman, this program was inspired by a similar program in Illinois.

Mr. Speaker, I hope other Members will feel free to contact me if they are interested in developing similar programs in their districts. Hopefully, bringing attention to the Home Run Reader Summer Reading Program will motivate others to get involved at the local level to encourage young people to read and learn.

WIZARDS OF WESTWOOD RECLAIM NATIONAL TITLE

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. TORRES. Mr. Speaker, I rise today to pay tribute to the new NCAA National Basketball Champion UCLA Bruins.

It was a night for the ages. It was a night for the new to replenish the old, a night to cast-off the shackles of history of the glory of the present, a night for old ghosts to summon new heroes. It was a night for the UCLA Bruins to sustain its magnificent legacy with a performance worthy of its storied past. The Bruins delivered—emphatically.

The game between the UCLA Bruins and defending national champion Arkansas Razorbacks was truly a battle of titans. The Razorbacks were trying to become only the second NCAA basketball champion to repeat in 22 years. The Bruins were trying to win their first championship in 20 years. They did not disappoint. They played with the skill, intensity, and determination that befitted champions, past and present. It was like Ali and Frazier, Secretariat and Affirmed, Magic and Bird. Champions who transcended their sport and brought out the best in each other.

The game was played with Bruins past and present watching from the sidelines. The Wizard of Westwood, John Wooden, was in the stands. Tyus Edney, the Little General, was sitting on the bench with a badly sprained wrist. It was said that the Bruins could not match the Arkansas bench. It was said that Bruins could not match Arkansas size and strength. Finally, it was said that the Bruins simply could not match the skill and resiliency of the defending champions. But the Bruins were more than a match for the Razorbacks.

When the Razorbacks pressed, the Bruins attacked with speed and precision. When the Razorbacks took it to the hole, the Bruins blocked shots, stole passes and held the vaunted Arkansas inside game to season lows in points and rebounds. When the Razorbacks shot the rock from the perimeter, the Bruins held Arkansas sharpshooters to an abysmal 10 of 28. And when the Razorbacks made a final frenzied run, the Bruins kicked out the jams and ran away for a 89–78 victory.

The critics have been silenced. Digger Phelps, Dickie V. and the rest of hoop punditry must now pay the Bruins their due respect as the 11th NCAA National Championship banner is hung from the rafters of Pauly Pavilion.

DAVID LOUIE: A SHINING EXAMPLE OF EXCELLENCE IN JOURNALISM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. LANTOS. Mr. Speaker, I rise today to honor and commend Mr. David Louie, a two-time Emmy Award winning reporter for KGO–TV in San Francisco, for his long and distinguished career. After 25 years of excellence in broadcasting and a bright future ahead of him, David is and will continue to be one of the premier television reporters in the Nation.

In the many years that I have known David, he has always been a shining example of integrity and intelligence in broadcast journalism. David has been at KGO–TV since 1972, starting as a general assignment reporter, and now is the business editor and money reporter as well as a contributing reporter on "Marketplace," the station's weekly business program.

Recently, David Louie was elected as chairman of the National Academy of Television Arts and Sciences [NATAS], a nonprofit organization of 10,000 members committed to enriching the quality of television programming. Elected to the NATAS board in June 1994 and currently serving a 25-year term, David is known nationally for his remarkable contribution to the field of journalism.

David's active involvement in the community and in promoting the advancement of broadcast journalism prompted Mayor Frank Jordan of San Francisco to declare July 19, 1994, as "David Louie Day." Also, David was inducted into the prestigious NATAS Silver Circle, composed of media professionals who have served as broadcasters for 25 years and who have made notable contributions to Northern California television programming.

In 1990, David was elected as national president of the Asian American Journalists Association, an organization encouraging ethnic diversity in our Nation's newsrooms. He has and continues to serve with distinction in this extremely important capacity.

Mr. Speaker, these numerous awards and honors speak volumes about one of our Nation's finest reporters. In friendship and admiration, I extend my most heartfelt congratulations to this extraordinary American.

WELFARE REFORM FOR WESTERN WATER CHEATS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. MILLER of California. Mr. Speaker, while the House has been rushing to cut child care, school lunches, and a host of other programs for poor people, the Bureau of Reclamation has been quietly writing the last chapter of new rules that will help eliminate one of the most abused subsidy programs in government. If you want to hunt down welfare cheats, look to California's Central Valley, where the Federal Government doles out millions of taxpayer dollars each year in the form of illegal water subsidies to a few selected owners of corporate farm operations. The water subsidy abuses have for years been a huge embarrassment of Presidents of both political parties. But the Clinton administration has published new regulations that will once and for all close the loopholes in the Federal Water Program. The San Diego Union last week published an insightful description of this resource ripoff. I urge my colleagues to closely read the following editorial.

[From the San Diego Union-Tribune, Mar. 29, 1995]

REDISTRIBUTE STATE'S WATER

LARGE CORPORATE FARMS SHOULD NOT BE SUBSIDIZED

The future of San Diego County, and all of Southern California, depends on water. In average years, we can supply only 5 percent to 10 percent of our own needs. We have to import the rest from Northern California and the Colorado River.

The first thing businesses must know before they can operate in San Diego is whether they will have a guaranteed water supply in the future. Without that, little else matters. As San Diego continues to grow, and as our economic future increasingly depends on attracting new business or expanding existing ones, a guaranteed water supply will become more important than ever.

California has plenty of water for San Diego and everybody else, but for decades it has been locked up in the Central Valley. Agriculture uses about 80 percent of all the water delivered in California, and Central Valley agriculture accounts for most of that.

In the Central Valley, most farmers get water subsidized by taxpayers. Some pay as little as $10 to $20 per acre-foot. Contrast that with farmers in San Diego County, who pay the same retail rate as the city—$550 to $700 per acre-foot.

The artificially low water rates in the Central Valley, locked in by contracts as long as 40 years, help explain why so much of the state's water never gets south of the Tehachapi Mountains. At such cheap prices, there is no incentive for farmers to conserve. But there is plenty of incentive to waste water by farming marginal land and growing water-intensive crops in a virtual desert.

In recent years, the Central Valley's grip on the state's water supply has begun to loosen. In 1992, President Bush signed the Central Valley Project Improvement Act, which for the first time allowed Central Valley farmers to sell their water to cities.

Now, the U.S. Department of Interior's Bureau of Reclamation is moving to undo a decades-old inequity that has allowed huge corporate farms to skirt acreage limits for subsidized water. If the feds are successful, Central Valley farmers will have even more impetus to sell water to cities like San Diego.

Federally subsidized water was only supposed to be for small, family farms. Up until 1982, the limit was 160 acres, although it was almost universally ignored. Then it was raised to 960 acres, but huge farms of thousands of acres continued receiving taxpayer-subsidized water by simply dividing their land into 960-acre trusts in the names of family members. One of the nation's largest corporate farms, J.G. Boswell, sold its acreage to its employees' trust fund. It was all done on paper; nothing changed on the ground.

The Bureau of Reclamation, which for years winked at such practices, now intends

to crack down on them. Central Valley farmers will fight back with their substantial political clout. But the Bureau of Reclamation should hang tough.

Taxpayers should not be subsidizing huge corporate farms. But there also must be a free-market redistribution of water resources in California.

California's cities are the industrial and commercial engines that drive the state's economy. To survive and prosper, San Diego and other cities need more Central Valley water. Eliminating taxpayer subsidies for huge corporate farms would free up water for cities. Federal officials should strictly enforce the 960-acre limit for subsidized water.

TRIBUTE TO VFW POST 2151

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. VISCLOSKY. Mr. Speaker, I rise today to pay tribute to the past commanders and auxiliary presidents of the Veterans of Foreign Wars Post 2151. On April 8, 1995, V.F.W. Post 2151 will hold a commemorative dinner at their Post in Gary, IN, to honor their past officers.

The past commanders of V.F.W. Post 2151 include: Harold James, Otha Williams, Dan L. Williams, Joe Dishmon, Bob Wilson, Jesse Rogers, Bill Woodard, William Rapier, Lee G. Coleman, and Virgil Fields.

The past auxiliary presidents for V.F.W. Post 2151 include: Bertha Harvey, Dorothy Jordan, Bessie Jones, Prestine Fontleroy, Ada Williams, Jennie Young, Mary Clay, Elouise Woodard, Jessie M. Shackelford, Doris Daniels, Mary Pendelton, Mattie Gault, Lula Marshall, Doris Daniels, Verlee Perry, and Vanessa Jenkins.

These former commanders and auxiliary presidents have been dedicated to preserving the memory of the service of the U.S. soldiers to defend our country in foreign wars. Because of the V.F.W.'s efforts in the preservation of the history of the United States and foreign affairs policy, our citizens can learn from past experience in hopes for a better world.

Mr. Speaker, I ask you and my other colleagues to join me in commemorating these honorable men and women of V.F.W. Post 2151 for their dedicated service to our great country.

SALUTING U.S. COAST GUARD COMDR. WILLIAM J. "WOODY" LEE ON HIS RETIREMENT

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. FIELDS. Mr. Speaker, those of us who have worked on issues important to the U.S. Coast Guard have enjoyed the opportunity to work with Comdr. William J. "Woody" Lee. Woody will retire from his position in the very near future after 21 years of active duty service in the Coast Guard, and I would like to take a moment to salute his efforts on behalf of the U.S. Coast Guard.

Since 1992, Woody has worked closely with many of us in the House on issues important to the Coast Guard. I worked especially closely with Commander Lee from 1993 to 1995, when I served as the ranking Republican member of the House Merchant Marine and Fisheries Committee. During those years, committee staffers, Chairman GERRY STUDDS, and I all relied on advice and information supplied by Woody to better understand the needs of the men and women of the U.S. Coast Guard as they worked to carry out their many diverse missions.

Throughout the years I worked with him, I was always impressed with Woody's tireless efforts on behalf of the Coast Guard, and his efforts to improve communication between top Coast Guard officials and those of us on Capitol Hill charged with overseeing the Coast Guard's activities.

Commander Lee coordinated hundreds of Coast Guard presentations at congressional hearings and briefings, including annual budget briefings and updates on Coast Guard operations during the Cuban and Haitian refugee crises. Woody coordinated more meetings and appearances on Capitol Hill by the two Coast Guard commandants under whom he served than had been coordinated during the entire previous decade. Woody's efforts to foster a better relationship and improved communication between top officials of the U.S. Coast Guard and those of us in Congress resulted in widespread and bipartisan support in the house for the U.S. Coast Guard as it worked to carry out its many varied responsibilities.

But Woody always believed that telling the Coast Guard story involved more than participating in congressional hearings. In his years as the Coast Guard's liaison officer in the House, Woody organized and managed more than 30 field trips for House staff members. Those trips provided staffers with invaluable first-hand information and a better understanding of Coast Guard operations, missions, and needs.

In the same way, Woody understood the need for his fellow Coast Guard officers to better understand how the Congress works. That's why he volunteered to speak at the Chief Petty Officer's Academy and the Reserve Training Center Group Commander's course. That's also why he has taken the time to advise field commanders on how they can foster greater understanding of Coast Guard missions by the public as well as by Federal-level elected officials.

A 1974 graduate of the U.S. Coast Guard Academy, Woody deserves our sincere thanks for the 21 years of distinguished and selfless service he has given to the U.S. Coast Guard and to his country. Woody informs me that he's accepted an exciting and challenging position at Raytheon, and that he plans to continue his marathon running. I know you, Mr. Speaker, and all of my colleagues join with me in wishing Comdr. William J. "Woody" Lee—as well as his wife, Dona, and their two children—continued success and happiness in the years ahead.

HONORING STANLEY O. IKENBERRY, PRESIDENT, UNIVERSITY OF ILLINOIS, UPON HIS RETIREMENT

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. EWING. Mr. Speaker, this week the Illinois congressional delegation and alumni of the University of Illinois in the Washington, DC, area will honor U of I president, Stanley O. Ikenberry. At the conclusion of this academic year, President Ikenberry will be retiring from his post after 16 years of outstanding service to the U of I, the Champaign-Urbana community, the entire State of Illinois, and indeed to the country. His daily presence in the president's office will be deeply missed, but his influence will be felt for many years to come.

Among the highlights of President Ikenberry's tenure are the establishment of the U of I at Chicago campus, the Beckman Institute for Advanced Science and Technology, the President's Award and University Scholars Programs, and the National Center for Supercomputing Applications, in addition to construction of a host of new academic buildings and laboratory space. President Ikenberry's leadership and dedication to these and other projects have earned the U of I its continued paramount reputation in the academic and scientific research community not only in Illinois but throughout the country. Indeed, President Ikenberry's visionary and bold leadership over the years has helped to establish the U of I as one of the premier and most highly respected research institutions throughout the world.

On a personal note, President Ikenberry has been a good friend and someone with whom it has been a fine pleasure to work closely with over many years both as a Member of Congress and during my service in the Illinois General Assembly. I am pleased that Stan and his wife Judith will continue to call Urbana home and I look forward to continuing our friendship in the years ahead.

Mr. Speaker, on behalf of the entire Illinois delegation I offer our congratulations to President Ikenberry for his life-long commitment to the highest quality education, the advancement of research, and distinguished service to students at the U of I, as well as all of the people of Illinois and our country. We cannot thank him enough for his contributions toward the betterment of all our lives.

HONORING PAUL J. MANAFORT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mrs. JOHNSON of Connecticut. Mr. Speaker, on Wednesday evening, April 26, 1995, Paul J. Manafort, a friend and admired community leader will be honored as Citizen of the Year by the New Britain Lodge of Elks. Paul's remarkable leadership and contributions to the greater New Britain community have spanned

many decades and represent a broad spectrum of civic, professional, community and charitable endeavors.

Paul will be honored for his leadership, dedication and many achievements, both personally and professionally. He has dedicated his life to his family and community. Paul Manafort's elective service began on the New Britain Board of Aldermen. He was elected as mayor in 1965 and served three terms during a period of great cultural and societal change. His thoughtful and proactive leadership resulted in strong economic development and responsive public policies for the city. The respect Paul earned during his elective tenure led to his appointment as commissioner of the department of public works where his statewide service was widely acknowledged.

Community service and volunteerism have been the cornerstone of Paul's commitment to enriching the quality of life in New Britain. He has enjoyed membership in numerous civic, community and charitable organizations. His work with ethnic, veterans, disabled and church organizations is legendary. His active participation on the boards of the Boys' and Girls' Club, New Britain General Hospital, the Police Athletic League, his leadership with the Greater New Britain Opera Association, the Sons of Italy, the Colombian Federation, St. Ann Church and civic groups such as the Elks, Lions Club, and the Knights of Columbus have afforded Paul many awards and much acknowledgment throughout his many, many years of service. Those who have known and worked with Paul know that his tremendous contributions to the community are founded in the deep personal satisfaction he has found in helping others and his commitment to the city of New Britain and her citizens.

Veterans, the disabled, young and old citizens alike, fellow volunteers, his family and friends will gather on April 26 to share their very great appreciation, respect and admiration for one of the very great gentlemen and leaders in the city of New Britain.

IN HONOR OF HAYNE W. DOMINICK

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. GOODLATTE. Mr. Speaker, with all of the recent discussion about Enola Gay and some academic types trying to rewrite history, I'd like to talk a moment about a great American living in my district who knows much about the subject of World War II.

His name is Hayne W. Dominick, and as a 21-year-old machine gunner for the Army Air Corps he fought the Japanese across the Philippine Islands and then made the last stand at Corregidor. Days later, he survived the brutal and infamous Bataan death march. Like thousands of his comrades in that march, Mr. Dominick demonstrated bravery, endurance, constancy in the face of torture and inhumane treatment, and compassion for his hurting comrades that is perhaps unmatched in military annals. Then, for another 4 years, his courage carried him through the horrors and brutality of a Japanese prison camp.

We must never forget the true nature of World War II. It was a war of aggression by military dictators and their followers in Japan and Germany. Our Armed Forces fought with supreme bravery and sacrifice to save our way of life, to save democracy, to give suffering people back their freedom. And it was fought and won by great patriots like Hayne W. Dominick.

TAIWAN'S SUCCESSFUL EFFORTS TO FIGHT NARCOTICS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. RANGEL. Mr Speaker, in August 1993, I had the privilege to attend a Regional Counter Narcotics Conference in Taipei, Republic of China. The conference was held in conjunction with the Republic of China's Ministry of Justice, and was attended personally by Justice Minister, Dr. Ma Ying-jeou. The decision to hold the conference in Taipei, together with Minister Ma's participation, was yet another indication from our friends on Taiwan of the seriousness of their antidrug efforts.

I have just received a letter from Benjamin Lu, the Republic of China's Representative here in the United States, which details some of the further steps undertaken by the Republic of China since the conference. I would like to include it in the CONGRESSIONAL RECORD, because I feel it is important that such efforts do not go unnoticed here in the Congress. I strongly commend the Republic of China's antinarcotics efforts, and submit the following letter from Representative Lu:

TAIPEI ECONOMIC AND
CULTURAL REPRESENTATIVE,
Washington, DC, March 14, 1995.

Hon. CHARLES B. RANGEL,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE RANGEL: I am writing to update you regarding an issue of great importance, international narcotics control. This is also a matter of mutual concern to the United States and my country, the Republic of China (ROC) on Taiwan.

According to reports released by the Ministry of Justice of the ROC, drug related crimes such as drug abuse, trafficking and money laundering were increasing in the Taiwan area in recent years. However, the ROC government has taken effective measures to put the problems under control, and the achievements were duly noted by American authorities. As commended by the "International Narcotics Control Strategy Report of 1995" of the United States Department of State, officially released on March 1, my government has launched nation-wide anti-drug programs and passed harsher laws against traffickers. In addition, although not a member of the United Nations, the ROC has introduced "legislation in conformity with the 1988 UN Convention in the areas of money laundering, precursor chemical controls and 'illegal drug' schedules."

Both the record-breaking volume of drug seizures and an impressive number of offenders indicted in Taiwan in recent years proved that our efforts have been fruitful. The report also noted that "the Taiwan authorities have mounted a concerted effort to attack the heroin trafficking problem and seizures of heroin have increased rapidly in the past few years . . ." Nevertheless, a unilateral effort of any country is not enough to win a complete victory against drugs. My government, therefore, has thoroughly cooperated with American as well as other international law enforcement agencies to crack down on all drug related crimes and will continue to do so. The State report also indicated that, in the last year, the ROC government not only "continued to cooperate well" with the Drug Enforcement Agency but also explored with U.S. authorities the possibility of signing a bilateral counternarcotics agreement.

The people and the government of the ROC are as committed as you are to fighting drug problems. We hope you will take note of our strong commitment and vigorous actions on this important matter.

With warmest regards,

Sincerely,

BENJAMIN LU,
Representative.

TRIBUTE TO REVEREND AND MRS. BURGOS

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. MENENDEZ. Mr. Speaker, I would like to take this opportunity to congratulate Rev. Gregorio Burgos and his wife, Lucia, on the celebration of their 50th wedding anniversary. Reverend and Mrs. Burgos were united in marriage in Puerto Rico on April 19, 1945. They are a fine example of family unity and together have contributed a great deal to our community and country.

Rev. Gregorio Burgos has been actively involved as a pastor and minister for the past 52 years. He and Lucia have dedicated their lives to helping others. Through their religious work in the community they have touched the lives of many in need. As a minister of the Church of God of the 7th Day, the Burgos have nurtured the spirits and minds of congregants throughout New Jersey. They have worked together to build congregations in many New Jersey cities, including Paterson, Jersey City, Newark, and Camden. In the State of New York they established parishes in the Bronx and Rochester, and in addition they have taken their message of love to Pennsylvania and the Caribbean.

The Burgos have dedicated most of their lives to their congregants and have known all the joys and sorrows of the religious life. When there was illness among their congregants, they comforted the sick and their families. When a child was born, they were there to join in the celebration. Whenever there was death, they were also there for consolation and to give the family strength to go on.

Their strong love and commitment for each other and their community helped inspire the writer Adalberto Mendez in his book entitled "History of the Church of God of the 7th Day." Although both Gregorio and Lucia are semiretired, they remain actively involved in their congregation as counselors. Reverend and Mrs. Burgos have five children, Raquel, Wilfredo, Elieser, Irma, and Sara. They are

also the loving grandparents of 15 grandchildren and 4 great grandchildren.

Please join me in wishing Rev. Gregorio Burgos, 79, and Mrs. Lucia Burgos, 68, a happy golden anniversary. A celebration will be held in their honor on April 9, 1995. I am sure that their family and friends are inspired by the example that they have set. I wish them continued happiness and prosperity.

A TRIBUTE TO CENTRAL FALLS HIGH SCHOOL STUDENTS

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today to honor a group of 25 students from Central Falls High School who won the Rhode Island title in the "We the People" competition on the Constitution and the Bill of Rights which was held March 12 at the Community College of Rhode Island.

The 25 juniors are all students in the U.S. history class taught by Bertrand Brousseau, who is the chairman of the social studies department at Central Falls High School. The students will compete for national honors in joining 1,200 students from across the Nation in Arlington VA; and Washington DC, from April 29 to May 1.

The competition involves students demonstrating their knowledge of constitutional principles and their relevance to contemporary issues. Making the feat more impressive is that 14 of the 25 students from Central Falls High School learned English as a second language. Some of the students or their parents are natives of Portugal, Mexico, Puerto Rico, El Salvador, Mozambique, Colombia, Liberia, Poland, and Vietnam.

I will be visiting these award-winning students in their classroom on April 10 to wish them the best of luck in this competition. I am very proud of their accomplishments. They have shown that hard work and desire, along with proper parental and educational support, can overcome any language barriers.

I'd like to offer my congratulations and best wishes to Mr. Brousseau and his students: Kelly Bianchi, Berta Couto, Elizabeth Diaz, Elizabeth Gartska, Linda Layous, Juan Menzano, Christine Patricio, Hannah Tarawali, Alexandra Zaldana, Janet Blandon, Yolanda DaSilva, Michelle Doucet, Martha Gutierrez, Rebecca Lussier, Nelci Paiva, Celina Sackal, Halena Taveira, Melenie Casto, Daisy Diaz, Susan Freitas, Melanie Kowal, Mike Macedo, Beatriz Patino, Kathy Siwy, and Agnes Wec.

FAA SHOULD BE AN INDEPENDENT AGENCY

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. LIGHTFOOT. Mr. Speaker, today I am introducing legislation to restore the Federal Aviation Administration to independent agency status. The legislation will also provide the FAA with the major personnel, procurement, and finance reforms needed to keep America's air traffic control system the best in the world.

Although our national air transportation system is the best in the world—it should be better. As a pilot and flight instructor, I've seen a lot of problems with the FAA bureaucracy. And I've heard from far too many people who've had first-hand experience with the mismanagement and inefficiencies at the FAA. These are exemplified by the advanced automation system, which is the core of the airspace modernization effort—a project bungled so badly that it is billions over budget an years behind schedule.

We're clearly not doing our best to ensure that ours is the safest and most efficient system possible. We've reached a point in the development of our aviation system where we can no longer postpone action. It is clear that everyone, the administration, Congress, and the aviation user groups agree on the need for reform at the FAA.

At the appropriations committee, we heard Secretary of Transportation Federico Pena testify that the Clinton administration's proposal for a Government-owned ATC Corporation is the only solution to the problems that exist at the FAA. Yet there is near-universal agreement that the administration's proposal is no solution at all. The General Accounting Office's analysis of the administration's proposal strongly suggests the proposal has been rigged with financial assumptions to make the concept superficially attractive.

While I recommend the administration for taking a proactive role in FAA reform, the plans has earned almost no support from the industry or from Congress. But there has been one positive outcome to the discussions about privatizing the nation's ATC system. It has helped focus the debate, allowing several common complaints about the FAA to emerge.

My legislation seeks to address those key obstacles which nearly everyone agrees are hampering our efforts to keep pace with technology and the growth of the aviation industry.

For example, the DOT structure hinders the FAA from doing its job in the most effective manner. By reestablishing an independent FAA, we eliminate the many layers of review by Department of Transportation political appointees and their staffs. While no former FAA Administrator supports the ATC Corporation proposal, restoring FAA to independent status is supported by 10 of the 11 living former FAA Administrators.

My bill provides an independent FAA with the personnel and procurement reforms needed to ensure the safety of the users of our increasingly complex and busy aviation system. It establishes two pilot programs; one to exempt the FAA from procurement regulations which hamper its ability to acquire the cutting edge technology it needs, and another to exempt FAA from most civil service rules except those relating to employee benefits.

The bill creates a select panel to review and report to Congress on innovative funding mechanisms, such as loan guarantees and restructured grant programs, to ensure that the money is there for future improvements of the Nation's aviation infrastructure.

My bill will establish a management advisory board made up of high-level industry representatives to advise the Administrator on management, policy, spending, and regulatory matters. And it will mandate that final action must be taken on all FAA rulemakings within 18 months after the date of their initiation.

I'm offering my bill as a starting point for developing consensus towards a meaningful and realistic reform effort. I hope you will join me as I continue to work with the leaders of the aviation community—the airlines, general aviation, FAA employees—to shape these ideas into the kind of package all of us can support.

TAXPAYERS, TIGHTEN YOUR BELT TO PAD INDUSTRY'S PURSE?

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. MILLER of California. Mr. Speaker, as Congress nears the end of the first 100 days, let us examine some of the choices the new Republican majority has made to find ways to reduce the Federal deficit. In January, the Republican majority passed its balanced budget amendment without explaining to the American citizens which Federal programs will be sacrificed for the sake of deficit control. The Republican's rescissions bill, however, provided a glimpse of the programs on the chopping block, those which provide summer jobs for our youth, those which provide housing for the elderly and poor, those which provide community service volunteer placements in our inner cities, and those which provide healthy lunches for our schoolchildren. This week, Republicans would widen the gap between the rich and the middle-class by passing a healthy tax break for the wealthiest members of society.

Of course, reducing our $4 trillion deficit is a responsibility for all Americans. However, if the average American thinks that everyone is equally sharing the burden of balancing the budget, it's time for a wake-up call. While many Americans will have to learn to do more with less and while many worthwhile Federal programs are facing the Republican firing squad, some industries have been granted clemency from deficit reduction efforts. The mining, grazing, timber and agricultural industries, which use Federal mineral resources and operate on public lands, continue to shamelessly receive billions of taxpayer dollars in Federal subsidies each year, and Republicans plan to do nothing to ensure Americans a better return for their resources.

I'd like to submit for the RECORD and urge my colleagues to read a March 27 op ed by Mr. Jim Gogek that highlights some of the circumstances under which public resource industries continue to receive Federal handouts. In his San Diego Union-Tribune editorial, Mr. Gogek describes some of the egregious Federal policies that pad the pockets of natural resource development companies with billions of dollars each year.

Understandably, the taxpayers are outraged by these massive handouts to multimillion dollar industries and are calling for an end to corporate welfare, but most Republicans appear indifferent to their demands. How much longer

will the taxpayer have to watch the new majority in Congress cut valuable programs in order to pay for timber sales in our national forests that lose money? How much longer will large mining companies be able to extract gold and silver from our public lands for only $2.50 an acre? How much more money in subsidized irrigation must we give to huge agribusinesses for surplus crops? How much longer will we allow the annual giveaway of hundreds of millions of dollars to ranchers in the forms of cheap grazing leases and free livestock feed? How much longer must we all tighten our belts so that these industries, many of which are not even controlled by American citizens, may continue to grow rich from our tax dollars?

In February 1995, I introduced the Public Resources Deficit Reduction Act, legislation which will recover more than $3 billion a year lost through these unreasonable Federal subsidies. I am pleased that 44 other Members, from both sides of the aisle, have joined me as co-sponsors of this legislation which will end this corporate welfare. As Congress continues to work toward increasing fiscal accountability and boosting returns to the Treasury, I urge my colleagues to consider joining us in our efforts to achieve fair-market value for the use of the public's resources.

[From the San Diego Union-Tribune, Mar. 27, 1995]

BIG AGRICULTURE ALSO DRAINS THE FEDERAL TILL

(By Jim Gogek)

My Republican colleagues promise that House GOP members will soon begin taking on federal subsidies to business—dubbed "corporate welfare"—now that they have cut funding for such social programs as job training, drug courts, vocational education, summer jobs for kids, housing for the poor and elderly and food subsidies for low-income women, infants and children.

San Diego's freshman Republican, Rep. Brian Bilbray, was here recently and made the same promise: Subsidies are next on the block. However, he admitted that it might be a tough battle cutting some agriculture-related items, such as the $500 million ethanol subsidy that goes mostly to one company in Illinois.

Big Ag greases the skids in Washington as well as anybody. The constituency favoring corporate subsidies has a lot more money for greasing than does the poor people's constituency. So don't hold your breath.

Here in California, federal subsidies are themselves a cash crop. Central Valley agriculture floats on the federal dole. Timber, mining and ranching operations also belly up to the trough. These are the same folks, by the way, who vehemently oppose any government regulation on their land. But they have no problem accepting a government handout.

Let's take a look at some of California's natural resource subsidies, starting with agriculture:

The Central Valley Project, a huge federal project that provides water to farmers in the San Joaquin and Sacramento valleys, has cost taxpayers between $34 billion and $70 billion since passage of the Reclamation Act of 1902, according to the Congressional Budget Office.

Of the nearly $1 billion spent just to construct its irrigation facilities, only about $50 million has been paid back by users.

Central Valley Project water districts pay a fraction of the full cost of water. According to a 1991 federal study, Westlands Water District paid $8 per acre-foot of water whose full cost was actually about $46 per acre-foot.

Some federally subsidized water goes to irrigate surplus crops, which receive an agriculture subsidy. A federal study in 1986 found that California crops receiving subsidized water were also getting nearly $500 million in crop subsidies.

One of the nation's largest corporate farms, J.G. Boswell Co., tills about 192,000 acres in the Central Valley that are irrigated with federally subsidized water.

Farmers receiving federally subsidized water are negotiating contracts to sell that water to cities like San Diego—at market prices.

Besides water and crop subsidies, most Central Valley farms benefit from subsidized power from government-built hydroelectric dams to pump subsidized water to their fields. Some farms also receive millions to help market products overseas.

Over the last decade, $1.3 billion in agriculture subsidy checks were mailed, not to rural areas but to major cities and their suburbs, where corporate farms and absentee farmers have their offices. San Diego received $11.8 million, Los Angeles $10.8 million and San Francisco $13.9 million. Sacramento received $102 million. A corporation based in Rancho Bernardo got almost $1 million for a farm in Montana.

Those are only some of the agricultural subsidies in California alone. Imagine the cumulative sum we pay for the whole nation.

Then there are subsidies for grazing, mining and timber. Here's a few goodies:

The National Forest Service alone incurred $557 million in net losses in 1993 in timber sales, grazing leases and mining subsidies.

A 120-year-old mining law doesn't require royalties based on the value of metal ores taken from federal land. The only payment for ownership of a claim is a fee of between $2.50 to $5 an acre. A mining company holds a claim to a huge platinum strike in national forests in Montana estimated to be worth $32 billion. The federal government will receive at most about $10,000 for patenting the claims and acreage fees.

Ranchers pay $1.86 a month per animal unit, which equals one cow and calf or four sheep, to graze on public land. The fee on private property is $10 a month. Federal grazing leaseholders are allowed to sublease their land—at a substantial profit. Many leaseholders are huge corporate ranchers. One rancher in California leases 5 million subsidized acres in California, Nevada and Wyoming.

In California alone, the private use of publicly owned timber, grazing and mineral resources on national forest property resulted in a $34 million net loss for taxpayers in 1993.

Not all public subsidies to business are bad. Some, such as certain research subsidies for medicine and science, return much greater social benefits than the original cash outlay could buy.

But providing millions of dollars to wealthy corporate farms? Giving away billions in valuable minerals and timber on public land? And perhaps worst of all, subsidizing the destruction of our forests, wilderness, grasslands and fisheries?

What do you call a public policy that does all that while at the same time slashes funds for summer jobs for kids? I can think of several words, but this is a family newspaper.

TRIBUTE TO THE NORTHWEST INDIANA HISPANIC COORDINATING COUNCIL

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. VISCLOSKY. Mr. Speaker, I rise today to commend the efforts of the Northwest Indiana Hispanic Coordinating Council for their numerous contributions to northwest Indiana.

Founded on November 15, 1988, the Hispanic coordinating council is composed of leaders from over 40 different Hispanic organizations. These people have committed themselves to improving the quality of life for the Hispanic residents of northwest Indiana. Council president and cofounder Benjamin T. Luna has been instrumental in providing the Hispanic community with motivation and opportunities for excellence.

On April 8, 1995, the coordinating council will present honors to 42 top scholars and athletes throughout northwest Indiana. The council will also present their annual recognition awards to deserving individuals. The council will honor these distinguished people at a banquet which will be held at the American Legion Post 369 in East Chicago, IN.

The students who will receive awards for outstanding academic achievement include: Patricia Alvarado, River Forest High School; Albert Davila, Merrillville High School; Alyssa Diaz, Highland High School; Guadalupe Gonzalez, East Chicago Central High School; Jessica Herrera, Martin Luther King Academy; Tania Higareda, Clark High School; Maria Lule, Bishop Noll High School; Karla Madrigal, Hammond Morton High School; Xochilt Medina, Hammond Gavit High School; Becky Ramirez, Crown Point High School; Edwin Ramirez, Horace Mann High School; Robert Ramirez, Calumet High School; Jennifer Ramos, Munster High School; Albert Rodriguez, Lew Wallace High School; Melissa Rodriguez, Hammond High School; Joshua Rodriguez, Griffith High School; Elvin Roman, Horace Mann High School; Aaron Vela, Lake Central High School; Cara Velez, Portage High School; and Brett Sweet, Lowell High School.

The students who will receive awards for outstanding athletic achievement include: Aeric Arreguin, Highland High School; Robert Avila, Andrean High School; Phil Benavides, Lowell High School; Juan Carlos Buezo, Lew Wallace High School; David Brugos, Clark High School; Arturo Corral III, Wirt High School; Jessica Figureroa, Merrillville High School; Victor Garcia, Griffith High School; Eusebio Gonzalez, Gavit High School; Jerame Hicks, East Chicago Central High School; Daniel Mayorga, Hammond High School; Jason Mendoza, Munster High School; Richard Mendoza, Hammond Morton High School; David Ortiz, Portage High School; Matt Rodriguez, Calumet High School; Vincent Rosado, River Forest High School; George Torres, Bishop Noll High School; James Torres, Lake Central High School; Erin Valdivia, Hobart High School; and Tom Zelaya, Crown Point High School.

Aisha Ceballos of Gary Emerson High School will be awarded both an academic and

athletic award by the coordinating council at their annual banquet.

The council will also present the outstanding family award to Rafael and Doritila Fletes of East Chicago. This distinguished couple was carefully selected from many qualified families on the basis of their unity and dedication to one another's successes. Ms. Eliza Vela will receive the community service award. The labor award will be given to Mr. Robert Flores. Mr. Francisco Loza, president of the River Forest and Lake Station School Corporation Dual District Bilingual and Migrant Education Program, will be awarded the president's award. Finally, Ms. Maria DeLaLuz Murillo Tellez will be honored with the distinguished Caesar Chavez Award, in honor of the late charismatic president and founder of the United Farmworkers.

Media recognition awards will go to Mr. Michael Puente and Mr. Michael Gonzalez, of the Post-Tribune; Mr. Mark Arrendondo and Mr. Jose Alvarez, of the East Chicago News; Mr. Christian B. Candelaria, of the Herald News Group; Mr. Tom Gutierrez, Jr., of WJOB radio; Ms. Terry Serna, of La Voz Newspaper; Mr. Joe Arrendondo, of channel 56/WYIN; Ms. Sylvia Lopez, of WGN; and Mr. Carmello Melendez.

Mr. Speaker, I ask you and my other colleagues to join me in applauding all of the award recipients chosen by the Hispanic coordinating council. I feel that all of the participants are most deserving of the honors that will be bestowed upon them. It is my privilege to commend them on their achievements.

SCHOHARIE COUNTY, NY, CELEBRATES BICENTENNIAL

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. SOLOMON. Mr. Speaker, I have always been proud of the heritage and physical beauty of the 22d Congressional District of New York which I have the privilege of representing. It is for this reason, to savor the history and character of the picturesque towns and counties, that I return home every weekend.

We often forget, Mr. Speaker, that the real America is not Washington, but the small towns and villages where real people live and work. I would like to talk about a collection of such towns today.

On Saturday June 3d, Schoharie County, NY will celebrate its 200th anniversary. This county was formed by the New York State Legislature from parts of Albany and Tryon Counties in 1795. However, its history began long before this official action. The area was settled by German explorers in 1712 when they arrived from the lower Hudson Valley. This frontier region prospered with its rich farmlands, rolling countryside, and quiet streams. In fact, this county adopted the Indian name for the river which ran through the valley, Schoharie.

With its splendid forests and fertile river bed, the Schoharie Valley was an agricultural hotbed for many years. However, the county has changed since those days, like just about everything else in America. Now, Schoharie County employs only 5 percent of its population in agricultural and forest work. Still, it has retained its small town character and charm and the Schoharie Valley remains one of the most scenic regions in New York State.

One thing that thankfully hasn't changed, Mr. Speaker, is the pride and values of the citizenry. On June 3d, residents of Schoharie County will take part in day-long festivities commemorating their heritage. There will be tours of the various historical sites which mark the region as well as parades and plenty of small town camaraderie. I commend the people here for their commitment to their region and the Schoharie County Bicentennial Committee for their hard work in organizing this event.

Today, Mr. Speaker, I ask all Members to join me in an anniversary tribute to Schoharie County, a great place to live.

CONGRATULATING THE WESTFIELD HIGH SCHOOL CONCERT BAND

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. FIELDS. Mr. Speaker, I appreciate this opportunity to congratulate the Westfield High School concert band in Houston, TX, on recently winning the Sudler Flag of Honor, which is presented to the most outstanding high school concert bands in the United States and Canada.

Under the direction of Mr. Philip Geiger, the Westfield High School concert band is just the 31st concert band to earn the Sudler Flag of Honor in the 12 years that it has been awarded. The award is presented by the John Philip Sousa Foundation and is intended to recognize and salute high school concert band programs of international-level excellence.

Winning the Sudler Flag of Honor proves what many of us have known for along time: that the Westfield High School concert band is among the very best concert bands in North America.

The Sudler Flag is designed in red, white and blue and features the logo of the John Philip Sousa Foundation. The flag becomes the property of the band. Each member of the band receives a personalized certificate and the band director receives a personalized plaque.

To be eligible for the Sudler Flag, a high school must have maintained a fine concert band for at least 7 years. Although the band's concert activities receive the most attention in the selection process, the high school's band program must be a complete one and must include a marching band, small ensembles, and solo participation by its members in contests and festivals. Also, the band conductor must have been at the same high school for at least 7 consecutive years and is expected to be involved in professional band and music education organization and activities on the local, State and national level.

Mr. Speaker, I know that you join with me in congratulating the young men and women of the Westfield High School concert band—as well as conductor Philip Geiger—on this significant achievement, and I know you join with me in wishing everyone associated with the band continued success in the years ahead.

SAN FRANCISCO CHRONICLE EXPLAINS REPUBLICAN WELFARE REFORM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. LANTOS. Mr. Speaker, the San Francisco Chronicle has done a superb job cutting through the deceptive rhetoric of the majority in Congress to reveal the real reason behind welfare reform, Republican style: massive tax cuts for the rich paid for by cutting benefits to the millions of poor, elderly, disabled, and legal aliens of our country. As the editors so aptly point out, simply cutting benefits to our most vulnerable citizens will do absolutely nothing to solve the most difficult problems facing them and our society as a whole.

Meaningful welfare reform must replace dependency with independence while maintaining the safety net for those truly in need. Although real reform will not be simple and it will not be cheap, the alternative—cutting off our most needy citizens—is the epitome of shortsightedness. Mr. Speaker, I commend your attention and the attention of my colleagues to this excellent and timely editorial, and I ask that it be placed in the RECORD.

[From the San Francisco Chronicle, Apr. 3, 1995]

WELFARE ON THE CHEAP IS NOT REFORM

Any hope that the Senate might salvage some glimmer of actual "reform" from the House-passed welfare bill largely vanished last week when Senate Finance Committee chairman Bob Packwood, R-Ore.—who will draft the Senate version—indicated he would go along with the House in ending the federal entitlement nature of most welfare programs and turning them into block grants to the states.

That basic approach has everything to do with cutting spending for the poor in order to heap tax cuts on the rich—and virtually nothing to do with welfare reform.

As Senator John Chafee, R-R.I., noted last week: "Instead of focusing on employability * * * out-of-wedlock births and * * * intergenerational welfare dependency, the focus (of the House bill) seems to be entirely on how to save money.* * *"

That, in fact, is the basic flaw in the Republican approach: the contradiction between saving money and reforming welfare. Real welfare reform, the kind that ends dependency and self-defeating behavior by putting people to work, costs money, it doesn't save it. It requires, at a minimum, paying for job training, child care and job creation—none of which are adequately provided today.

The original GOP contract spoke of spending $10 billion on jobs programs. The House-passed bill offers nothing—simply the requirement that welfare recipients must work after two years, whether there are any jobs or not, or lose benefits.

Trying to do welfare on the cheap will result only in a system even less effective and more wasteful than the present one. It is not

simply foolish, but mean-spirited, for it arises not from any desire to improve an imperfect system, but from the barely disguised motive of trying to pay for $190 billion worth of middle- and upper-class tax cuts at the expense of the weakest, most disenfranchised members of society: poor women and children, who are the major beneficiaries of welfare, and legal resident aliens, who have paid taxes and played by all the rules but can't vote.

What would real welfare reform look like? It might well include the GOP demand to turn programs over to the states, as President Clinton has also urged, so that flexibility and experimentation might flourish free of burdensome federal mandates. It would also include more money, not less, for innovative jobs programs.

But the Republican block grant approach simply replaces liberal federal mandates with conservative ones, and it further constricts the states by reducing overall projected spending by some $65 billion over five years in order to pay for tax breaks.

As the Economist magazine observed last week, the Republicans are passing up a chance "to do welfare reform in a way that is right rather than merely right wing." If the Senate goes along, the only hope for real welfare reform will be the veto pen.

TRIBUTE TO THE MONMOUTH COUNTY URBAN LEAGUE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. PALLONE. Mr. Speaker, on Thursday, April 6, 1995, the Monmouth County, NJ, Urban League will hold its Second Annual Equal Opportunity Awards Dinner at the Long Branch Ocean Place Hilton. I would like to take this opportunity to congratulate the Monmouth County Urban League, and its new president Dr. Webster Tremell, for the excellent work that the league has done in lending a helping hand to those in our community who need it most—and to give my strongest encouragement for their future endeavors.

Mr. Speaker, the mission of the Urban League as a nonprofit community-based social service and civil rights organization is to assist African-Americans and other minorities and low-income families and individuals to achieve social and economic equality. The league, whose national headquarters is in New York City, has 114 affiliates across the nation. Working through social work, economics, and the law, the league seeks to secure equal opportunities in all sectors. While seeking to improve the quality of life for racial minorities, the league is also devoted to the goal of building bridges between the races.

The league was founded in 1910 in response to the needs of southern blacks who migrated to New York seeking enhanced economic opportunities, only to be confronted with unemployment, scarce health care, and overcrowded housing. The league was created through the merger of several organizations dedicated to assisting these new arrivals and combatting the racism of that era. In the years since, the league has expanded into a nationwide organization, and many distinguished leaders have presided over the league in the years since, including, Whitney Young, Vernon Jordan, and the current president and chief executive officer, John E. Jacob.

The Monmonth County League has sought to bring together a broad cross-section of public and private sector leaders representing the corporate, banking, legal, government, and educational communities. Among the major goals of the Monmouth chapter of the league are programs to assist unemployed and underemployed people to become self-sufficient through job readiness counseling, job development, job bank and referral services, and entrepreneurial advocacy. The league also works to address the housing needs of the community, through the development of affordable housing and counseling to assist families and individuals who may qualify for various forms of rental or home ownership assistance programs. The league also works in developing leadership through the support of young adults and professionals serving in mentorship and tutorial programs. Efforts also focus on health education and prevention programs.

Mr. Speaker, it is a great honor for me to pay tribute to the work of the Monmouth County Urban League, and to wish for its continued success in the future.

IN RECOGNITION OF LORIN AND ANN WASHER

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. BAKER of California. Mr. Speaker, recently a couple from my district, Lorin and Ann Washer, needed to cancel a long-awaited trip to the Nation's Capital due to health reasons. It would have been a special trip for them, as 50 years ago this month they met in Washington on a blind date. That night, April 12, 1945, was the day President Roosevelt died. Ann and Lorin had to change their plans to dine out and instead ate at the home of a friend. Obviously the location of their meal was unimportant, as their courtship began in earnest shortly thereafter, and they were married in October 1946.

Mr. Speaker, although Ann and Lorin cannot come to Washington to celebrate the April 12 anniversary of their first meeting, I am pleased to honor them for a relationship that has endured 50 years. It is increasingly rare in our society that a couple exhibits the qualities of loyalty and love demonstrated by the Washers, and I am pleased to draw attention to this outstanding couple as the reminisce about not only their courtship, but so many years of married life. Couples like the Washers have much to teach and much to remember, and deserve our congratulations on this unique day in their lives.

CLINTON RELISHES HIS UNNECESSARY INVASION

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. COX of California. Mr. Speaker, the occasion of President Clinton's visit to Haiti is occasion to reflect on the ill wisdom of his policy there. It is "his" policy because, as he did with Mexico, he bypassed the Congress. The following article by Sir Eldon Griffiths is a sobering analysis of the Clinton Haiti policy.

CLINTON RELISHES HIS UNNECESSARY INVASION

By the time you read this, U.S. troops in Haiti will be pulling out in favor of a U.S.-led, U.S.-munitioned, and largely U.S.-financed U.N. army. President Clinton is in this tiny speck of an island, ready to pass the baton—I almost said the buck!—to U.N. Secretary General Boutros Boutros-Ghali, whose thankless task now becomes to hold the ring in Haiti while the smallest, poorest country in the Western Hemisphere struggles to construct a "viable democracy."

I wish the United Nations better luck than its hapless multinational forces experienced after the United States handed over Somalia. Let's also acknowledge that six months—and several billion dollars—after Jimmy Carter brokered his deal and Bill Clinton sent in an air-sea armada with more firepower than all the armies of Latin America combined. Port au Prince is probably less dangerous than it was under the rule of Raoul Cedras and his thugs. With the U.S. embargo lifted, some, though by no means all, of Haiti's services and small firms are back in business. Most of those Haitian boat people intercepted by the U.S. Coast Guard as they tried to get to Florida are being repatriated, many forcibly, from the unsanitary camps that shame America in Cuba and Panama.

Last Tuesday's high-noon murder of a prominent Haitian lawyer who had criticized President Aristide is, however, a reminder that Port au Prince still is driven by dangerous elements, but thanks to the U.S. Marines (and a growing Haitian police force), the situation in the capital has improved to a point where it's less frightening to walk in the streets at night than it is in, let's say, Washington, D.C.

Clinton has every reason to praise the U.S. forces. They did what he told them to do. But his claim that his Haiti was a "triumph" is none the less as spurious as it is self-deceiving. This version of events may sit well with those Haitians who've done well from Aristide's return; it may also carry the day with the liberal press and what's left of the Black Caucus in Congress. But history, I predict, will judge Clinton's Haitian adventure less generously. More likely it will be seen as an unnecessary, grotesque mismatch of U.S. power to U.S. interests.

Is that too harsh a verdict? If you think so, just ask three questions:

Did Haiti under Cedras (or any other ruler) pose a threat to U.S. security? It didn't. It couldn't. It doesn't. Haiti has no military airfields, no naval ports, no missiles sites like those in Cuba that enemies of America might use. Militarily, Clinton's invasion was a classic case of using a billion dollar hammer to crack a 20-cent nut.

Was Haiti crucial to the economic interests of the United States? No, it wasn't. It isn't. It couldn't be. Haiti has no oil, no minerals, no products of any kind the United

States needs to earn its living. Trade with Haiti is so insignificant that when the United States imposed a total embargo, few Americans even noticed, outside a few travel agents in Miami.

Were the lives of American citizens at risk in Haiti? No, they weren't. Despite all the efforts of the State Department, not one example was found of Americans suffering oppression or wrongful imprisonment in Haiti. Lacking these or any other reasons of U.S. national interest, President Clinton based his case for invading Haiti on the need to impose—or restore—democracy. But why in Port au Prince, but not—as Ronald Reagan sought to do in the face of Clinton's criticism at the time—in Salvador or Panama or Nicaragua?

Okay, Cedras was a rightwing brute, just as Aristide is a leftwing demagogue. But if Cedras was grinding down the Haitian people to a level that justified U.S. intervention, why didn't Washington first try to overthrow him with the CIA (as it did in Guatemala and Cuba)? And how come, when Jimmy Carter went to Haiti with Colin Powell and Sam Nunn, Carter claimed the U.S. embargo was "shameful" and called Cedras "an honorable man" with whom the United States could do business?

When the full story comes to be told, Haiti, I suspect, will turn out to have been the unnecessary invasion. The United States got sucked into it in large part because candidate Clinton publicly broke with George Bush's policy of sending back the Haitian boat people, with the result that hundreds of thousands set off for Florida, creating a problem that Clinton in office found he couldn't handle. Clinton was then humiliated when he sent in the *USS Harlan County* supply ship with a bunch of officials on board who turned tail at the first whiff of grapeshot from Cedras's goons on the dock. And so it came to pass that stopping the flow of refugees (that Clinton himself had invited), and putting Aristide back in Cedras's place, became the leitmotifs of U.S. foreign policy.

Never mind Cuba, where the dictatorship was harsher and the outflow of migrants larger. Forget Rwanda, where millions died, or Angola and all the rest. Haiti was a case of presidential pique and strategic misjudgment, of liberal idealism, and Florida's Democratic politics getting in the way of any objective long-term assessments of U.S. diplomatic priorities and America's true national interests.

So when the president returns to Washington, let's hope he lays aside his mantle of Liberator—or is it Conqueror?—of Haiti. Time has come to return to the real world of global issues. Clinton's relations with Father Aristide may just be hunky-dory, but with most of the other leaders of Europe and Asia, they are as frosty as at any time I can remember.

Perhaps John Major of Britain, who arrives in Washington this weekend, will point this out.

(Sir Eldon is president of the Orange County World Affairs Council, a former member of the British House of Commons, and director of the Center for International Business at Chapman University.)

INTRODUCTION OF THE CHLORINE ZERO DISCHARGE ACT OF 1995

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. RICHARDSON. Mr. Speaker, I am pleased to rise today to introduce the Chlorine Zero Discharge Act of 1995. This legislation, which has already been cosponsored by nearly 30 Members of the House, is identical to H.R. 2898 which I introduced in August 1993. That legislation, although not enacted by the 103d Congress, garnered nearly 60 bipartisan cosponsors.

The Chlorine Zero Discharge Act will, if enacted, result in the elimination within 5 years of the use of chlorine and chlorinated compounds as bleaching agents in the production of pulp and paper. Specifically, the bill would amend the Clean Water Act to require a reduction to absolute zero of the discharge or release into water of any organochlorine compounds, byproducts, or metabolites formed as a result of the use of chlorine or any other chlorinated oxidizing agents in the pulp and paper manufacturing process.

The use of chlorine and chlorine compounds in the pulp and paper industry is the second largest use of chlorine in the United States and Canada. Chlorine and its compounds are used as bleaching agents to remove residual lignins from wood pulp to make the resulting paper white.

The use of chlorine as a bleaching agent in the production of pulp and paper results in the release of an estimated 1,000 organochlorines in the wastewater of pulp and paper mills. The average pulp mill in America releases 35 tons of toxic organochlorines each day. However, only 3 of the 1,000 organochlorines released are currently regulated by the EPA: dioxin, furan, and chloroform. Only the State of Oregon regulates organochlorines as a class of pollutants.

Although dioxin is produced as a byproduct of pulp and paper bleaching in only very small amounts, scientific studies by the Environmental Protection Agency [EPA] and independent scientists have shown that even in minute amounts, organochlorines such as dioxin are persistent and bioaccumulative. This means that they remain in the environment for years and buildup over time reaching levels that have been linked to cancers and development and behavioral disorders in humans and death in animal and plant life. For example, although DDT was banned in the 1970's, trace amounts now linked to animal deaths still persist in the environment more than 20 years after its last known use in this country.

In its recent reassessment of dioxin—ordered by then-EPA Administrator William Reilly in 1991—the EPA determined that even in the smallest amounts, this most toxic of all chemicals has significant health and environmental effects including severe reproductive, immunological, behavioral, and developmental difficulties in humans and animals which have been exposed to it. In fact, the EPA has identified dioxin as the most potent carcinogen ever evaluated by the Agency.

A 1990 EPA analysis revealed that as many as 1 in 10 subsistence and sports fishing individuals could get cancer by eating fish contaminated by releases from certain pulp and paper mills. Additional studies have found that pulp and paper mill workers tend to have higher rates of particular forms of cancer, such as soft-tissue sarcomas and respiratory cancers, than the population as a whole. A 1988 EPA survey of 104 U.S. pulp and paper mills found bleached pulp from nearly every mill to contain the most dangerous forms of dioxins and furans.

A 1992 report issued by the International Joint Commission on the Great Lakes Basin [IJC] concluded that "the use of chlorine and its compounds should be avoided in the manufacturing process." A 1994 report from the same organization reported that "mounting evidence continues to reinforce concerns about the effect of persistent toxic substances" including reproductive, metabolical, neurological and behavioral abnormalities, suppression of the immune system and increasing levels of breast and other cancers.

Former IJC and Indiana Republican Party Chair Gordon Durnil has been even more forceful, warning "the heart of our message is that the integrity of the human species will be increasingly compromised unless we act decisively to bring the growing problem of persistent toxic substances under control. We are convinced that the dangers posed to humans will increase with each passing generation."

The American Public Health Association [APHA], a nationwide membership association of over 30,000 health professionals, passed a resolution in October 1993 "calling for measurable and progressive reduction toward the elimination of the use of chlorine-based bleaches in the paper and pulp industry and of ozone-depleting chlorinated organic chemicals." In February 1994, APHA endorsed the Chlorine Zero Discharge Act.

Despite repeated claims to the contrary, alternatives to the use of chlorine and chlorinated compounds do exist. Totally chlorine-free [TCF] alternatives such as hydrogen peroxide and ozone are in use today in mills around the world, especially in Europe. Unfortunately, although these alternatives are increasingly relied upon by our competitors in Sweden, France, Portugal, Spain, Denmark, and Germany, American industry has steadfastly refused to adapt to the changing market conditions affecting the worldwide paper market. Only one mill in North America, the Louisiana-Pacific pulp mill in Samoa, CA, has made the switch to TCF production.

Such intransigence in the face of changing world-wide market demands for white paper that does not destroy the environment and threaten human health could spell disaster for the American pulp and paper industry. Failure to begin to make the switch now to TCF production processes could mean that our industry, and the thousands of jobs that go with it, will be unprepared to meet the challenges of the future. The increased production and use of chlorine-free paper by our European competitors—now approaching 20 percent of the market in some European countries—is decreasing the American share of the world paper market and could seriously threaten the American market in the future as American

consumers begin to demand chlorine-free paper.

The links between the use of chlorinated compounds in a wide variety of applications from pesticide use to pulp and paper bleaching and cancers and other health effects have received widespread media coverage since I first introduced this bill in 1993. In the past 18 months, stories have appeared in Time, Newsweek, National Journal, Scientific American, The New York Times, The Washington Post, the Wall Street Journal, USA Today, the Atlanta Constitution, the Portland Press Herald and countless other newspapers from coast to coast. CNN has aired several reports on the use of chlorine in the pulp and paper industry and ABC News' Prime Time Live is currently planning a similar story for airing in the near future. The public is clearly getting the message. Now it is time for American industry to pay attention to the public outcry for paper production processes that do not harm the environment or threaten public health.

By eliminating the use of chlorine and chlorinated compounds in the pulp and paper bleaching process, the Chlorine Zero Discharge Act provides a responsible, effective solution to the environmental and economic degradation of chlorine use in the pulp and paper industry. Federal intervention to ensure that the use of these unnecessary, dangerous chemicals is eliminated is necessary to protect the public from potential life-threatening health and environmental impacts.

I am pleased to introduce this bill today along with the support of my colleagues JERROLD NADLER, NEIL ABERCROMBIE, GARY ACKERMAN, HOWARD BERMAN, DAVID BONIOR, GEORGE BROWN, ANNA ESHOO, LANE EVANS, ENI FALEOMAVAEGA, SAM FARR, BOB FILNER, MAURICE HINCHEY, MATTHEW MARTINEZ, JIM MCDERMOTT, CYNTHIA MCKINNEY, FRANK PALLONE, NANCY PELOSI, CARLOS ROMERO-BARCELO, LUCILLE ROYBAL-ALLARD, MARTIN SABO, PATRICIA SCHROEDER, JOSE SERRANO, ESTEBAN TORRES, NYDIA VELASQUEZ, BRUCE VENTO, HENRY WAXMAN, LYNN WOOLSEY, and SIDNEY YATES.

I urge the my other colleagues to join me in supporting this important health and environmental protection legislation.

The full text of the bill follows:

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 "Chlorine Zero Discharge Act of 1995".

SEC. 2. ZERO DISCHARGE OF TOXIC PERSISTENT AND BIOACCUMULATIVE SUBSTANCES.

(a) FINDINGS.—The Congress finds that—

(1) substances that persist and/or bioaccumulate in the environment, build to higher and higher concentration over time, reaching their greatest levels in the tissues of species high on the food chain, including humans;

(2) toxic substances that persist and/or bioaccumulate in the environment are biologically active in infinitesimal quantities, causing reproductive failure, birth defects, developmental impairment, hormonal disruption, behavioral disorders, immune suppression, and cancer at low doses, and mixtures of these substances may cause these effects at even lower doses;

(3) regulatory approaches that permit even limited production and discharge of toxic substances that persist and/or bioaccumulate result in the accumulation of these substances in the environment and food chain over time and subsequent damage to the health of humans and other species;

(4) the most favored method of preventing the continued contamination of the environment from persistent or bioaccumulative toxic substances is to phaseout their production and/or use over time and replace these substances or the processes that produce them, or both, with safer alternatives;

(5) among the persistent and/or bioaccumulative toxic substances of greatest concern are organochlorines discharged in the production of pulp and paper as a result of the use of chlorine or any other chlorinated oxidizing agents in the pulp and paper manufacturing process;

(6) the Great Lakes Water Quality Agreement between the United States and Canada concludes that "the discharge of toxic substances in toxic amounts be prohibited and the discharge of any or all persistent toxic substances be virtually eliminated"; and

(7) in the Sixth Biennial Report on Great Lakes Water Quality, the International Joint Commission on Great Lakes Water Quality concluded that "the concepts of virtual elimination and zero discharge are consistent and a clear statement or direction to take to achieve the Agreement's purpose. The overall strategy or aim regarding persistent toxic substances is virtual elimination, and the tactic or method to be used to achieve the aim is through zero input or discharge of those substances created as a result of human activity.

(b) ZERO DISCHARGE OF ORGANOCHLORINE COMPOUNDS, BYPRODUCTS, OR METABOLITES.—Title III of the Federal Water Pollution Control Act is amended by redesignating section 519 as section 520 and by inserting the following after section 518:

"SEC. 519. DISCHARGE OF ORGANOCHLORINE COMPOUNDS, BYPRODUCTS, OR METABOLITES.

"(a) ZERO DISCHARGE.—(1) Effective 5 years after the enactment of this section, each pulp and paper manufacturing facility shall achieve zero discharge into water of organochlorine compounds, byproducts, or metabolites formulated as a result of the use of chlorine or any other chlorinated oxidizing agent in the pulp and paper manufacturing process.

"(2) Effective 5 years after enactment of this section, all existing and new permits under this Act for paper and pulp mills which use chlorine or any other chlorinated oxidizing agent shall require compliance with the zero discharge requirement set forth in paragraph (1).

"(b) SAFE ALTERNATIVES ASSISTANCE.—Within one year after the enactment of this section, the Administrator shall evaluate alternatives to the use of organochlorines in the manufacturing of pulp and paper, and shall publish a report on the transfer of technology in the pulp and paper industry from organochlorine to chlorine-free technology as a model for pollution prevention. Within 18 months after the enactment of this section, the Agency shall begin providing technical information and support to assist permit applicants in the use of alternatives to organochlorine compounds in the production of pulp and paper.

"(c) REPORT TO CONGRESS ON ORGANOCHLORINE ZERO DISCHARGE CANDIDATES.—Within 18 months after the enactment of this section, the Administrator shall complete a report to Congress on nonpoint sources and industrial discharges of organochlorine compounds and their byproducts and metabolites into water. The report shall include a listing of all types or categories of nonpoint sources and industrial organochlorine discharges into water and their byproducts and metabolites. The report shall also include a listing of the annual quantities of each organochlorine compound discharged into water nationally and by permitted facility, together with a list of each permitted facility's location and quantities of combined organochlorine compound discharges into water. The report shall contain recommendations for achieving a zero discharge policy for important categories of organochlorine pollution sources. In order to develop such recommendations, the Administrator shall convene an advisory panel. The advisory panel shall conduct public hearings and solicit public and expert comment. The panel shall consist of 15 members, including at least 1 independent expert in each of the fields of public health, occupational health, technology change, toxics use reduction, and ecology, 2 affected citizens, and technical and policy experts from industry, labor, public interest groups, and State environmental agencies.

"(d) DEFINITION.—For the purposes of this section, the term 'zero discharge' means absolutely no output or release, including nonpoint source output or release, into water. The term 'zero discharge' does not mean a less than detectable output or release.".

DON'T SWINDLE THE CHILDREN'S LUNCHES AWAY

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. OWENS. Mr. Speaker, the final word has not yet been said about the Republican swindle of the children who receive free lunches in the schools across our Nation. But the final, most authoritative figures have been established by the Congressional Budget Office. The very conservative but thorough CBO has estimated that the Republicans will capture slightly more than $2 billion from their block-granted School Lunch Program. This will be $2 billion more to go into the tax cut for the rich. This is a scenario filled with horror. It conjures up the image of the poster where Uncle Sam is pointing his finger and saying to potential military recruits: "I need you!" While the Republicans advocate a $50 billion increase in the defense budget and turn their backs on welfare for corporations and rich farmers, they are saying to the children of America: "This nation needs your lunch."

THE NATION NEEDS YOUR LUNCH

Kids of America
There is a fiscal crunch
This great nation
Now needs your lunch

To set
The budget right
Go hungry
For one night

Don't eat
What we could save
Be brave
Patriots stand out

Above the bunch
Proudly surrender lunch
Kids of America
Nutrition's not for you
Sacrifice for the rich few

When tummies hurt
Go to bed
Be a soldier
And play dead

The F22 then
Might rescue you
The Sea Wolf sub
Might bring hot grub

Now hear this
There is a fiscal crunch
This nation needs your lunch
Pledge allegiance to the flag
Mobilize your own brown bag

The enemy deficit
Must be defeated
Nutrition suicide squads
Are desperately needed

Kids of America
There is a fiscal crunch
This great nation
Now needs your lunch.

TESTIMONY OF LIU XINHU

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. WOLF. Mr. Speaker, yesterday, I submitted for the RECORD the testimony of three survivors of the Chinese laogai. The witnesses testified before the International Relations Subcommittee on International Operations and Human Rights on April 3.

The stories are powerful accounts of brave Chinese men and women who have suffered tremendously because of their religion or political views. Today, I am submitting the testimony of two more survivors—Mr. Liu Xinhu, who was imprisoned at the age of 13 because his father was a so-called counter-revoluntionary and Palden Gyatso, a Tibetan monk who spent 33 years in the laogai. I hope my colleagues and the American people will be enlighted and moved by these stories. Many people like Mr. Xinhu and Palden Gyatso are still suffering in China today. We must not forget them.

TESTIMONY OF LIU XINHU, LAOGAI SURVIVOR

My name is Liu Xinhu.

Because my father was an official in the former government, the Communist Party, on the pretext that he would disrupt labor discipline, arrested and sent him to a "reeducation through labor" (laojiao) prison camp in 1958. He was sent to the Baimaoling Farm to serve his sentence. In 1973, having lost all hope and deeply impoverished in the hell of the hard labor farm, he committed suicide.

I was born in 1945. When I was 13 years old in 1958, because I was the eldest son in the family of a counter-revolutionary, the Communist government found an excuse which had absolutely no legal precedent, and sent me to live at the same Laogai prison farm as my father. In 1964, when I had just turned eighteen years old, the Communist government sentenced me to two years reeducation through labor because of what they called "counter-revolutionary activities". After being released from the laojiao sentence at the farm in 1966, I was ordered to continue forced labor at the farm as a "forced-job-placement" (jiuye) worker. I was once again labeled a "counter-revolutionary element" in 1974 because of my "political attitudes", and the controls over me at the Laogai prison farm were further strengthened. I was detained straight through until my release in 1983. During the twenty-five years I spent in the Laogai, I suffered innumerable beatings and torments; I clearly remember one occasion when I was unable to fulfill my production quota because I was very sick, the public security police stripped me of my clothes, tied me to a tree trunk, and allowed the mosquitoes and insects to bite me for more than two hours.

The Baimaoling Farm is internally known as the Shanghai Number Two Laogai General Brigade. It is located in the southeast area of Anhui Province. Its scale is enormous and it holds, on average, 50,000 Laogai prisoners, laojiao prisoners, and jiuye personnel. It produces tea, rice, valves, and toys, as well as other goods. My father and I were detained in different sections of the farm, and we were not permitted to see each other. The public security police only told me in 1973 that he had died, and I had to go and claim the corpse. Once at the crematorium, I saw his old and pale body. I was given those clothes. I cried bitterly. I felt that my father was more brave than I was because he dared to determine his own end to this difficult life and gain his freedom.

I now live in the United States and have a family and children of my own. I deeply hope that my children and all other children, as well as all future generations, do not have ever to suffer through these kinds of tortures and difficulties. Thank you all very much for your concerns about the Chinese citizens who continue to suffer in the Laogai to this very day.

TESTIMONY OF PALDEN GYATSO, LAOGAI SURVIVOR

Thank you, Mr. Chairman.

I have spent 33 years of my 64-year-old life in Chinese prisons and Laogai camps in Tibet. During those years I yearned for a moment such as this one. I express my wholehearted thanks to you, Mr. Chairman, and to all the members of this Committee for giving me this great opportunity to appear before you today. I feel that it is an honor, but also my responsibility, to inform the United States Congress about the mistreatment I and other Tibetans have suffered in the Laogai at the hands of the Chinese government.

My name is Palden Gyatso. I became a monk when I was ten years old. At 28 years of age in 1959, at the climax of the Chinese military invasion of Tibet, I was arrested and accused of being a "reactionary element" and sentenced to a seven-year prison term to be served at the Panam District Prison in southern Tibet. This prison was previously a monestary named Norbu Khyungtse. In the prison, I was made to do hard labor, ordinarily for nine hours a day, and some times even more. We prisoners were yoked to plows like animals to till prison lands. When we got exhausted and became too weak to pull the plow, we were kicked and whipped from behind. Since we were never given enough to eat, we were forced to steal food meant for the pigs in the Chinese pig sties. We were also driven to chewing and eating things like used leather items, bones of different kinds of dead animals, mice, worms, and all kinds of green grasses.

The treatment of political prisoners at the Laogai in Tibet involves different types of cruel acts. In winter, we were suspended in the air and then cold water was thrown on us; during hot summer days, cold water was replaced by building a fire beneath the suspended prisoner. Other forms of ill-treatment in this position included being lashed with a leather belt and being beaten with an electric cattle-prod or an iron bar. Our feet were also fettered with iron manacles while self-tightening handcuffs and thumb-cuffs were used to tie our hands and thumbs. The sharp edges on those handcuffs often resulted in prisoners hands getting cut completely off. I still have many scars on my wrists as a result of these sharp instruments.

In 1962, I managed to escape from Panam District Prison with six other political prisoners. But we got caught just when we reached Tonsher township to worship near the Indo-Tibetan border, and my prison term was increased to 15 years as result. The imposition of the additional eight year prison term was preceded by indiscriminate beatings, then the use of iron shackles on both my hands and feet, night and day for six months. The leg shackles were not removed for more than two years, during which I was taught how to, then forced to, weave carpets.

Mr. Chairman, I completed my Laogai term in 1975 but was not allowed to return home. Rather, I was sent to the Nyethang Laogai camp, located some 15 miles west of Lhasa, the capital of Tibet. Prison life resumed, though with a slightly relaxed atmosphere. In 1979, I took advantage of this to sneak out of the Laogai camp in the middle of the night to go to Lhasa, where I put up a number of posters calling for Tibetan independence. I was finally caught, and on August 26, 1983, I was rearrested and sent to the Old Sangyip Prison in northeastern Lhasa.

In April 1984, I was sentenced to a nine year prison term during a one hour trial where I was denied legal representation or opportunity to defend myself. I was taken to the Outidu Prison Fourth Unit, which is today a part of the Sangyip Prison Administration in the remote northeast valley of Lhasa, in April of 1985. In that Laogai, we had to do all sorts of filthy work, including the handling of human excrement used to grow vegetables. Sometimes we were forced to do the personnel work of the prison guards. But the guards routinely expresses dissatisfaction with our work and often beat us afterwards. We were also often subjected to other abuses by drunken prison guards.

Other forms of ill-treatment at the Laogai were rampant. For example, in November 1987, a prison official poked me with an electric cattle-prod and poured boiling water over me just because he said he did not like my attitude. No medical treatment was given after that.

Throughout my 15 year imprisonment that started in 1959 and the nine year confinement in the Laogai thereafter, I was never allowed any visits or meetings with my relatives and family members.

In November 1987, five prisoners from Guojo District in eastern Tibet, imprisoned at Gutsa Prison in Lhasa, were sentenced and two of them put to death. On the day of the announcement of the sentences, all of the prisoners of Gutsa Prison (near Sangyip) were ordered to attend. The two prisoners who were sentenced to death were told by the Chinese police that since the were to be executed in two days, they should sing loudly and dance in front of the crowd of other prisoners. They were forced to comply with this order with their iron leg and hand shackles on. Many prisoners cried spontaneously and even the Tibetan officials looked

saddened by the spectacle. I was told this story by a number of nuns and others who were in that prison at that time. Such a sorry state of affairs clearly shows that there really are no rights at all for prisoners in Tibet.

In another incident around that time, police guards at Gutsa Prison repeatedly raped nun political prisoners then sexually violated them with electric cattle-prods. Before thrusting the cattle-prod into the sexual organ of one, the assailant said, "You have not yet experienced this." The name of this prison guard is Sonam Tsering; he was still on duty when I escaped from Tibet. Such is the conduct of the police, who we are also told are humanitarians.

Mr. Chairman, I was transferred from Outidu Prison to the nearby Drapchi Prison, known as the "Tibet Autuonmous Region" Number One Prison on October 13, 1990. Immediately upon my arrival, the chief administrator of the prison's Fifth Unit, a man named Paljor, asked me, "I see you have been imprisoned three times. What brought you here this time?" I replied, "I was arrested because I had put up posters saying Tibet is an independent country, separated from China." He replied, "I will give you Tibetan independence." He then proceeded to give me a number of vicious kicks and intermittently jabbed the electric cattle-prod on various parts of my body. Finally, after about half an hour, he rammed the cattle-prod into my mouth and pushed it in with great force. I passed out. When I regained consciousness, I found myself in a pool of blood and excrement and in extreme pain. No medical treatment was given. I lost most of my teeth.

In April 1991, Ambassador James Lilley, then Ambassador to China, came to visit the Drapchi Prison. I, along with some of my fellow prisoners, presented him with a petition detailing the torture and suffering at the prison. But it was snatched away from his hand and given over to the head of prison administration. After the ambassador left, two political prisoners, Lobsang Tenzin and Tenpa Wangdak, were detained in solitary confinement while being interrogated. Together with three other prisoners, they were later transferred to the Powo Tramo Laogai Camp in southeastern Tibet. That day, the Army was called in and all of us political prisoners were beaten with rifle butts or stabbed with bayonets. The sticks and electric prods used to beat us were almost all broken from the verocity of the beatings. Ngawang Kunga, a political prisoner, was beaten until he lost consciousness with an iron chain used to tie a prisoner's legs. Ngawang Phuljung lost consciousness after he was beaten with a rifle butt to his temple. Phurbu Tsering was stabbed with a bayonet, causing a deep vertical cut in the back of his head which bled tremendously. The list of those beaten is too long to enumerate. The latter two are still in the same prison today.

I would humbly request, Mr. Chairman, that in the future visits to the prisons by US officials, that there be substantial follow-up to ensure that these sorts of atrocities are not committed against political prisoners who are simply trying to provide information about the true situation and conditions of prisons in Tibet.

I have recounted only a few instances of the inhumane atrocities committed against Tibetan prisoners in the Laogai. Tibetans still continue to be subjected to untold terrors day and night, and I appeal to your conscience to seek their freedom. Many instances of brutal ill-treatment of prisoners in Drapchi Prison in Tibet have come to light recently. In June 1993, for example, fourteen nuns were found to have clandestinely composed and recorded a freedom song, resulting in a brutal beating. A 20-year-old nun named Phuntsok Yangkyi died. The other thirteen suffered varying degrees of permanent physical impairments, with one 18-year-old nun named Ngawang Sangdol having both hands deformed.

Despite the sweltering heat and the fetid atmosphere, prisoners are required to remain in the greenhouses all day, year round, to grow vegetables and sell them in the market in Lhasa. While not being paid for their work, the prisoners who fail to fulfill their quotas are punished and liable to have their prison terms extended. The health of many prisoners has been effected by continual exposure to the greenhouse atmosphere, rendering them barely conscious of the surroundings.

On August 25, 1992, I finished my prison term and was finally released from prison. Thirteen days later I escaped from Tibet. Before escaping, I made arrangements to acquire some of the instruments of torture in order to show them to the outside world. I have brought a few of them here to show to you. One is the type of electric cattle-prod that was rammed into my mouth and also the sexual organs of nun political prisoners. This is the type of thumb-cuff that is used to tie the detaineees diagonally across their backs by the thumbs. This is one of the special type of knives used by the Chinese police to stab prisoners. These are just some of the torture instruments used in the Laogai of Tibet.

Mr. Chairman, the Tibetan people have been suffering under the repressive Chinese rule since 1949. Thousands and thousands of innocent Tibetans have lost their lives and the six million that remain are struggling to keep the Tibetan culture alive under very difficult conditions.

As the power dynamics in Beijing shift over the next several months, there will be a tremendous opportunity for the international community to foster a more democratic society in China. I appeal to you and to the United States government to remain vigilant in your effort to hold China accountable for its actions against the Tibetan people.

Just a few weeks ago, I testified before the United Nations High Commission on Human Rights, where a resolution condemning China's human rights violations against both Tibetan and Chinese people was narrowly defeated. This was a very important effort, and I humbly urge your government to return to Geneva next year with a renewed effort concerning human rights in Tibet and China. I sincerely believe that unless there is strong international condemnation of the Chinese government's treatment of the Tibetan people, they will continue to commit such horrors as described earlier against innocent political prisoners who insist on the fundamental rights of freedom of speech, association, and religion, as well as the recognized right of self-determination.

I am exceedingly grateful to you Mr. Chairman, and to all members of this Committee, as well as all others for listening to this short description of my life in the Laogai in Tibet. I am only one of the few lucky ones who survived and managed to escape to the outside world. Many of my friends and other political prisoners died in the prisons and Laogai in Tibet. With them also went the story of their untold sufferings.

I thank you Mr. Chairman. *Tashi deleg*!

TRIBUTE TO KAMI GRUDZIEN AND KRISTINA CANNON

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. REED. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to two young women who are extraordinarily ambitious and creative. Kami Grudzien and Kristina Cannon, of Coventry, RI, are two of the seven winners in the National Teen Business Plan Competition.

This competition, sponsored by the Income of Her Own organization, encourages teenagers to create their own businesses and develop their economic skills. Kami and Kristina produced an extremely ingenious idea which incorporated their vision, creativity, and compassion. Their plan is to start a company called World Cheerleading Dancers. This business will stage two competitions each year for young girls who want to develop dance and cheerleading moves into a choreographic routine. This competition will provide young women with the opportunity to simultaneously develop self-confidence and performance skills.

In addition to becoming entrepreneurs, Kami and Kristina also plan to make a positive contribution to the community with their enterprise. Five percent of the profits made by this venture will be donated to the Impossible Dream Foundation, which makes dreams come true for ailing and handicapped children.

Besides being seasoned performers and budding entrepreneurs, Kami and Kristina are also successful students at Coventry Middle School. Kristina is an accomplished student athlete in softball and volleyball, and Kami has received national recognition for an outstanding 500-word poem on the Holocaust.

These two young women are among our Nation's most promising leaders. Their example is a source of pride for all Rhode Islanders. I am truly inspired by individuals like Kami and Kristina, who pursue the American tradition of creativeness and ingenuity in business while having a positive impact on the community.

Mr. Speaker, I ask my colleagues to join me in saluting these two outstanding young women as they begin to plan to hold their first competition later this summer, and wish them continued success.

TAX RELIEF FOR THE AMERICAN FAMILY

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. PACKARD. Mr. Speaker, as we consider tax cuts this week the difference between the Democrat and Republican philosophies underlying becomes crystal clear. Democrats believe that taxpayers exist to

serve Government. They really think that Government confers upon its citizens the privilege of earning and keeping money. Republicans work under a completely different mindset. Taxpayers—also known as citizens—come first, not the Government. Republicans believe that individuals know best how to spend the money they earn—at least better than some bureaucrat sitting in a Washington office.

That is why we are proposing to let American families keep more of the money they earn. The American family represents the backbone of our society. Our current tax system penalizes families with children. It does not properly reflect the cost of rearing a child today. The average family spends more on taxes than it spends on food, clothing, and shelter combined. Many families now need a second earner not to support the household, but to support the Government. Republicans know this and are working to relieve American families of this tax burden.

It cost middle-income families more than $5,000 per year to rear a child. The American family deserves a $500-per child tax credit. Our bill allows families with annual incomes of up to $200,000 to receive a full tax credit of $500 per child. For incomes exceeding $200,000, the tax credit is proportionally reduced to zero so that families making $250,000 or more receive no credit. As a result, over 29 million families and 51 million children will benefit. Nearly 70 percent of those families benefiting have incomes of less than $75,000.

Mr. Speaker, the most important thing we can do for the American family is to get Government off of their back. The Republican child tax credit provision gives American families more of what they earn. Our bill increases the resources available for parent to meet their child-rearing cost, not Government costs.

INTRODUCTION OF THE AMERICAN HOMEMAKERS/CAREGIVERS AND MIDDLE-CLASS FLEXIBLE SAVINGS ACT OF 1995

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. SANDERS. Mr. Speaker, I am pleased to be an original cosponsor of the American Homemakers/Caregivers and Middle-Class Flexible Savings Act of 1995. This bill is being introduced by my colleague, MAURICE HINCHEY, on behalf of the Progressive Caucus as part of our 11-point alternative to the Republican Contract With America.

My constituents have impressed upon me the growing financial plight of many middle- and low-income working Americans. They are working harder and longer and finding it more difficult all of the time to make financial ends meet, let alone put any money into savings. This legislation will make it easier for middle- and low-income Americans who earn up to $75,000 to save more, while giving those Americans who are in an unforeseen financial pinch greater penalty-free access to their Individual Retirement Account [IRA] funds.

This Progressive Caucus bill will help middle- and low-income taxpayers in four fundamental ways.

First, it will substantially increase the level of contributions that they can deposit in an IRA. Since IRA's were first made possible in 1981, the contribution levels governing how much can be contributed annually and who can deduct their contributions, in sum or in part, have eroded due to inflation.

Our bill increases contribution levels to make up for inflation since 1981. It also indexes contribution levels yearly to keep pace with inflation.

Second, our bill authorizes higher IRA contribution levels for nonworking spouses in households with one or more children under the age of 6. That contribution level will also be indexed to keep pace with inflation.

This provision could be called the IRA homemaker provision. Arguably, those Americans who most need to save for retirement are those who stay at home—women primarily—to nurture their children in their most important formative years. That financial sacrifice should be recognized and redressed by allowing nonworking spouses with young children to better save for later years.

Third, our bill will also allow middle-class taxpayers greater flexibility to withdraw their IRA funds without being subject to the 10 percent penalty in order to pay for expenses for higher or vocational education, to pay catastrophic medical expenses, to start a small business, to buy a first home, or to meet unemployment emergencies. Arguably, wealthier taxpayers don't have commensurate cashflow problems vis a vis their IRA's and should still be encouraged to keep their money in savings.

There is no question that more Americans are confronting daunting educational expenses. At the rate tuition costs continue to rise—at least twice the rate of inflation—4 years at a State university by the year 2000 may cost over $50,000. Also growing numbers of American workers are returning to classrooms to prepare for midcareer changes or to upgrade existing job skills. This legislation will permit withdrawals for higher education and/or vocational education for many of these Americans who are struggling to put themselves or their children through college.

With health care costs skyrocketing, we simply must find ways to help ease the burden of sudden medical expenses for American working families. A serious illness can be financially devastating to all but the very wealthy. Our bill will allow individuals and families to withdraw IRA funds penalty-free for catastrophic medical expenses during the taxable year to the degree that the amount of such expenses does not exceed 7½ percent of adjusted gross income—that is, the existing threshold for deductibility of medical expenses for itemizers. Individuals could draw upon their IRA's for themselves, spouses, children, and/or parents.

It is also true that most of the new jobs being created are to be found in America's small businesses. Therefore, it should be made easier for entrepreneurial Americans to amass startup capital when they decide to start a new business in midcareer or otherwise.

Finally, our bill also extends a helping hand to unemployed Americans as well as first-time homebuyers.

Let me conclude by underscoring that Progressive Caucus members believe if there is to be tax cut legislation enacted this year that tax relief should be focused upon middle- and low-income taxpayers. Well-to-do individuals and corporations already received disproportionate tax cuts throughout the 1980's.

It is fitting and proper that the tax relief to be provided under our bill is to be financed, at least in part, by taking a first step to cut tens of billions in corporate welfare in the Federal budget—the establishment of a minimum tax on the income of foreign-owned companies earned from business activities in the United States.

MAKING GOVERNMENT WORK IN FALL RIVER

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, many more people talk about making Government more efficient than actually doing anything about it. One organization that has done something about it is the housing authority in the city of Fall River, MA. Recently I was privileged to attend a ceremony in which the Fall River Housing Authority announced an agreement among itself, the Citizens Conservation Corporation, the Eastern Utilities Corporation, and HUD which will promote energy conservation, and provide additional funds for the improvement of public housing at no cost to the taxpayers.

The major recipient of these funds will be Cardinal Medeiros Towers, a high-rise development for people with handicaps which was built 24 years ago, and is in need of improvements. This program is an excellent example of how public officials, citizen groups, and private corporate entities can work together for our mutual benefit. Because I was so impressed with this, I asked Richard Viveiros, executive director of the housing authority, to prepare for me a summary of this effort, which I wish to insert at this point in the RECORD. I do so because I hope this will encourage others to emulate the excellent work of Mr. Viveiros and his colleagues. And I want to offer my congratulations to all of those involved.

SUMMARY

On March 20, 1995, the Fall River Massachusetts Housing Authority signed a contract with Eastern Utilities Corporation/Citizens Conservation Corporation [EUA/CCC] enabling both parties to enjoy the benefits of private investment in a public housing authority.

CCC will invest $2.1 million to implement a host of energy efficiency improvements that will save the authority at least $7.5 million over the next 15 years. The authority will pay CCC for the cost of design, construction, and legal fees associated with this project out of energy savings projected as $500,000 per year as a result of improvements to 7 federally aided developments for elderly/disabled.

Cardinal Medeiros Towers, a 208-unit high-rise development for the physically impaired and constructed in 1970, will be the major recipient of the CCC investment. Approximately $600,000 of CCC moneys is slated for

the replacement of an antiquated and inefficient steam heating system with new high-efficiency boilers, which will dramatically improve the comfort level of the building and dramatically reduce energy costs. Other improvements for this facility include new thermostats, new windows, and upgraded exterior lighting.

The 6 other federally aided developments for elderly/disabled will enjoy similar physical improvements and energy savings.

The Fall River Housing Authority experience marks the first time that private money's have been leveraged for public housing energy conservation and physical improvement tasks and was hailed as an avenue for other public housing authorities to consider, in light of dwindling HUD resources.

Both the authority's director, Richard J. Viveiros, and congressman BARNEY FRANK, advocated increasing private/public ventures as funding alternatives. Viveiros, at a formal, public contract signing ceremony, termed the partnership as a win-win situation for all involved. "There are no losers here," stated viveiros, "CCC gets a reasonable return on its investment, our housing stock is substantially upgraded, and residents enjoy a safer and more comfortable housing environment—all without any governmental funding."

REINTRODUCTION OF THE RECYCLING INCENTIVES ACTS

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. TORRES. Mr. Speaker, 6 years ago, along with the late Senator John Heinz and former Senator Tim Wirth, I introduced a new concept in environmental protection. The idea was simple—use market forces to achieve environmental protection.

My ideas for tire recycling, newspaper recycling, oil recycling and lead acid battery recycling were well received. The bills attracted hundreds of cosponsors. But, unfortunately, no action has been taken on any recycling issues during the past three Congresses.

Today, I am reintroducing each of these four bills with an impressive group of colleagues. Now is the time for Congress to get serious about addressing the country's solid waste problems. Now is the time to begin putting creative solutions to work.

The common approach of these bills represents a radical departure from the traditional approach to environmental policy—that of "command and control." We can no longer afford to commit scarce dollars to environmental programs that either do not work or work only at enormous cost to all of society. The concept of using market forces to achieve environmental goals is gaining influence all over the world. The era of using proactive strategies to develop markets for recycled products has arrived. And the United States needs to get with the program.

Mr. Speaker, our constituents are demanding that we produce results. Join me in demonstrating that those of us committed to sound environmental protection at the least cost to society have produced legislation of which we can be proud.

I invite my colleagues on both sides of the aisle to cosponsor the Tire Recycling Incentives Act, the Newsprint Recycling Incentives Act, the Lead Battery Recycling Incentives Act, and the Used Oil Recycling Incentives Act. Let's do something together that is both economically and environmentally responsible.

VIOLENCE IN KARACHI

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. ACKERMAN. Mr. Speaker, I rise today to speak to my colleagues about a great tragedy that is now occurring in Karachi, Pakistan.

Karachi is by far Pakistan's most important city, as well as its largest and wealthiest. It is the country's only port and therefore accounts for almost two-thirds of its trade and industry. The population of 10 million is a varied one that includes trades of the Karachi Stock Exchange, businessmen affiliated with international firms and over 3,000 United States citizens. Karachi's potential for growth on the international business scene is immense, yet this promise is also tempered by the underlying currents of a troubled society.

Long before two Americans in the U.S. consulate were brutally slain on March 8, violence and terror had gripped this city with a firm chokehold. Since the beginning of 1994, 1,260 people have been murdered, 340 since the start of this year and 100 in the month of March alone. Kidnapings, ambushes, and bank robberies have become a daily occurrence. Worst of all, the city's inhabitants have lost all faith in its frightened police force and corrupt judicial system.

Prime Minister Benazir Bhutto remains confident that the city can and will right itself before it is too late. Unfortunately, she is very much alone, among her countrymen, in thinking that. The Prime Minister is scheduled to visit the United States shortly, where she will undoubtedly plead her case. Karachi, as with all of Pakistan, is in desperate need of foreign investment, and because of the city's present situation, it is losing it far faster than receiving it.

Pakistan is a country with which the United States has had a long history of trade. Their potential for increased economic growth exists, but they will need help in combatting the ugliness that now pervades their coastal city. To achieve this end the Pakistani Government must take firm steps to vanquish the terrorist presence that has now found comfort in this country.

This fact was only illuminated more clearly when Ramzi Ahmed Yousef, the alleged mastermind behind the World Trade Center bombing in 1993, was captured and extradited from Pakistan on February 7. The Government has already begun the cleansing process by targeting Peshawar, in the northwest frontier province, as the home base for most of these terrorist organizations.

When pressure is finally brought to bear upon these elements, Pakistan will be on the road to recovery. It is in the interests of Pakistan and the United States to promote stability and to stamp out terrorism wherever it may take root.

REGARDING UNFAIRNESS OF THE SOCIAL SECURITY EARNINGS TEST

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. SMITH of New Jersey. Mr. Speaker, this week we will have the opportunity to reduce the Social Security earnings test and bring parity to America's work force.

This obsolete tax punishes senior citizens simply because they take the initiative to work in their retirement years to supplement their Social Security income. Furthermore, the earnings test is detrimental to America's workplace. It deprives the work force of the talents of our most experienced laborers.

The earnings test stands as a monument to the decline of the work ethic upon which this Nation was founded. At a time when we are asking Americans to take more responsibility for their personal welfare, we cannot allow this Depression-era tax to continue to exist.

The mechanics of the earnings test are simple, but it is founded upon no sound principle. The Federal Government instructs men and women between 65 and 69 years of age that if they earn more than $11,280 in a year, they will face an additional 33-percent tax. When combined with the 7.65-percent FICA withholding tax and a 15-percent Federal income tax, hard-working, low-income seniors are burdened with an effective marginal tax rate of 55.65 percent. The earnings test is wrong, counterproductive, and should be abolished.

A key element to H.R. 1215 is the incremental increase of the earnings test threshold to $30,000 per year over a 5-year period. While it does not eliminate the earnings test, H.R. 1215 is a positive step toward ending this substantiated bias against working seniors and I encourage my colleagues to support it.

I would also encourage my colleagues to work toward a full repeal of the earnings test, such as that introduced by Representative HOWARD COBLE in H.R. 201. Both the reduction of the earnings test and its full repeal are important elements in our covenant with America's seniors.

THE 90TH ANNIVERSARY OF BRITH SHOLOM

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. BORSKI. Mr. Speaker, I rise today to pay tribute to Brith Sholom, on the occasion of its 90th anniversary.

As a representative of Philadelphia, the cradle of American liberty, I am proud to call the attention of the House of Brith Sholom, the only national membership organization in the Jewish community. Brith Sholom was founded in the very shadow of Independence Hall in 1905 and still maintains a vigorous program dedicated to humanitarian service and the strengthening of our democratic institutions.

Established in response to the immigration of large numbers of individuals fleeing persecution and oppression and drawn by the freedom and opportunities of America, Brith Sholom played a major role in helping to transform a predominately immigrant community into a fully integrated mainstream American community. Since that time, Brith Sholom has made significant contributions to the welfare of all citizens, regardless of race or religion.

Brith Sholom has given generously to its country and community, including a 65-acre tract of land for the establishment of Eagleville Sanitorium, a cardiovascular and pulmonary research laboratory at Hahnemann Hospital by Brith Sholom women, and the Brith Sholom Cancer Research Laboratory at the Albert Einstein Medical School of Yeshiva University. The organization has also founded and maintained the Brith Sholom House, an apartment complex for senior citizens in Philadelphia.

The generosity and commitment of Brith Sholom also extend beyond the borders of our Nation. The organization founded the Brith Sholom Beit Halochem in Haifa, Israel, a rehabilitation, social, and recreational center for Israel's permanently disabled war veterans. Prior to World War II, a successful Brith Sholom mission rescued 50 Viennese Jewish children, ages 5 to 14, from certain death, bringing them to Camp Sholom near Collegeville, PA, where they were housed, clothed, fed, and educated.

Faithful to the traditions of our national American heritage and Hebraic values of social justice and responsibility to our society, Brith Sholom looks forward to the next 90 years of service. Mr. Speaker, I ask that Members of the House join me in saluting Brith Sholom's officers and members and wishing them success in their future endeavors.

TRIBUTE TO MAJ. GEN. GARRY A. SCHNELZER, USAF

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. WELDON of Florida. Mr. Speaker, a friend of the Congress and a long time leader in this nation's space and ballistic missile defense programs is retiring from the U.S. Air Force on March 31 of this year, Maj. Gen. Garry Schnelzer. His most recent position has been as the Air Force program executive officer for space, Office of the Assistant Secretary of the Air Force for Acquisition, Washington, DC. In this position, he has provided program management for the development and procurement of the major Air Force space and launch systems and Air Force ballistic missile defense programs.

General Schnelzer has had a long and distinguished career of over 30 years of military service. After being commissioned through the Bowling Green State University Reserve Officer Training Corps as a distinguished graduate in July 1964, he started his military career by successfully completing pilot training at Laughlin Air Force Base, TX. He served in a variety of flying duties cumulating over 3,300 flying hours and completing over 300 combat missions in Vietnam. For his valor, courage and heroism, he received a Distinguished Flying Cross with oak leaf cluster, Air Medal with 17 oak leaf clusters and the Vietnam Service Medal with two service stars. Following his tour in Vietnam, General Schnelzer embarked on a mixture of flying and development and acquisition tours, which included assignments to the Cambridge Research Laboratories, as a C–130 pilot at Dyess Air Force Base, and as a program manager for the successfully demonstrated antisatellite weapon system. He then held a string of jobs of increasing responsibility with the Strategic Defense Initiative Organization ending as deputy director [acting]. Following a short assignment at Los Angeles Air Force Base as special assistant launch matters, he assumed his current position in February 1990.

Due directly to his efforts, the nation has seen its space heavy launch capability restored, the deployment of the Global Positioning System, the launch of the first Milstar satellite and the initiation of an advanced space based missile detection and warning system. These systems are the force multipliers which ensured our dominance in Desert Storm and will ensure our continued superiority in the 21st century.

In addition to the combat awards I mentioned earlier, General Schnelzer has received other numerous awards and decorations, including the Defense Distinguished Service Medal, the Distinguished Service Medal, the Defense Superior Service Medal, the Meritorious Service Medal with two oak leaf clusters, the Republic of Vietnam Gallantry Cross with Palm, and the Republic of Vietnam Campaign Medal.

General Schnelzer plans to answer a higher calling and will be working for the Episcopalian Bishop in San Antonio. There, he will be coordinating the activities of all the Episcopalian churches in south Texas. On behalf of my colleagues and the congressional staff who have known and worked with General Schnelzer we wish him and his wife Helen the very best in their future endeavors.

AMERICA'S ROLE IN THE WORLD

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. HAMILTON. Mr. Speaker, many Americans remember Bruce Laingen as the able diplomat who acted with superb professionalism while being held hostage in Iran more than 15 years ago. Now Ambassador Laingen continues to serve American interests as president of the American Academy of Diplomacy. In response to the foreign policy debate now underway, the academy has adopted a very brief but important statement on America's role in the world, and I commend it to my colleagues. Much has been written and said recently about what I consider a false debate: Whether we should pursue our foreign policy unilaterally, or through multilateral institutions. Obviously, we will want to do both, depending on the circumstances. I ask that the academy's statement be printed in the RECORD.

AMERICA'S ROLE ABROAD

Most Americans accept the need for the United States to remain engaged in the world. And most will agree that clearly defined national interest should guide that engagement. But many are finding it difficult in this complex post-cold war world to reach consensus on what engagement means and where the national interest lies.

In the current debate over these issues we sense a tendency among some to equate a pragmatic pursuit of vital interests with unilateralism—arguing that international engagement must be a one-way street and that our interests are best served when the US dictates the terms or acts alone whenever it chooses. This appeal of unilateralism doubtless arises from varied impulses, one of which could be the disappointments we have encountered from the shortcomings of the United Nations.

But in a world of instant communications, globally linked financial markets, easy migration of devastating diseases and impoverished peoples, threats to the earth's oceans and atmosphere, terrorist networks operating without heed to frontiers, it is inconceivable that the United States could go it alone successfully. When nuclear weapons can be delivered by missile, ship, or in the baggage of a terrorist the necessity for active international collaboration is self-evident.

The United States can and will do some things alone. Recent negotiations with China over protection of cultural and artistic properties and their direct relevance for jobs at home serve the point. But similar success with more intricate and strategic issues—extending the Non-Proliferation Treaty against nuclear and other weapons of mass destruction—plainly demands engagement with others. It is illusory to think that the nation's needs are so limited that they can be served without a high degree of planning and effort with other nations, including at the UN—the example of the Gulf War surely not forgotten.

No country has so large a stake in the effective functioning of such institutions as the IMF and World Bank and in the evolution of the new World Trade Organization. Development of export markets and investment opportunities is vital to our general prosperity. But these require a framework of international rules and cooperative action—as for that matter does coping with volatility in international currencies and any threat to the stability of our financial system. In today's world we have no monopoly on new technologies, nor on competition in the burgeoning global marketplace. The fact is that to a greater degree than ever before the economic well-being of virtually every American is affected by what happens outside our borders.

Finally, it should be clear that unilateralism today, like isolationism in the past, would risk nullifying American leadership in the world. With the cold war at an end, our allies and friends are no longer automatically responsive to our judgments on security concerns. Nor are we able or ready unilaterally to devote massive financial resources to the solution of international economic issues. Effective leadership, therefore, cannot be dictated by the United States; it depends on recognition by others that we share security and economic interests in common.

To protect and advance our own national interests as we go forward will require careful articulation of those interests, their alignment where possible with those of others, and a commitment to lead cooperative

efforts. To do otherwise would invite forms of international anarchy both dangerous and costly to our own national interests.

TRIBUTE TO SAN ANTONIO'S EAST CENTRAL HIGH SCHOOL

HON. FRANK TEJEDA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. TEJEDA. Mr. Speaker, I rise today to recognize the outstanding achievement of the boy's basketball team of East Central High School in San Antonio, TX. This remarkable team capped a 35-win, undefeated season by winning the university interscholastic league's 5A State basketball championship on March 11, 1995. The East Central Hornets were the only undefeated team in the league this year, and the first undefeated 5a champion since 1987. As a testament to its basketball prowess, East Central was ranked as the No. 1 boy's basketball team in Texas for the entire season.

The Team included Stanley Bonewitz, Donte Mathis, Charles Jackson,, Chip Moxley, David White, Keith Rice, Oliver House, Josh Barnes, Blake Sims, Eric Luke, Stacey Dubley, Ben Lakey, Jeremy Lear, Steve Shrum, Curtis Lundy, Marquieth Braziel, Jason Minica, and Matt Divin. Three Players averaged over 20 points per game for the season, and all 3 have scored over 1,000 career points. Stanley Bonewitz averaged 31.1 ppg, Donte Mathis averaged 21.3 ppg, and Charles Jackson averaged 21.1 ppg.

The Hornets averaged over 109 points per game during the regular season, and set a State tournament record for a 2-game series with 215 points. the 108 to 86 victory in the final tied the State record for most points in a championship game. Most valuable player honors for the 5A state tournament went to east Central's Stanley Bonewitz, who scored 42 points in a 107–94 semifinal win and 36 points in the final game. His 78 total points set a 5A record.

Under the direction of coach Stan Bonewitz for the past 14 years, East Central has gone 343–120 and captured 10 district championships, 7 area championships, 3 regional championships, and 1 state championship. Assistant coaches Jay Mead, Matt Oden, Steve Ochoa, and head trainer Charlie Trevino also played a key role in the team's success. Here is an example of teamwork at its best, with our young people coming together to play hard and strive for success. This year, for the Hornets, that effort garnered the state trophy. I have no doubt that the positive experiences from this past season will yield continued success both on and off the court to the East Central players and coaches.

ARROGANCE OF POWER

HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. LIVINGSTON. Mr. Speaker, attached are copies of correspondence received by me from the Honorable Fred J. Cassibry, U.S. district judge, retired, and now a member of the Louisiana Economic Development and Gaming Corp. Judge Cassibry, a Democrat appointee to the bench, was an outstanding jurist throughout his 20 years on the bench. He is a superlative human being, and he has documented some truly outrageous conduct by representatives of the U.S. Justice Department. His concerns should be immediately addressed by the Judiciary Committee.

LOUISIANA ECONOMIC DEVELOPMENT
AND GAMING CORPORATION,
New Orleans, LA, March 31, 1995.

Hon. BOB LIVINGSTON,
House of Representatives,
Rayburn Building, Washington, DC.

DEAR CONGRESSMAN LIVINGSTON: I serve as a member of the Louisiana Economic Development & Gaming Corporation [LEDGC] and I previously served as a United States District Judge in the Eastern District of Louisiana for twenty years. I write to you regarding arrogance of power. In a flagrant and shameless abuse of the authority entrusted to it by the American people the United States Attorney's Office in New Orleans has sought to interject itself into the functions of LEDGC. The conduct was so egregious and obvious that two of Louisiana's largest newspapers editorialized against what was taking place.

By way of explanation I enclose copies of those editorials together with a copy of my letter to Attorney General Janet Reno. When she did not see fit to intervene as requested I then wrote a letter of complaint to the Office of Professional Responsibility for the United States Department of Justice which is charged with investigating such matters. I enclose copies of those letters. It has now been five weeks since my original request for investigation and three weeks since my follow-up letter. I have received absolutely no reply or response on any kind.

Thousands of years ago the philosopher Plato in commenting on the nature of government asked the question, "Who guards the guardians?" That question is as pertinent today as ever. Society gives tremendous power to the United States Department of Justice, a power which has great potential for abuse. The only recourse given to citizens to check that abuse is that the Department supposedly has an Office of Professional Responsibility to investigate complaints. I find it astounding that when I, as a member of a state board, supported by editorials in two highly respected newspapers, make a formal complaint about Justice Department misconduct to the very office that is charged with investigating such complaints I cannot even get the courtesy of a response.

Hence, I call upon you as an elected representative of the people of Louisiana for assistance. The facts of the case clearly support the allegations of abuse of power which I have made and I would hope that the Congress would see fit to conduct its own investigation into the tactics of the Justice Department. At very least I request you help in requiring the Justice Department to investigate itself.

Awaiting your reply, I remain,
Very truly yours,
FRED J. CASSIBRY,
United States District Judge, (Ret.)
Board Member, LEDGC.

LOUISIANA ECONOMIC DEVELOPMENT
AND GAMING CORPORATION,
New Orleans, LA, March 9, 1995.

Mr. MICHAEL SHAHEEN,
Department of Justice, Office of Professional Responsibility, Washington, DC.

DEAR MR. SHAHEEN: Your attention is called to my previous letter of February 8, 1995, in which I requested an investigation regarding the actions of certain members of the United States Attorney's Office in the Eastern District of Louisiana. To date I have received no response. However, I did receive correspondence from the Deputy Assistant Attorney General in the Criminal Division, a copy of which is enclosed.

As you can see from the copies of correspondence I previously sent to you, specifically my letter of January 30, 1995 to Attorney General Reno and Assistant Attorney General Harris, I had requested their intervention to secure a postponement of the scheduled grand jury appearances for myself and other members of the Louisiana Economic Development and Gaming Corporation (LEDGC). They did not fit to grant that request. I therefore wrote to you requesting an investigation as to what had transpired.

It is my understanding that you are charged with the responsibility of investigating allegations of impropriety by members of the United States Department of Justice. I renew my request that you do so. While Mr. Keenan offers his unsolicited opinion that the Assistant United States Attorneys in question acted professionally, it is my understanding that it is your function, not his, to make such determinations.

I respectfully suggest to you that it simply does not suffice to respond to citizens' complaints, as did Mr. Keenan, by stating that criminal investigations are secret and therefore the actions of the investigators cannot discussed. I assume that all criminal investigations by the Department of Justice are confidential. If that were reason enough to foreclose citizen inquiries and complaints there would be no need for your office to exist. The proceedings in question are not confidential as to you and members of your staff. I do not question the underlying right of the United States Attorney's Office to conduct any investigation it deems appropriate. However, you well recognize that it is possible to conduct legitimate investigations employing improper methods for ulterior motives. The letter sent by the United States Attorney's Office—signed by three assistant United States attorneys—to Bally's attorney and the timing of the subpoenas to the members of the Casino Board, constituted flagrant abuses of prosecutorial power.

I would appreciate receiving a response from you. If your office is going to investigate my complaints I would like confirmation of that. If you are declining to do so I would at least like a definitive statement from you to that effect so that I can determine what further action I should take.

Awaiting your reply, I remain,
Very truly yours,
FRED J. CASSIBRY,
United States District Judge, (Ret.)
Board Member, LEDGC.

LOUISIANA ECONOMIC DEVELOPMENT
AND GAMING CORPORATION,
New Orleans, LA, January 31, 1995.

Hon. JANET RENO,
Department of Justice, Washington, DC.

DEAR GENERAL RENO: Following up my correspondence to you of January 30, 1995, enclosed you will find an editorial that appeared in the Baton Rouge Morning Avocate,

one of the leading newspapers in our state. I again request your prompt response to my request. Since I will be at the federal grand jury you can get a message to me by calling the Attorney Conference Center at the federal court at (504) 589-6111.

Thanking you for your prompt attention to this matter and awaiting your reply, I remain.

Very truly yours,

FRED J. CASSIBRY,
United States District Judge, (Ret.)
Board Members, LEDGC.

LOUISIANA ECONOMIC DEVELOPMENT AND GAMING CORPORATION,
New Orleans, LA, January 30, 1995.

Hon. JANET RENO,
Department of Justice, Washington, DC.

DEAR GENERAL RENO: I address this letter to you because I have been advised that the United States Attorney for the Eastern District of Louisiana, Mr. Eddie Jordan, has recused himself in the matter about which I am requesting assistance. I have been further informed that in light of Mr. Jordan's recusal all decisions in the matter have been referred to First Assistant United States Attorney Jim Letten. Since it is the conduct of Mr. Letten, in part, about which I complain I am required to write to you directly. Because this matter relates to a criminal investigation being conducted by the United States Attorney's office I am also sending a copy of this letter to the Assistant Attorney General in charge of the Criminal Division, Ms. Joann Harris.

By way of background, I am a retired United States District Judge having served over twenty years in the Eastern District of Louisiana. A little over a month ago I was asked by the Governor of the State to serve on the Louisiana Economic Development and Gaming Corporation (LEDGC) which regulates the landbased casino in New Orleans. The Harrah's Corporation has been awarded the contract to run the casino and the Board is presently in the process of evaluating an application by Bally Gaming, Inc. to be the supplier of slot machines and other gaming devices to be used in the casino.

The President of LEDGC, Mr. Wilmore Whitmore, declined Bally's application based upon its poor performance in monitoring the sale of its video poker machines in the State of Louisiana. A copy of the President's ruling is attached for your ready reference. A memorandum supporting his decision is also enclosed. Under the laws of our state Bally has the right to appeal the President's decision to the full Board.

As an individual member of the Board I was predisposed to support the President's decision. The United States Attorney's office for the Eastern District of Louisiana had indicted seventeen (17) persons that it alleged had ties with organized crime, specifically the Genovese LCN family in New York, who were distributing Bally video poker machines in Louisiana. Bally Gaming had loaned in excess of $25 million dollars to these individuals who in turn were skimming the profits off the machines, thereby defrauding Bally and the State of Louisiana. The companies through which they were operating, Worldwide Gaming of Louisiana (WGC) and Louisiana Route Operators (LRO), went into bankruptcy. The President of Bally Gaming, Inc. Mr. Alan Maiss pleaded guilty to a felony arising out of these transactions. Our regulations require that a company seeking to do business with the casino prove by clear and convincing evidence a record of prior reliability. I certainly could understand the President's decision that Bally Gaming, Inc. did not satisfy that burden of proof.

The attorneys for Bally had no credible rebuttal to the President's decision and to the contrary expressed an inability to even discuss the allegations because of the pending federal prosecution. The primary argument submitted by Bally's attorneys to the President was that the United States Attorney's Office felt that Bally's had been a "victim" and therefore was not a knowing party to what had taken place. The President in arriving at his decision never questioned whether Bally was a victim, but correctly pointed out that it had at best been extremely negligent in allowing itself to have become partners with alleged organized crime figures and clearly did not qualify under the suitability requirements of Louisiana law.

I was shocked and dismayed to find the attorneys for Bally introducing into the record of our proceedings a letter signed by *three* Assistant United States attorneys expressing concern regarding the President's findings and support for Bally Gaming, Inc. A copy of that letter is attached for your ready reference. In my 20 years as a federal judge I have never seen the Department of Justice interject itself in such a flagrant fashion into the proceedings of a state board. You will note that the letter contains conclusory and unsupportable statements. For example, the letter states the corporation did not do anything wrong, rather it was its president, as though a corporation could act other than through its officers.

At a public meeting attended by Bally's attorneys I expressed my opinion about the questionable conduct of the United States Attorney's office in writing such a letter. At very least we had the obligation to hear sworn testimony in support of the conclusions if the government's attorneys wanted to give their views. They declined an invitation to testify, and when we issued subpoenas to them they predictably invoked executive privilege and refused to testify. Bally's attorneys then decided to "withdraw" the letter from the three assistant United States attorneys as though they somehow expected that the Board members were supposed to ignore what had already been presented.

It was on January 26, 1995 that the United States Attorney's office wrote to us telling us that they would not agree to testify before the Board. On January 27, 1995 one of the same assistant United States attorneys who wrote the letter issued a subpoena for all of the Board members to appear before the United States Grand Jury on January 31, 1995. The Board is scheduled to vote on the Bally appeal the next day, February 1, 1995. A copy of the subpoena is attached.

As I am sure you are aware a federal grand jury subpoena can be disconcerting under the best of circumstances. However, just before issuing the subpoena to the Board members the United States Attorney's Office had already gotten the President of LEDGC, Mr. Whitmore, before the Federal Grand Jury and grilled him in a most antagonistic manner. They made it very plain to him that they disagreed with his assessment of Bally's activities. it was clearly not a session designed to secure information, but rather to challenge Mr. Whitmore's conclusions.

Through my attorney, Julian Murray, I expressed to Mr. Letten how ill timed and intimidating were such subpoenas. I inquired as to whether the grand jury appearances could be postponed for a reasonable amount of time so that the Board members did not have to vote on such an important matter knowing that they would incur the ire of the federal prosecutors before whom they would have to appear the next day. Mr. Letten responded to my attorney that a continuance was not possible. Rather, he, Mr. Irwin and Mr. Perricone (the same three Assistant United States Attorneys that sent the letter) felt that it was imperative that the grand jury hearing go forward. When a meeting was requested with United States Attorney Eddie Jordan so that that decision could be reviewed, Mr. Letten responded that the United States Attorney had recused himself in the matter and that he, Letten, was the United States Attorney as far as this particular matter was concerned.

I am therefore required to write to you for review of this decision. I request that there be a postponement of my appearance before the federal grand jury and that when I do appear that the proceedings be handled by a special assistant United States attorney appointed by you.

In closing I emphasize that I write this letter as an individual Board member and do not purport to speak for the Board as a whole or any of the other members. However, I can state to you without equivocation that the interference by the United States Attorney in the Board's proceedings has had a chilling effect on its deliberation. I suggest that if you will take the time which I am requesting to check into this matter you will find that there is not in fact any urgency that would dictate against my request for a reasonable postponement of the grand jury appearance. If there is ever any information which I am able to provide to the United State's government I am perfectly willing to do so. I simply request that the inquiry be conducted in an appropriate manner by prosecutors who do not have what is, at very least, the appearance of ulterior motives.

Thanking you for your prompt attention to this matter and awaiting your reply, I remain,

Very truly yours,

FRED J. CASSIBRY,
U.S. District Judge, (Ret.)
Board Member, LEDGC.

[From the Advocate, Baton Rouge, LA., Jan 31, 1995]

FEDS SHOULD EXPLAIN PROSECUTORS' ACTIONS

Appearances can sometimes be deceiving, but it certainly appears as if federal prosecutors are attempting to influence a decision by the state casino board.

We question whether interference in the affairs of the casino board is the proper role for the federal prosecutors and think a public explanation is in order.

At issue is a casino board decision on the issue of whether Bally Gaming Inc. should be issued a license to supply to the New Orleans casino $6.2 million in slot machines and the computer software to control the machines.

Wilmore Whitmore, chief executive officer of the casino regulatory agency, earlier this month had banned Bally from doing business with Harrah's Jazz Co. Whitmore cited Bally's involvement in the Louisiana video poker industry with two companies named by federal prosecutors as organized crime fronts.

Federal prosecutors have said Bally was the victim of the alleged scheme by organized crime to make inroads into Louisiana's video poker gambling industry.

Whitmore contended, however, that Bally was negligent in its rush to capitalize on the lucrative video gambling industry in Louisiana and failed to exercise sound business practices.

In the early stages, Bally Gaming advanced thousands of dollars to the two Louisiana companies without meaningful oversight, Whitmore said. This business association "afforded organized crime the opportunity to infiltrate the Louisiana video poker industry."

Whitmore also said Bally directors knew or should have known about a year before federal indictments were returned against 17 individuals that the two companies in which some of the indicted men were involved were linked to criminal elements.

The former president of Bally Gaming, Alan Maiss of Reno, Nev., pleaded guilty earlier this month to two counts of misprision of a felony—having knowledge of crimes being committed but failing to report them to proper authorities—in connection with the case.

Bally appealed Whitmore's denial of a license, and the casino board conducted a hearing last week on that appeal.

During the hearing, new casino board member Fred Cassibry of New Orleans, a former U.S. District Judge, was critical of federal prosecutors for writing letters to the casino board in response to a Bally request. The letters portrayed Bally as a victim in the scheme which led to the indictment of 17 people last May.

"I consider this a serious breach of ethics and law." Cassibry said of the letters. "It is a disgusting and disgraceful attempt to influence this board."

The board instructed Whitmore to invite Assistant U.S. Attorneys Jim Letten, Steven Irwin and Salvador Perricone, along with a state police representative, to testify at the hearings.

After the federal prosecutors offered to speak only with "one or two of the commissioners," the board issued a subpoena for them to testify, Cassibry said Monday. The subpoena was ignored, he said.

Now, the U.S. attorney's office has issued subpoenas to all nine members of the casino board to appear today before a federal grand jury.

The casino board is scheduled to meet Wednesday to consider whether to uphold Whitmore's denial of the license.

Cassibry said the U.S. attorney's office is trying to intimidate the casino board into issuing the license to Bally.

It certainly looks as if Cassibry is correct.

If that is the case, it is a highly inappropriate role for federal prosecutors to take.

Based on the information presented during the three-day hearing last week we believe Whitmore was justified in his denial of a license for Bally's to do business with the New Orleans casino. Bally's failure to exercise due diligence in regards to its associations certainly seems to be sufficient cause to believe that Louisiana is better off without further association with the firm.

Louisiana has enough mud on its face already for its inept regulation of gambling without adding more by waffling on a license for a firm which allowed the tentacles of organized crime to reach into video poker gambling in the state.

Cassibry said the federal prosecutors became involved because they want Bally to be clean so they can portray the firm as the victim.

"If Bally is the victim, they can stick it to all of those people they are trying to convict . . . That's the only reason I can think of for this outlandish behavior," he said.

We appreciate the federal prosecutors for their role in bringing to light the efforts by organized crime families in New Orleans, New York and New Jersey to become involved in Louisiana's gambling business.

But we don't believe the involvement of the prosecutors in attempting to take up for Bally now is appropriate.

The actions of the federal prosecutors are sufficiently serious that they deserve the attention of—and an explanation by—Attorney General Janet Reno.

[From the Times-Picayune, Feb. 3, 1995]

WRONG DECISION, WRONG MESSAGE

By granting Bally Gaming Inc. a license to sell $6.2 million worth of slot machines and computer equipment to the temporary casino, the state Casino Board this week reinforced the notion that Louisiana's gambling regulators are more concerned with protecting the powerful casino interests than the integrity of the industry in our state.

Bally Gaming made a terrible business decision when it picked Worldwide Gaming as its exclusive Louisiana distributor for Bally video poker machines three years ago. As this newspaper reported in our December series, "Stacking the Deck: The Birth of Louisiana Gambling," in less than a year, Worldwide had squandered $13 billion Bally had lent it and was in bankruptcy.

And that was the good news.

A year later, 17 people associated with Worldwide were indicted by the federal government on charges that they operated Worldwide as a front company for organized crime. All but Stephen Bolson, a co-founder of Worldwide, pleaded innocent and await trial.

Enter now the U.S. attorney's office in New Orleans, which wrote a letter for Bally responding to the Casino Board's concerns and claiming the company was an innocent victim in the Worldwide affair.

The office's view that Bally was an innocent victim in the Worldwide scheme was already clear from court documents they filed in the case. Writing a letter on behalf of Bally can only create the impression that the federal government was weighing in on Bally's side in a regulatory dispute where the U.S. attorney has no role.

Whether a company is completely innocent of criminal wrongdoing in its business dealings is an entirely different matter from whether a company is suitable to receive a gambling license.

In fact, there is much in the record of Worldwide's bankruptcy and in court documents and depositions taken in the case to raise serious questions about Bally's suitability to do business in Louisiana's gambling industry.

Here are a few of the details that raise legitimate unanswered questions about Bally Gaming.

Jerry Flynn, Bally Gaming sales manager in 1992, testified in a court deposition that then-Bally president Alan Maiss knew of Worldwide's ties to alleged mobsters but continued to do business with the company. Maiss denies the allegation.

In a plea agreement with the federal government, Mr. Maiss earlier this month pleaded guilty to a felony count of failing to report that one of Worldwide's founders, Christopher Tanfield, did not have a Louisiana gambling license.

Mr. Tanfield, one of the people indicted in the Worldwide case, testified last week in a deposition for the Casino Board that his agreement to resign from Worldwide in 1992 after a newspaper article linked him to members of a New York organized crime family was essentially an artifice—that he continued to work 20-hour days as a "consultant" to Worldwide, taking instructions from Bally officials.

If that is true, it goes to the heart of Casino Board President Wilmore Whitmore's ruling that Bally was unsuitable for a license in part because Bally failed to aggressively address concerns about mob ties in Worldwide's operations.

There is a larger issue at stake here than whether Bally Gaming does or does not have a license.

Under the best of circumstances, a state should do everything in its power to place a gambling license in the hands of operators who are above reproach.

A gambling license is a privilege, not a right. State regulators need not prove that an applicant for a gambling license is unsuitable; the applicant has to prove beyond a reasonable doubt that it is suitable to hold a license.

In deciding to overturn Mr. Whitmore's decision, the gambling board in essence decided that the interests of a casino equipment vendor outweighed the public's right to an untainted gambling industry.

There are many companies across the country that would leap at the chance to supply the casino with equipment—companies whose reputations, judgment and attention to detail are not in question.

By granting Bally a license, the Casino Board has announced what kinds of past behavior it will overlook in its applicants, what kinds of questions it will leave unanswered, what kinds of issues it will overlook.

The board has set the bar at an all-too-familiar low level, and the citizens of the state are ill served by its action.

HONORING THE CESAR CHAVEZ WRITING CONTEST AWARD WINNERS OF THE EAST SIDE UNION HIGH SCHOOL DISTRICT

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Ms. LOFGREN. Mr. Speaker, I rise today to recognize the winners of the first annual Cesar Chavez writing contest held by the East Side Union High School District in San Jose, CA. I had the great privilege of attending the award ceremony honoring the student winners on March 31, 1995, which, as you know, marks the birthday of the late Cesar Chavez. I would like to especially thank Joe Coto, superintendent of the East Side Union High School District, for organizing this important event.

I am very proud of all the students who participated in the Cesar Chavez Writing Contest, and would like to congratulate each of them on their achievement. By participating in this writing contest, these students paid tribute to Cesar Chavez, who dedicated his life to the struggle for equal rights and equal opportunity. His work fighting for human beings and fair working and living conditions for farmworkers was an inspiration to those who joined him and those who supported his efforts around the world.

Cesar Chavez will be remembered for his tireless commitment to improve the plight of farmworkers and the poor throughout the United States. And, he will be remembered for the inspiration his heroic efforts gave to so many

Americans to work nonviolently for justice in their communities.

These students who participated in this writing contest have been an inspiration to me in my efforts as a recent cosponsor of a resolution that would declare March 31 a Federal holiday in honor of Cesar Chavez. The resolution which is sponsored by Congressman BOB FILNER of San Diego currently has 20 original cosponsors and will be introduced this Congress.

Mr. Speaker, the students who participated in the Cesar Chavez Writing Contest deserve to be recognized individually for the wonderful essays and poems they wrote in his honor.

Rosalinda Gonzalez of Independence High School and Nicole Perez of Mt. Pleasant High School were the two grand prize winners. Each wrote poems about Cesar Chavez's life. Rosalinda Gonzalez' poem is titled "Cesar Chavez" and Nicole Perez' poem is titled "Recollection."

The first place winners are listed as follows: Sabrina Hernandez of Andrew High School who write the essay titled "This Spirit We Follow"; Aberin Rodrigo of James Lick High School who wrote the essay titled "Cesar Chavez"; Kathryn White of Oak Grove High School who wrote the essay titled "Making the World a Better Place"; Lisette Muniz of W.C. Overfelt High School who wrote the poem titled "Cesar Chavez"; Ahmed Desai of Piedmont Hills High School who wrote the essay titled "Dedicated to a Dedicator"; Maria Gonzalez of Santa Teresa High School who wrote the poem titled "Battle"; Brenda Reyes of Silver Creek High School who wrote the poem titled "Who is He?"; and Eulala Reynolds of Yerba Buena High School who wrote the poem titled "Cesar Chavez."

The second place winners are listed as follows: Lauren Droira of Andrew Hill High School who wrote the essay titled "Cesar Chavez' Testimony to Modern Society"; Eve Zuniga of Independence High School who wrote the essay titled "Charity"; Troy Arevalo of James Lick High School who wrote the poem titled "Cesar Chavez"; Marie Aloy of Mt. Pleasant High School who wrote an untitled essay; Mark Papellero of W.C. Overfelt High School who wrote the poem titled "The Lives of Workers"; Raymond Ramirez of Piedmont Hills High School who wrote the poem titled "Chavez y La Causa"; Ester Martinez Estrada of Santa Teresa High School who wrote the essay titled "A Hero to the Mexican Community"; and Anthonette Pena of Silver Creek High School who wrote the essay titled "Cesar Chavez."

Mr. Speaker, it is with great pride that I ask you to join me in recognizing these distinguished students and award recipients from my district, who looked to see Cesar Chavez as a great citizen worthy of respect, praise, and emulation. Mr. Speaker, we all look in our history with respect and love for the men and women who devote their lives to the cause of social and economic justice to all citizens. Cesar Chavez is such a man. His memory will live on through the heart-felt poems and essays of these students. I commend each of these remarkable students for their important contribution to preserving the memory of Cesar Chavez.

Mr. Speaker, over the next several days I will be entering into the RECORD the essays and poems of these students. I will start by sharing with you the poems of the two grand prize winners, Rosalinda Gonzalez of Independence High School, and Nicole Perez of Mt. Pleasant High School. Their poems follow:

Rosalinda Gonzalez of Independence High School.

"CESAR CHAVEZ"

Lying there in death
In a hot room
With only a fan to cool him
A crate-looking casket
I saw him
In the flesh

A great man's death
People in mourning
Over the end of an era
An era in which
I had no part

The marches, boycotts, fasts,
La huelga
I had only heard of them
from my Dad

Assembled for a funeral
March
Was when I understood
It is about people
By the thousands
They came
Men, women, children
Different races, lifestyles, and creeds

Unity
As I marched
I felt it
I was brought back
To the days
My Dad Spoke of
Marching for a cause
Together as one

Now
Is the time
For action
Our generation is
Next in line
Educate and make a
Change
The birth of a new era

Nicole Perez of Mt. Pleasant High School.

"RECOLLECTION"

My eyes looked up at him longingly,
the man my parents often spoke of.
"There he is hija,"
"He's the one," the one that helped us.
He shook my fathers hand, with a firm grip,
and a subtle smile.
He was wearing very simple clothes, yes,
a very humble man.
Yet he held a world of power,
in his strong, worn out hand.
I remembered all the things he did,
all the things he did for us.
The strikes, the vigils, his leadership against
the one's who tried to conquer us.
My mother told me the stories,
the stories of the past.
Of how Mr. Chavez held on, never letting go,
strong and always stead-fast.
I held on tightly and whispered in my mama's ear
"I'm gonna be just like him mama,"
"I'm gonna be just like him."

There were eight first place winners. Of these eight, I will enter the essays of the first three first place winners today. The essays of Sabrina Hernandez of Andrew Hill High School, Aberin Rodrigo of James Lick High School, and Kathryn White of Oak Grove High School follow:

Sabrina Hernandez of Andrew Hill High School.

"THIS SPIRIT WE FOLLOW"

Why are people of past struggles as well as successes remembered in spite of their death? Why, because they are leaders. Cesar Chavez died in 1993 and still, today, he serves as a model for youth throughout the world. Cesar Chavez had fire in himself, a spark of divine madness as he would march, boycott, and strike to win rights for migrants. But above all, Cesar Chavez helped all Hispanic people to dignify their deepest desires, convinced many to follow his own footsteps in the making of a great history, and finally, gave people a sense of glory about themselves.

Today people may wonder who Cesar Chavez really was and, as a youth, one may question how Cesar Chavez became the person he is remembered to be. Cesar Chavez helped people to dignify their deepest desires, no matter what they were to be. In doing so, people's desires today are to keep Cesar Chavez' spirit alive in the hearts of his followers and, most of all, in the hearts of the youth. We, the youth of today, will become the leaders of tomorrow. In order to become successful adults, we need people like Cesar Chavez, who struggled to keep his dreams alive so they could become a reality. Together we may look up to and follow in his footsteps, determined to reach our goals despite the hardships that we may come to face.

Cesar Chavez was like a mirror, reflecting back to people their own sense of purpose, putting into words their hopes and dreams, transforming their needs and fears into coherent policies and programs. On July 29, 1970, Cesar Chavez and his followers signed union contracts with the U.F.W. known to be the United Farm Workers union. This union helped migrant farmworkers join together to dramatize the plight of America's poor farmhands. Today youth are able to look upon this heroic man and into the future so that we may finally realize, "Yes, we can be leaders too." In the mid 1900's, people had glory in themselves, though they did not know it. They were too busy working the fields, picking lettuce, picking fruits, and least liked of them all, picking grapes. Now that we are approaching the year 2000, thanks to Cesar Chavez, farmworkers, some from our own families, do not have to suffer as much to earn a living. We still have to work, yet we have time to hope, to wish, and to dream.

Our strength made him strong; our determination made him determined; our courage made him a hero; he was and still is, in the final analysis, the symbol of our dreams and hopes, shaped by our own spirit and will . . . his name, Cesar Chavez. He lead the making of memorable history and today our grandparents and our parents are able to tell us the story of this wonderful man. Cesar Chavez' beliefs were bolder than a pair of eagle's wings. He stood strong and tall surpassing his own hardships while achieving dreams that were interlocked in his heart and the hearts of us that believed in him. He worked hard to break the wall of obscurity that seemed to combine work with pain. The paths that Cesar Chavez traveled are here for us today so that, we too, can experience life's forsaken treasures.

Cesar Chavez was a leader and today, for many, still remains a leader. He spent his whole lifetime uniting people, a quality he possessed even in death. He dignified, he convinced, and he gave his life to all those that believed in him. What Cesar Chavez stood for is relevant in our world and lives today, and now he is able to serve as a model for all youth to believe in, to follow, and to become.

(Aberin Rodrigo of James Lick High School)

CESAR CHAVEZ

In this crumbling society, where everything seems to retrogress instead of progress, role models are needed to guide the youth of the world in a positive direction. One might suggest that the youth today do have role models, but these role models are usually athletes or superstars. These athletes and superstars may be rich and famous, but they hide behind them the real models of today. Ordinary people who struggle and battle for what they believe in should be the role models of our youth because they display characteristics that are not often shown today. There are so many of these "secondary" role models, but one seems to stand out. This man was not very big physically, yet his heart was one of enormous proportions. A courageous and determined leader was what he was, and his name was Cesar Chavez.

Starting out his life as a farmer, Chavez began to realize how poor the conditions were that migrant farmers faced. They lived in shacks that were merely chunks of wood piled on one another. The food they were given were of the worst quality and plumbing was not available in these shacks. To make it worse, these farmers were given no benefits, even though they worked approximately sixteen hours a day, six to seven times a week. these ridiculous facts awakened the leader which was hidden in Chavez. His calm rage became visible when he organized the United Farmworker's Union. With this union he planned to call upon the nation's attention concerning the rights of these "invisible people." He wanted to let everyone know how pitiful the migrant farmers' living conditions were. If some people could be reached by Chavez's actions, which included going on two hunger strikes, then maybe these people could help make these conditions less ridiculous and heinous. One might say, "Well, why did they not just leave and find another job?" They could not. Who else would give them a job knowing their background? Even though they were paid so little, and were treated so poorly, no one else would pay and treat them better. This is what Chavez tried to change, and with great patience, determination, courage and leadership, he would die trying.

All of Chavez's accomplishments were done with many characteristics not often shown in modern life. His courage was displayed when he spoke his mind representing the opinions of the migrant workers. His determination was displayed in his starvation protests, while his leadership was displayed in his organization of the Grape Boycott and the United Farmworker's Union. His patience undoubtedly was the force behind his continuance to fight for what he believed in. These are the characteristics lacked by the youth today, and even though Chavez has passed on, maybe, just maybe he might have influenced a few youths—youths who need guidance.

MAKING THE WORLD A BETTER PLACE

(Kathryn White of Oak Grove High School)

Cesar Chavez was not just a man, in the eyes of many he was a hero. Although Chavez passed away two years ago, he will always be remembered and looked up to. Chavez was a man who dedicated his life to improving the lives of the American farm worker. He organized the powerless migrant farm workers of California and forced the growers to pay better wages and provide better working conditions for the workers. His struggle was tough, but his commitment to the farm workers was stronger than any of those who opposed him. It was Chavez' honor, dignity, and sense of duty that make him one of the best role models a child growing up in today's world could possible have.

Many children today look to violence to solve their problems. Their only role models are those that they find on the "big screen," and because of this many important values are being replaced by superficial beliefs in the lives of children everywhere. Yet, it is people such as Cesar Chavez who can bring about change in children's lives. Chavez was a nonviolent and hardworking man who followed his heart and used his time and energy to promote peace and make a better life for those around him. The qualities which made Chavez the great man that he was are those that children everywhere should want to instill in their lives.

Chavez had a mission, and although he was opposed by many who did not agree with him, he never gave up. He had a commitment, and his promise to the farm workers of America was one that he intended to keep. The life and hard work of Cesar Chavez demonstrates to children the rewards for having a goal and working hard until it is reached. Chavez can serve as a role model to children around the world in that he was a dignified man who made a promise to himself and the people around him and through hard work and determination reached his goal. With a role model like this, children can learn that working hard and helping others not only makes the other person feel good but will bring about a sense of self-pride, a huge reward for honest hard work.

Cesar Chavez taught the world that working together accomplishes in much more than working alone. He taught the farm workers, the Latino community, and everyone around the world that pride in one's self, belief in those around you, and unending devotion to a worthy cause can make the world a better place. With a role model like Chavez, children everywhere can see that having honor and duty, not giving up when things get tough, and working together with others will provide a better more unified world where everyone can live together in peace.

TRIBUTE TO THE GOLDEN EAGLES OF NORTH CAROLINA HIGH SCHOOL

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 1995

Mr. COBLE. Mr. Speaker, for the second time in 3 years, a school in the Sixth District has captured the 1994–95 North Carolina high school 1A/2A dual team wrestling championship. What makes it even more special, is that it is the same team which won both titles.

On February 11, the Golden Eagles of East Davidson High School won the State 1A/2A dual team wrestling championship with a 28-to-25 sudden-death overtime victory against Mount Pleasant High School. Head Coach Bobby House, who has guided East Davison wrestling to an outstanding 159–33 dual team record over the last 11 seasons, told the Thomasville Times that this year's squad was special:

> This is a different group of kids. That group in '93, I wouldn't trade 'em for nothing. And I wouldn't trade these kids for nothing. They're fantastic. These parents here work crazy for us and do everything we ask them to do. The booster club gave us a great practice facility. I mean, what can I say? Danny Ward, the A.D., has done everything for us we could possible ask. All the coaches participate in doing things. It's just a fantastic situation to be involved with—a chance to win a state title.

Coach House would be the first to note that it takes a total team effort to compile a record of 24–1 as the Golden Eagle did this season. Special notice must be given, however, to heavyweight wrestler Jeremy Perry who scored an escape point with 4 seconds remaining in overtime to seal the win for East Davison. Sophomore David Children who led the Golden Eagles with 29 wins against only 3 losses this season, told the Times it was only fitting that Perry clinched the championship. "He said at the beginning of the year he didn't want anything but a state championship, and that's the man to have on the mat when it happened. So, I'm glad it was him."

We are glad for all of the members of the East Davidson wrestling squad. Congratulations to Head Coach Bobby House, Assistant Coach Brian Lingerfelt, and each member of the team. Best wishes to Doug House (103), Michael Tucker (112), Jeff Lowman (119), Brad Moore (125), Chris Burkhart (130), Tony Peters (135), John Musser (140), Shane Sebastian (145), Chris Waddell (152), Daryl Childress (160), David Lackey (171), Tim Daut (171), Jay Rollins (189), and Jeremy Perry (heavyweight). Special thanks is also given to managers David House and C.J. York and to the "Wrestlerettes" Lori Blake, Megan Gordon, and Jamie Fleming.

To Principal Ben Terrell and Athletic Director Danny Ward, and to all of the students, faculty, staff, families, and fans of East Davidson High School, we offer our congratulations on capturing the State of 1A/2A dual team wrestling championship. The entire Sixth District of North Carolina is proud that you have won this title 2 out of the last 3 years.